THE

# SAVANNAH CITY CODE:

COMPRISING THE

# STATUTES AND ORDINANCES

RELATING TO THE

## CITY OF SAVANNAH.

COMPILED AND PUBLISHED

BY AUTHORITY.

SAVANNAH:
GEORGE B. CLARKE.
1871.

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# PREFACE.

The subjoined proceedings of the City Council of Savannah show the appointment of the undersigned as Commissioners to Codify the Ordinances of the City of Savannah.

Although the letter of the resolutions of Council would seem to have contemplated only the compilation or codification of ordinances, yet it is evident that the spirit of those resolutions must necessarily embrace the compilation of so much of the statute law of Georgia as has special reference to Savannah; or, at least, of such parts of that law as might be compiled without swelling unnecessarily the size of a book of ordinances. This the Commissioners have endeavored to accomplish; taking, as their guide, the charter of the city as contained in Irwin's Revised Code, and other portions of that Code having relation to Savannah; as well as some statutes, outside the State Code, bearing peculiarly on the interests of the city. It is believed that, in respect to such statutes, the City Code, now submitted to the public, is sufficiently comprehensive.

In passing the work through the press, the Commissioners encountered a difficulty in their effort to embrace in the volume all new ordinances passed down to the time of publication. Hence, some irregularity in the execution of the plan of the work. It is believed, however, that such irregularity will be in a great measure overcome by the copious Index, and by the insertion of an Appendix. It is also believed that the City Code contains the substance of all general ordinances of force on the twelfth day of June, 1871, the date of the adopting ordinance; but, out of abundant caution, the ordinance adopting this compilation expressly saves all ordinances not incorporated in this work—if any such there be—which were usually considered of force at the date of this publication. All ordinances having in view mere private rights, such as grants to private persons, or to corporations, or relief from penalties, etc., are purposely omitted as tending unnecessarily to swell the size of the volume.

The general plan of the work is that of the Baltimore City Code. The ordinances are distributed under different titles, and each article is headed with a caption or abstract giving the number of each section. In

many cases, amendments have been incorporated in the original ordinances; and, as a general rule, titles to ordinances, and enacting and repealing clauses, have been omitted. References in the Index have been made to the pages of the Code, and not to the articles and sections.

W. B. FLEMING,
J. R. SAUSSY,
EDWARD J. HARDEN,
Corporation Attorney,
} *Commissioners.*



# REPORT

OF SPECIAL COMMITTEE ON CODIFICATION OF ORDINANCES OF THE CITY OF SAVANNAH; AND RESOLUTIONS THEREON.

(*Extract from Minutes of Council, 16th February,* 1870.)

The Special Committee appointed under resolution of Council on the 24th day of November last, by his Honor the Mayor, to whom was referred the matter of the Codification of the City Ordinances, having had the same under consideration, respectfully report the following resolutions:

*Resolved,* That the matter of the Codification of the City Ordinances be submitted to three Attorneys and Counsellors at Law, one of whom shall be the Corporation Attorney.

* * * * * * * * * * * *

*Resolved,* That the Hon. WM. B. FLEMING and Hon. J. R. SAUSSY be appointed Commissioners to act in conjunction with the City Attorney, in carrying into effect the object contemplated by the first resolution.

Respectfully submitted—

JNO. O. FERRILL, Chairman.

Attest:

JAMES STEWART,
Clerk of Council.

## AN ORDINANCE,

ADOPTING THE REVISED ORDINANCES, RESOLUTIONS, RULES AND REGULATIONS, COMPILED UNDER RESOLUTIONS OF THE CITY COUNCIL OF SAVANNAH PASSED 16TH FEBRUARY, 1870.

SEC. 1. The Mayor and Aldermen of the City of Savannah, in Council assembled, do hereby ordain, that the ordinances and parts of ordinances and resolutions, rules and regulations, printed and contained in the following pages of this book, be, and the same are hereby declared to be the ordinances, resolutions and rules of the Mayor and Aldermen of the City of Savannah, and that they shall have the force thereof: *Provided, always*, that every resolution, rule or regulation, whether passed by Council, or adopted or approved by Council for the government or regulation of some other body or officer, shall not have the effect of an ordinance so far as respects the amendment or rescission thereof; but every such resolution, rule and regulation shall be subject to amendment, repeal or rescission, as though this ordinance had not been passed.

SEC. 2. And it is further ordained, by the authority aforesaid, that this ordinance shall not have the effect of repealing any ordinance, resolution, rule or regulation, consistent with the Code hereby adopted, and which was usually considered of force at the passing of this ordinance, although such before mentioned ordinance, resolution, rule or regulation may not be found in the Code hereby adopted; and further, that this adopting ordinance expressly saves all existing ordinances having in view mere private rights, such as grants to private persons, or to corporations, or relief from penalties, etc.; and further, this adoption shall not affect any act done, or any right accruing or accrued, established or vested, or any suit or proceeding had or commenced in any case before the time when such adoption shall take effect, nor any suit or prosecution pending at the time of such adoption, for any offense committed, or for the recovery of any penalty or forfeiture incurred under any provision of any ordinance superseded by such adoption.

SEC. 3. And it is further ordained by the authority aforesaid, that this ordinance shall take effect on and from the first day of July next.

JOHN SCREVEN, Mayor.

Attest:

JAMES STEWART,
Clerk of Council.

## MAYOR AND ALDERMEN

OF THE

## CITY OF SAVANNAH,

1870–71.

HON. JOHN SCREVEN, Mayor.

ALD. ROBERT H. FOOTMAN, Chairman.

ALD. M. J. SOLOMONS, Chairman *pro tem.*

ALDERMEN:

1. EDWARD C. ANDERSON, JR.,
2. WILLIAM S. BASINGER,
3. JOHN R. DILLON,
4. JOHN O. FERRILL,
5. ROBERT H. FOOTMAN,
6. ALFRED HAYWOOD,
7. MICHAEL LAVIN,
8. MATTHIAS H. MEYER,
9. GEORGE N. NICHOLS,
10. JOHN T. RONAN,
11. JOHN SCHWARZ,
12. MOSES J. SOLOMONS.

CORRECTIONS AND ERRATA.

Wherever the word occurs, for "Whitfield" read "Whitefield."
Page 28; for §2182 in the margin, read §2183.
Page 45; after STATUTES, read 4th March, 1856.
Page 118; number of 2d section should be 87.
Page 153; in the abstract, No. 9 of Harbor Master's Rules should be 10, and the next succeeding number should be 9.
Page 159, Rule 16; for "overlaying" read "overlying."
Page 163; date of State law should be 1834.
Page 294; after STATUTES, read Irwin's Revised Code.
Page 305; immediately after State law, the ordinance of 18th March, 1859, concurring in and assenting to the grant of the area of twenty feet square, is omitted. See Wilson's Digest, 561-2.
Page 334; in the note, for §751 read §§4751, 4777.
Page 430; strike out number 16 of the abstract; and for 17 read 16.
Page 487; the numberings from Irwin's Code should be 1572, 1573, 1574, 1575.

# SAVANNAH CITY CODE.

## ARTICLE I.

## CITY OF SAVANNAH.

LAWS HAVING REFERENCE TO THE CITY OF SAVANNAH,
(COMPILED FROM THE REVISED CODE OF GEORGIA.)
**THE PARTS BETWEEN [ ] WERE ADDED AFTER THE FIRST EDITION OF THE CODE.

## ARTICLE 1.

CITY CHARTER, ETC.


1. §4724. The city as a corporation.
2. 4725. Mayor and Aldermen.
3. 4726. Election of Mayor and Aldermen.
4. 4727. In case of a tie.
5. 4728. Organization after new election.
6. 4729. Chairman shall be elected.
7. 4730. Rules and Regulations.
8. 4731. Compensation of Mayor.
9. 4732. Mayor and Aldermen—eligibility.
10. §4733. Qualification of voters.
11. 4734. Election and hours of voting.
12. 4735. Registry of voters.
13. 4736. Manner of registering names.
14. 4737. Clerk's duty.
15. 4738. List of voters to be furnished.
16. 4739. Oath to be administered to voters.
17. 4740. Voting illegally.
18. 4741. Creating riot, etc.
19. 4742. Posse may be called out.


Style of the city as a corporation.

1. §4724. 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.

Mayor and Aldermen—election of, and term of office.

2. §4725. 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 Monday in October, annually, 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 July, August, September, and October, when a majority of the Aldermen in the city shall suffice.

A quorum.

Mayor and Aldermen—how elected.

3. §4726. The Mayor and the Aldermen shall be separately designated on the ticket; and the candidate for Mayor receiving a majority of the votes for that office shall be declared elected; and the twelve who shall receive the highest number of votes for Aldermen shall constitute the board of Aldermen; *provided*, that, should 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 their 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.

In case of a tie

In case of a tie in election for Mayor.

4. §4727. In case of a tie in the vote for Mayor, or if there be more than two candidates for Mayor, and no candidate shall receive a majority of all the votes for that office, 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 from their own body 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.

Vacancy—how filled.

Newly elected Mayor and Aldermen—organization and oath.

5. §4728. The newly elected Mayor and Aldermen shall meet on the first 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, to the best of my ability and understanding."



The same oath shall be taken by the Mayor, substituting the word "Mayor" for "an Alderman."

A chairman shall be elected.

6. §4729. When organized according to law, the board shall elect a chairman, who shall, in case of the absence, death, or resignation of the Mayor, be vested with all his power and authority, and 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.

Rules and regulations.

7. §4730. 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.

Compensation of Mayor.

8. §4731. The Mayor shall receive such salary or compensation for his services, payable out of the city treasury, as the City Council may determine.

Eligibility of Mayor and Aldermen.

9. §4732. 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 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.

Qualification of voters.

10. §4733. All persons shall be qualified to vote at elections for Mayor and Aldermen of the City of Savannah, who are citizens of the United States, have resided in this State 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 for one month immediately preceding their registration, and four months before the election; who have attained the age of twenty-one years, and have paid all city taxes, or have, in their own right, sufficient real estate to satisfy any tax executions which may be issued against them; who shall have made all returns required by the ordinances of the city, and have been registered according to law.

Elections—when held.

11. §4734. Elections for Mayor and Aldermen of Savannah shall be held at the Court House in said city, between the hours of seven in the morning and six in the afternoon, under the superintendence of the Justices of the Inferior

Court of Chatham county, and the Justices of the Peace in said city, or any three or more of them; but no person holding an office of profit or emolument under the corporation of Savannah shall be competent to preside; and it shall be the duty of the presiding magistrates to certify the result of all such elections on tally sheets for that purpose to be made out, which tally sheets shall be delivered to the Mayor, or Clerk of Council, three days before the first meeting of the board elect.

Registry of voters.

12. §4735. The Clerk of the Common Council of the City of Savannah, and, in case of his sickness or absence, any officer duly elected and appointed by the Mayor and Aldermen, or a majority of them, for that purpose, shall open a list for the registration of voters on the first Monday in January, of each and every year, which list shall be kept open until two o'clock in the afternoon of the first Monday in September ensuing, when it shall be finally and absolutely closed.

Manner of registering and description of person

13. §4736. It shall be the duty of such clerk or officer, upon the application, in person, and not by proxy, of any person entitled to vote as aforesaid, within the time prescribed for the list to be kept open, to register the name of such person, expressing in such registry his name, age, occupation, or business, and the place of his residence in the City of Savannah, which shall be entered by the clerk or officer on said list, opposite the name of each applicant—[*the applicant first paying to the Clerk of the Council, or other officer, as aforesaid, for the city treasury, the sum of one dollar, which shall be in lieu of the poll tax now paid;] but no person shall be entitled to registry when his continued residence within the State can not be one year, and within the corporate limits four months, immediately preceding the election. The clerk may, in any case, administer an oath to the applicant, touching his right to be registered.

Applicant may be sworn.

Duty of Clerk.

14. §4737. It shall be the duty of said clerk, or other officer, to arrange and publish a list of the names so registered, in alphabetical order, in one of the gazettes in the City

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*The part in [ ] repealed by Section 1 of Act of 21st October, 1870, which says:

"That it shall henceforth be unlawful for any county, city or corporate authority to assess or collect any capitation tax whatever, except street tax, and that only after opportunity to work the streets."



of Savannah, at least once a month, from the first Monday in January to the Tuesday after the first Monday in October, in every year, and to affix and keep an alphabetical printed list of the names of all registered voters at the door of the Court House and the Exchange in Savannah, for one week from the Tuesday after the first Monday in October of every year; but, in said list, it shall not be necessary for said clerk to publish the age, business, or place of residence of such voter.

A list of the names registered to be furnished Managers.

15. §4738. It shall be the duty of the Clerk of Council to furnish to the magistrates presiding at the election of Mayor and Aldermen of Savannah, at the opening of the polls on the day of said election, a complete list of all the names, arranged in alphabetical order, which shall have been registered according to the foregoing provisions, together with the age, occupation or business, and place of residence in Savannah, of every person whose name is so registered at the time of such registration, certified under the hand of said clerk, and the corporate seal of Savannah; which list shall be kept before the presiding magistrates during such election, and, when said election is over, it shall be deposited in the office of said Clerk of Council, to be safely kept by him.

Oath of voters

16. §4739. The presiding magistrates shall be authorized to administer the following oath to any person attempting to vote: "You do solemnly swear that you are a citizen of the United States; that you have resided in the State of Georgia for one year immediately preceding this election, and within the corporate limits of the City of Savannah for the last four months; that you are twenty-one years of age; that you have paid all taxes due the city of Savannah, or have in your own right, sufficient real estate to satisfy any executions against you; that you have made all returns required by the ordinances of the city; that you have been duly registered within the time prescribed by law, and that you have not yet voted this day. So help you God." Any person conscientiously opposed to taking an oath may affirm to the some tenor.

Illegal voting,

17. §4740. Any person voting or attempting to vote at such election, not qualified to vote, shall be guilty of a misdemeanor, and, on conviction before the Superior Court of Chatham county, shall be punished by fine or imprisonment, or both, at the discretion of the Court.

May be committed to jail.

18. §4741. The presiding magistrates, or any one of them, shall be authorized to commit, instanter, to the common jail, any unqualified person offering or attempting to vote as aforesaid, and any person attempting to commit, or actually committing, an act of violence at or about the polls or place of election, and any person attempting to create, or actually creating a riot or disturbance at or about the polls or place of election, by verbal order issued to any officer of the county or city, or by warrant under his or their hand, addressed to all lawful officers of the county and city, or to any private person specially named therein; *provided*, that any person so committed shall be entitled to be discharged or admitted to bail upon examination according to law, at any time after ten o'clock on Tuesday after the second Monday in October; *and provided further*, that no person committed upon verbal order as aforesaid, shall be detained in jail more than twenty-four hours, unless a written detainer be lodged against him.

Creating a riot or attempting to do so.

Arrest—by whom made.

19. §4742. Any officer, upon the receipt of the verbal order as aforesaid, or any officer or private person specially named, upon the receipt of the warrant as aforesaid, shall be authorized to require the assistance of a posse; and any officer of the city or county refusing or neglecting to obey such verbal order or written warrant, shall be guilty of a misdemeanor; and, on conviction before the Superior Court of Chatham county, shall be punished by fine or imprisonment, or both, at the discretion of the court; and it shall be the duty of the Magistrate or Magistrates, giving such order or issuing such warrant, to present the offending officer to the Grand Jury of the Superior Court at its ensuing term.

Officer refusing.



# ARTICLE II.

## CORPORATE AND JURISDICTIONAL LIMITS.

1. §4743. Corporate limits of Savannah.
2. 4744. Citizenship.
3. 4745. Jurisdiction.
4. §4746. Subjects of jurisdiction—appeals.
5. 4747. Stores, shops, and barrooms.

Corporate limits of Savannah.

1. §4743. 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 Springfield plantation, thence along the boundary line of said plantation to the bifurcation of the Augusta and Louisville 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.

Citizenship.

2. §4744. All persons residing within said defined limits shall be entitled to the privileges of citizenship, under the same conditions and restrictions as the residents of the wards already laid out; and all persons and property within the said defined limits, shall be subject to and bound by all the ordinances and regulations of the Mayor and Aldermen of said city, now of force and hereafter to be ordained and established; with this *proviso, nevertheless*, that the said corporate authorities shall have no power to tax any of the lands, or other property within said defined limits, not now liable to taxation, except where the plan of the city is now, or shall hereafter be regularly and *bona fide* extended over such limits.

Proviso.

Jurisdiction.

3. §4745. 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.

Jurisdictional limits of the city.

4. §4746. 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.

Appeal.

Jurisdiction as to stores, shops and bar-rooms

5. §4747. The jurisdictional limits of said city shall extend two miles beyond the above defined corporate limits, so as to give to said Mayor and Aldermen the control and regulation of all shops, stores, and bar-rooms, and the sole regulation and power of governing and directing taverns, and granting licenses for retailing liquors within such limits, and of preserving peace and good order therein on the Sabbath, under such rules and regulations as from time to time may be deemed advisable.



## ARTICLE III.

## POWERS AND RIGHTS OF THE CORPORATION.


1. §4748. By-laws.
2. 4749. Taxation.
3. 4750. Debts due the city—dignity of.
4. 4751. Streets, wharves, lanes, etc.
5. 4752. Street railways.
6. 4753. Privilege may be farmed.
7. 4754. Transportation of freight.
8. 4755. Rates of fare and freight.
9. 4756. System of drainage.
10. 4757. Public Market.
11. 4758. May borrow money.
12. 4759. May hold real and personal estate.
13. 4760. Police officers—appointment and pay.
14. 4761. Shops, taverns, bar-rooms, etc.
15. §4762. Pains and Penalties.
16. 4763. Fines—how collected.
17. 4764. Mayor and Aldermen—powers.
18. 4765. Pavements and sidewalks.
19. 4766. Exemptions of persons and property.
20. 4767. Persons convicted—how punished.
21. 4768. Exemptions from militia duty.
22. 4769. Jail of Chatham county.
23. 4770. Rules and regulations of the jail.
24. 4771. Erection of jail.
25. 4772. Jail fees.
26. 4773. Ordinances continued.
27. 4774. How evidenced.


May establish by-laws.

1. §4748. 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.

Taxation.

2. §4749. 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 exempt by State law or competent authority of the United States.

Rank of tax and debts due the city.

3. §4750. 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.

Powers over streets, lanes, squares, etc.

4. §4751. 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; but whenever said Mayor and Aldermen shall exercise the power to widen, extend, or straighten a street, lane, way, or square, or to open, lay out, and establish any new street, lane, way or square, to the injury of private right, they shall appoint five freeholders, who shall assess the damages sustained [*or the benefits or advantages derived] by the owner or owners of the lot or lots fronting on said streets, lanes, ways, or squares so widened, extended, straightened, opened, laid out, or established, with power and authority to said Mayor and Aldermen to enforce the award or decision; but the owner or owners of land affected by such decision shall have the right to appeal therefrom to a special jury in the Superior Court of Chatham county, whose verdict in the premises shall be conclusive.

Street railways—how constructed and used.

5. §4752. [The said Mayor and Aldermen, in council assembled, and as a corporation, are authorized and empowered

* The part within [ ] pronounced invalid by the Supreme Court of Georgia.—*Compilers.*



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.]

City may use or farm railway privileges

6. §4753. [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 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.]

Question of carrying freight—how determined.

7. §4754. [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.]

Rates of fare and freight—how fixed.

8. §4755. [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 railways 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.]

System of drainage.

9. §4756. The said Mayor and Aldermen shall always have power to establish a complete system of drainage in and around said city, for the health and comfort of its inhabitants; but in cases where private property may be taken, or private right be injured for such purpose, the same proceedings for assessing and paying the damage incurred shall be had as are pointed out in Section 4751.

Public market

10. §4757. 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.

May borrow money.

11. §4758. The said Mayor and Aldermen shall have power to borrow money and contract loans for the public good, and to subscribe for works of internal improvement, which, in their judgment, may be to the interest of said city, and to issue bonds and pledge the property, faith, and credit of the



city for the payment of such subscriptions; *provided*, no subscription or outlay of money shall be made for any such work out of the city, except upon the recommendation of a public meeting of the citizens of Savannah, called for the purpose; and all bonds heretofore issued by said Aldermen and still outstanding are hereby declared legal and valid. Proviso.

May hold real and personal property.

12. §4759. 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 aliened by said corporation, except by authority of the General Assembly. All rights of property existing in said corporation at the adoption of this Code, are hereby expressly reserved to it.

Police officers, appointment and pay.

13. §4760. The said Mayor and Aldermen shall have power to appoint all such officers under them as they may deem proper for the police and good 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 the incumbent 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.

Shops, taverns, stores and barrooms.

14. §4761. The said Mayor and Aldermen shall have the control and regulation of all shops, taverns, stores, and barrooms, within the corporate and jurisdictional limits of said city, and the regulation of tavern license and licenses to retail liquors within the same; and also the power to regulate

the conduct of peddlers and itinerant traders within the same limits, by taxation or otherwise. They shall also have the power to pass all ordinances, rules or regulations, proper or necessary for the government of persons of color within the city and its jurisdictional limits.

Persons of color.

Pains and penalties.

15. §4762. They shall have power and authority to impose and inflict such pains, penalties, and forfeitures, for violations 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 offence, 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 offences.

Fines and penalties—how collected.

16. §4763. 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.

Mayor and Aldermen vested with powers of Justice of the Peace.

17. §4764. 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 offences before the proper tribunal.

Pavements and sidewalks.

18. §4765. 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.

Mayor, etc., exempted from jury duty.

19. §4766. The Mayor and Aldermen, during their continuance in office, shall be exempt from jury duty; and the Springfield plantation, and all other property of the city now



exempt from taxation by the State, shall continue to be so exempt.

Persons convicted of offences—how punished.

20. §4767. 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 offences against the ordinances of the city or laws of the State in relation to said city.

Persons exempt from militia and jury duty.

21. §4768. 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 water-works, shall be exempt from jury duty.

The jail of Chatham county.

22. §4769. The jail of Chatham county shall continue, as heretofore, under the direction, control, and management of the Mayor and Aldermen of Savannah, with all the rights and duties of commissioners of the same, and with power to them to appoint a jailer and other necessary officers, for a term not exceeding three years; which said jailer and other officers shall respectively give such bond, and be allowed such compensation, as the Mayor and Aldermen shall, by ordinance, prescribe; and which said jailer and other officers shall be removable from office by said Mayor and Aldermen, for any misconduct which shall, in their opinion, furnish sufficient cause.

Rules and regulations respecting the jail.

23. §4770. And said Mayor and Aldermen shall have power to pass all ordinances, resolutions, rules, and regulations, for the regulation of the jail and the government of the jailer and other officers, and all persons confined within said jail, as said Mayor and Aldermen shall, from time to time deem proper, and as shall not be repugnant to law; and the jailer shall be answerable for all escapes from such jail, to the same extent and in the same manner as the sheriff or other keeper of a jail may, by the general law be.

Laws for the erection of new jail.

24. §4771. All laws of force, for the erection of any new jail by the Justices of the Inferior Court* of Chatham county, are hereby continued in force; but such new jail, when erected, shall become the jail of said county, under the direc-

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* Now the Ordinary.—*Compilers.*

tion, control, and management of said Mayor and Aldermen, as in the preceding Section mentioned; but the said jail shall be subject at all times to the visits and inspection of said justices, and of the grand inquests of said county and city, who may report to the City Council of said city, any misconduct of the officers thereof, or evils existing therein, and recommend to said City Council any mode of redress or remedy therefor.

Jail fees.

25. §4772. Persons committed to said jail on other than civil process, or process from the corporate authorities of Savannah, shall be a charge on the county from which the prisoner may be sent; and said city authorities may demand periodical settlements from said county for the fees accruing for such prisoner, and in case the Inferior Court* of any such county shall refuse to make periodical settlements or payments, it shall be lawful for the Superior Court of such county, by mandamus or other process, on the application of the said corporation of Savannah, or the jailer, to compel such settlement and payment.

Ordinances continued in force.

26. §4773. All ordinances of said city existing at the time of the adoption of this Code, 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.

Ordinances of the city—how evidenced.

27. §4774. All ordinances, by-laws, rules, and regulations of said city, published by authority of said Mayor and Aldermen, and promulged as such by said authority, shall be evidence in all the courts in 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.

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* Now the Ordinary.—*Compilers.*



## ARTICLE 4.

### SPECIAL POWERS OF THE MAYOR AND CITY COUNCIL.

1. §4775. Special powers of Mayor.
2. 4776. Ordinances and police regulations.
3. §4777. Nuisances—how abated.
4. 4778. Paupers.

Special powers of Mayor.

1. §4775. 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, offences 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 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 offences, within said jurisdictional limits, against the laws of this State, or the ordinances of said city.

Ordinances and police regulations.

2. §4776. 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 dis-

cretion may be deemed best calculated to suppress, within the jurisdictional limits of said city, the practice of illicit trading with persons of color, and receiving stolen goods from them, 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.*

Nuisances—how abated.

3. §4777. 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, any nuisance which may tend to the immediate annoyance of the citizens in general, may be manifestly injurious to the public health or safety, or 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 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 disease in said city.

Quarantine and sanitary regulations.

Paupers.

4. §4778. 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 subjects; and any and every ordinance of said city now existing in relation to the influx of paupers therein, shall be considered as hereby confirmed.

Existing ordinances continued.

* The foregoing Section now obsolete.—*Compilers.*



## ARTICLE 5.

### POLICE COURT OF SAVANNAH.

1. §4779. Sessions and jurisdiction.
2. §4780. Officers may collect costs.

1. §4779. The Police Court of said city is hereby continued a Court of Record, and the Mayor or acting Mayor is hereby authorized to preside in said Court, and to hold sessions thereof as often as to him may appear to be necessary. Said court shall have cognizance of all offences against the ordinances of said city, and the laws of this State touching said city, with power to inflict the proper punishment by fine and imprisonment, or other penalty prescribed by such laws and ordinances from time to time, and to enforce the same by mittimus, directed to the Marshal of said city or any lawful Constable thereof, and to the Jailer of Chatham county when necessary; and said court shall have power to commit to jail any and all person and persons who may disturb said court during its sittings, or who may in any manner be in contempt of its lawful authority; but an appeal may be entered or taken from any judgment or decision of said court (except a commitment for contempt), to the Mayor and Aldermen of said city, in Council assembled, all costs being first paid and bond given to abide the decision of said Council, and no certiorari shall ever be allowed or granted until such is entered and the same is heard and determined by Council; and on the confirmation by Council of the decision or judgment of said Police Court, in whole or in part, no certiorari shall be allowed until the fine inflicted or confirmed by Council, and all costs shall be paid into the treasury of said city.

Police Court a court of record.

Sessions and jurisdiction.

Appeal may be entered.

Certiorari granted—when.

2. §4780. The Clerk of Council, the Marshal of said city, and the officers and members of the Police of said city, who are hereby declared to be *ex officio* Constables of said city, shall be officers of said Police Court; and they are hereby authorized to demand and receive for services rendered or duties performed in said court, such fees and costs for themselves, to be collected out of the defendants, as may be established by ordinance of said city.

Officers of Police Court may collect costs.

## ARTICLE 6.

### ORGANIZATION OF CITY GOVERNMENT.

1. §4781. Organization of City Government.

1. §4781. 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.

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## ARTICLE 7.

### FIRE DEPARTMENT OF SAVANNAH.

1. §4782. Savannah Fire Company.
2. 4783. May purchase and hold property.
3. §4784. Election and duty of officers.
4. 4785. Other companies may be established.

Fire company and their successors.

1. §4782. The corporation known as the "Savannah Fire Company," and their successors, shall continue to exist under said corporate name, and under that name to sue and be sued, plead and be impleaded, answer and be answered to, in any and all the courts of this State, and to have, exercise and enjoy all the powers granted to them not repugnant to the Constitution of the United States and of this State.

May purchase and hold property.

2. §4783. Said corporation shall continue invested with power to hold all funds and property now belonging to it, and such additions to said funds or property as may hereafter be made, and to purchase and hold real and personal estate, and also to receive all donations, legacies and bequests which may be made to it, to be held, used and enjoyed for the purposes following, that is to say: that the rents, interests and profits of all such property which said corporation may purchase or be interested in, and the interests of all loans which it has made or



shall make, shall be used and applied to the purpose of relieving the distresses of its members, and to and for no other use or purpose whatsoever. Profits—how appropriated.

3. §4784. Said corporation shall elect their officers in the manner pointed out in the ordinances of the City Council of Savannah, and nothing herein shall be so construed as to make said Fire company independent of said City Council, but that it shall continue to be subject to the same control of the City Council as that body has heretofore exercised over it. Said Fire company shall, on the first Monday in January annually, report to the City Council of Savannah what property they have purchased or become interested in, what loans they have made, the state of their funds, what disbursements they have made, and for what benevolent purposes. May elect officers. Not independent of City Council. Shall report first Monday in January, annually.

4. §4785. The Mayor and Aldermen shall have power to appoint such officers and agents, and make such rules and regulations for such appointments, and for the keeping up of an efficient force for preventing and extinguishing fires in said city, as the said Mayor and Aldermen shall deem expedient; but nothing herein contained shall be construed to repeal the charter of any fire company now existing by law. Mayor and Aldermen may establish other fire companies

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## ARTICLE 8.

### COLLECTION OF RENTS, RECOVERY OF POSSESSION, ETC.

1. §4786. Distress for rent.
2. 4787. Claim to property distrained.
3. 4788. Lien of distress warrants. Dispossessing tenant.
4. 4789. Warrant, how obtained—defences.
5. 4790. Contracts for rent bear interest.

1. §4786. 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 fifty dollars, such Rent—distress for. Warrant—by whom issued and to whom directed.

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 fifty dollars, besides interest, the affidavit must be made before the Judge of the Superior Court or Judge of the City Court of Savannah, or any of the *Justices of the Inferior Court of Chatham county, who shall issue a warrant 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 cases of execution on 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 cases of claim; and in case of verdict for the plaintiff, judgment shall be entered up and execution issued against principal and security, as in cases of appeal.

Advertisement and sale.

If rent exceeds $50.

Replevy—how made.

Issue and trial.

Claim to distrained property.

2. §4787. 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.

Lien of distress warrants.

3. §4788. No preference shall be given to persons distraining 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 any one of the Justices of the Inferior Court of Chatham county, or the Judge of the City Court of Savannah,

Tenant failing to pay rent and deliver possession, may be dispossessed.

* There being now no such Justices, *quære* as to the Ordinary.—*Compilers.*



may issue a writ of possession, 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.

4. §4789. The application to a judge or justice, 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 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 possession, except on giving bond and good security, to be approved of 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.]

Applicant must make oath.

5. §4790. 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 of the court to which the action is returnable.

Contracts for rent bear interest, and judgment first term.

## ARTICLE 9.

### PARTY WALLS AND FENCES.

1. §4791. Agreements to build party walls.
2. 4792. Building by one party alone.
3. §4793. Repairing by one alone.
4. 4794. City Council may further regulate.

Contracts to build and repair party walls and fences.

1. §4791. [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.]

One may build alone, on notice to other owner.

2. §4792. [Whenever the owner of a lot, or part lot 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 as aforesaid using the said wall or fence, after it shall have been built as aforesaid, by action in 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.]

Builder may recover half value of wall --when.



3. §4793. [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 such proportion.]

One party may repair alone and compel the other to pay just proportion.

4. §4794. [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 Article, or with the Constitution and laws of this State.]

City Council may make further rules as to dividing walls.

## ARTICLE 10.

### CEMETERIES IN AND NEAR SAVANNAH.

1. §4795. Owners and keepers of Cemeteries.
2. 4796. Interments to be reported.
3. 4797. Owners, etc., failing in duty.
4. §4798. Exemptions from jury duty.
5. 4799. Acts continued in force.

Owners and keepers of cemeteries.

1. §4795. It shall be the duty of each and every owner or keeper of a cemetery (other than a privat ecemetery 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.

Interments to be reported monthly.

2. §4796. 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 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 Secretary of the Board of Health of said city, whenever said board shall meet weekly, and monthly, when its meetings shall be monthly.

Weekly reports.

Penalty for failing to comply with the two preceding sections.

3. §4797. 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 offence—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.

Keepers exempt from jury duty.

4. §4798. The keepers of public cemeteries in and near Savannah, shall be exempt from jury duty in the Superior and Inferior Courts of Chatham county, and in the City Court of Savannah.

Acts of 1847 and 1854 continued.

5. §4799. The Act of the 27th December, 1847, incorporating the Evergreen Cemetery Company of Bonaventure, and so much of the Act of 18th February, 1854, as refers to the cemetery for the deceased members of the Roman Catholic Congregation worshiping in the city of Savannah, are continued in full force.

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## ARTICLE II.

## AUCTION, AUCTIONEERS AND VENDUE MASTERS.

### STATUTES.

1. Who may be Auctioneers.
2. Auctioneers may sue in their own name.
3. Auctioneer responsible to purchaser if he sells stolen horse or mule.

### ORDINANCES.

1. Auction sales, held by whom.
2. Application to be auctioneer must set forth place of auction business.
3. Special auction sales.
4. No person to have any part of profits unless he is partner.
5. Tax on sales.
6. Auctioneers shall give bond in the sum of $1,000, and make quarterly returns.
7. None but resident of the city for 12 months to act as crier; penalty $30 to $100.
8. Transient dealer compelled to take out license.

## STATUTES.

Who may be auctioneers. Irwin's Code §1438.

1. 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 such person may wish to exercise the calling of vendue master or auctioneer.

Right of auctioneers to sue Irwin's Code §2182.

2. Auctioneers may sue in their own name for goods sold by them.

Responsible to purchaser if he sells stolen horse or mule. Irwin's Code §1439.

3. Any vendue master who may sell or dispose of any horse or mule, shall be held responsible to the purchaser for damages, in the event that it be shown and proven that the horse or mule, so sold by him, was stolen.

## ORDINANCES, AS AMENDED.

Ordinance 1st July, 1852.

Auction sales, held by whom.

1. It shall not be lawful for any person whomsoever, not being a licensed vendue master, or a sheriff, coroner or constable, in execution of lawful process, or an executor, administrator or guardian, in the due execution of his trust, to hold any public vendue sales or auction whatsoever, or to expose for sale by himself at public outcry, any goods, chattels, wares, produce or merchandise, within the limits of the city of Savannah. And if, after the passing of this ordinance, any person other than the person hereinbefore named, shall hold any public auction whatsoever within the limits of the city of Savannah, or shall expose to sale by himself at public outcry within the limits of the city, any goods, wares, chattels, merchandise or produce whatsoever, such person so acting or offending shall be subject and liable to a fine for each and every such act or offence, of not exceeding fifty dollars, to be imposed and recovered on information before the Mayor of said city.

Penalty.

Application to set forth place of auction business.

2. When an application for the office of vendue master shall hereafter be made, the applicant shall set forth the store or place at which he intends to conduct or carry on his general vendue or auction business, and no auctioneer shall hereafter



be permitted to hold, carry on, or conduct any general auction or vendue business at any other store or house than the store or place so set forth, unless by special permission of Council; and hereafter all licenses shall show the said store or place as set forth by the applicant, and such licenses shall not be in any way assignable.

Ordinance 24th February, 1853.

Special auction sales.

3. That such license shall authorize said vendue master to hold special auction sales at any point within the city, and at any time during the continuance of said license, for the purpose of selling any goods, wares, merchandise, furniture, vessels, cargoes, or other property, and to employ such other persons to sell for them as they may deem necessary for the time being, such sales to be made under the direction of said licensed vendue masters in good faith, and not with intent to defraud the corporation of the city of Savannah.

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

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

Penalty.

Tax Ordinance 29th October, 1857.

Tax on auction sales.

5. The rates of taxes on sales at auction, in this city, shall be as follows, to wit: on the gross amount of sales where the sum shall not exceed one thousand dollars, one per centum;

where the same shall exceed one thousand dollars, and shall not exceed three thousand dollars, one-half of one per centum; where the same shall exceed three thousand dollars, one-fourth of one per centum; and all vendue masters or auctioneers shall make their returns in the manner, at the times, and under the penalties prescribed by law.

Ordinance 2d August, 1839.

Auctioneers shall give bond in the sum of $1000, and make quarterly returns.

6. Vendue masters or auctioneers for the city of Savannah shall, previous to receiving license or acting as such, give bond with two or more securities to the Mayor and Aldermen of the City of Savannah, in the sum of one thousand dollars, conditioned for the payment of all dues and taxes for which such auctioneers may be liable, or which at any time may be due by them, as auctioneers, to the city, and to make quarterly returns, account and pay into the treasury such sum or sums thus due, and also faithfully to perform all the duties required by ordinance of such auctioneers; and such auctioneer or vendue master shall, in addition to the fee to be paid to the officers of Council, pay for the use of the city, the sum of two hundred dollars, and if the said vendue masters or auctioneers shall presume to sell at public auction, or in any way act as vendue masters previous to receiving his license, to be signed by the Mayor or acting Mayor, or who shall refuse or neglect to do any business appertaining to their respective offices when required or called upon between sunrise and sunset, or who shall be guilty of any collusion or malpractice, in order to deceive, he shall, on conviction, forfeit a sum not exceeding one hundred dollars, to be paid into the treasury of the city.

License and fees.

Penalty $100.

Ordinance 23d January, 1867.

None but a resident of the city for twelve months to act as crier.

7. It shall not be lawful for any person, not a licensed or authorized auctioneer, to act as crier at any auction sale within said city, unless such person shall have been a constant resident of said city for the space of at least twelve months immediately preceding such sale; and any person violating this ordinance shall, for every day's offence, be liable to a fine of not less than thirty nor more than one hundred dollars, in the discretion of the Mayor, or other officer acting in his stead, and that the person employing such criers, in violation of this ordinance, shall be subject to the same penalties as the criers themselves.

Penalty $30 to $100 per day.



Tax Ordinance for 1871.

Transient dealers compelled to take out license.

8. And it is hereby declared to be the meaning of this ordinance, that the license granted to an auctioneer shall not authorize such auctioneer to sell for any transient dealer or other person, where the sale or sales may not pass regularly through the books of a regularly licensed auctioneer; but every such transient dealer or other person shall be compelled to take out a license as an auctioneer, under a penalty of one hundred dollars for every unauthorized sale or offer to sell. Every licensed auctioneer shall have the privilege of appointing one assistant crier, whose name shall be recorded in the Treasurer's office, and entered on the license issued. And no person shall be permitted to sell as an auctioneer or vendue master, until he shall have complied with the conditions contained in Section 1438 of the Code of Georgia, known as Irwin's Code.

Criers allowed.

Stipulations.

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## ARTICLE III.

## BADGES, DRAYS AND OTHER VEHICLES.

### ORDINANCES.

1. No Vehicles to be let for hire without license.
2. Price of license.
3. Vehicles to be driven by sober persons, &c., between 16 and 60 years of age.
4. License to expire on the first Monday in January in each and every year.
5. No vehicles to be driven through lanes.
6. Rates of drayage.
7. Rates for passengers and baggage.
8. Badges half price after the 1st July.
9. Drivers convicted of extortion, fined $30.
10. Load for four horses 10,000 lbs. on plank (now paved) road—4,480 lbs. off; others in proportion to the number of horses.
11. Who shall take out badges.

12 No driver of any omnibus, hack, &c., shall engage in such business unless he has procured from the Clerk of Council a badge stamped, &c.
13. Every driver shall remain at his carriage door, and not leave it except for the purpose of putting on baggage.
14. The Mayor or other presiding officer of the Police Court authorized to revoke badge, on conviction before Police Court
15. Taxes on vehicles, how paid, &c.

## ORDINANCES, AS AMENDED.

Ordinance 6th June, 1839.

No vehicle to be let for hire without license.

1. The owner or owners of every cart, wagon, dray or other carriage that shall be let or driven for hire within the city of Savannah, shall first obtain a license for so doing from the City Treasurer for the time being, who shall number the same and register the same, and shall have the number of such license stamped on a tin plate not less than three inches long, and said tin plate shall be attached in some conspicuous place on said cart, wagon, dray, or other carriage so intended to be let or driven for hire, and any one violating any provision of this section shall forfeit and pay a fine not exceeding thirty dollars.

Price of license. Tax ordinance 1870.

2. The following shall be the prices for licenses and badges for the vehicles and animals hereinafter mentioned:

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|---|---|
| For each one-horse dray or truck | $16 00 |
| For each two-horse dray or truck | 24 00 |
| For each three-horse dray or truck | 31 00 |
| For each four-horse dray or truck | 46 00 |
| For each one-horse cart or wagon | 12 00 |
| For each two-horse cart or wagon | 24 00 |
| For each one-horse cab, hack or buggy | 20 00 |
| For each two-horse cab, hack, or pleasure carriage | 40 00 |
| For each two-horse omnibus | 40 00 |
| For each four-horse omnibus | 60 00 |
| For any break wagon used for exhibiting horses for sale | 40 00 |
| For each horse or mule used for loading or unloading vessels | 31 00 |

Ordinance 6th June, 1839.

Vehicles to be driven by sober, &c., persons, between 16 and 60 years of age.

3. Each dray, cart, wagon, or other carriage, so intended for hire, shall be driven and managed by a sober, discreet and



able person, not less than sixteen, and not over sixty years of age; and for a violation of any provision of this section, the owner of such dray, cart, wagon, or other carriage, shall forfeit and pay a sum not exceeding thirty dollars. Penalty, $30.

License to expire on first Monday in January.

4. All licenses for driving carts, drays, wagons, or other carriages, within the city, shall expire on the first Monday in January, in each and every year, and every person who shall have obtained such license, shall be obliged, and they are hereby required, at all times (Sundays excepted), when not actually engaged or pre-engaged to work for some other person, immediately to carry all goods, wares, merchandise, and commodities, on application being made and payment being tendered, and for every neglect or refusal so to do, the owner or owners thereof shall be fined in a sum not exceeding thirty dollars. Penalty, $30.

To carry goods on application unless pre-engaged.

No vehicle to drive through the lanes.

5. No cart, dray, wagon, or other carriage, shall use the lanes of the city, but shall avoid driving through them, and in case any person be found driving in or using any lane as aforesaid, without good or sufficient excuse, the driver thereof, or the owner or employer thereof, shall be fined in a sum not exceeding three dollars. Penalty, $3.

Ordinance 27th December, 1865.

Drayage rates.

6. The following rates shall be allowed for loading and unloading and hauling:

Ballast, per ton of two thousand two hundred and forty pounds, one dollar and twelve cents; bricks, by the thousand, two dollars; chairs, per dozen, twenty cents; coal, per ton of two thousand two hundred and forty pounds, one dollar and a half; cotton per bale, for any distance, twenty cents; flour and other dry barrels, per barrel, seven cents; furniture, for one horse wagon, per load, fifty cents; grain, except oats, per bushel, in sacks, two and a half cents; hay, per bundle, twelve cents; iron, per ton of two thousand two hundred and forty pounds, one dollar and twenty-five cents; liquors and salted provisions, per barrel, ten cents, and by the hogshead or pipe, fifty cents; lumber, by the thousand feet, one dollar and seventy-five cents; oats, per bushel, one cent and a half; rice, per tierce, twenty-five cents, per half tierce, fifteen cents; salt in bulk, per bushel, four cents, in sack, per sack, seven cents;

shingles, per thousand, seventy-five cents; staves, per thousand, one dollar; sugar, per hogshead of twelve hundred pounds, or over, fifty cents, of less than twelve hundred pounds, forty cents; tobacco, per hogshead, fifty cents; trunks of travelers, two and a half feet long, each twenty-five cents; valises and carpet-bags, each ten cents; wood, per cord, to any part of the city, one dollar and twenty-five cents: *Provided*, always, that for a full load of any articles not enumerated in the above, no charge shall be allowed to exceed forty cents for a single horse dray or wagon, and sixty cents for a double horse dray or wagon; and that for anything less than a full load, not more than twenty-five cents shall be charged.

Ordinance July, 1868, as amended by Ordinance August 19th, 1868.

Rates for passengers and baggage.

7. The rates of fare for the conveyance of any passenger and his or her baggage from any point in said city, to any other point in the same, by any cab, hack, carriage, omnibus, or other vehicle, shall be seventy-five cents and no more: *Provided*, always, that where the baggage of any passenger shall exceed one hundred pounds in weight, an extra charge of not more than twenty-five cents for each additional piece shall be allowed, and may be received for conveying such excess of baggage; *and provided, also*, that only one half said rates shall be allowed for carrying children under twelve years of age. That any driver, conductor, or owner of any such cab, hack, carriage, omnibus or other vehicle, who shall offend against any part of this section, shall, on conviction before the Police Court, be fined in a sum not exceeding thirty dollars for every such offence.

Penalty for violation $30.

Ordinance 29th December, 1853.

Badges half price after 1st July.

8. All badges issued, or licenses for vehicles taken out by residents of the city of Savannah, between the first day of July and the thirty-first day of December, shall be issued or taken out, at one half the several sums prescribed for badges, or licenses for vehicles, by the existing ordinances of the city.

Ordinance 6th June, 1839.

Drivers convicted of extortion fined $30.

9. If any driver of a dray, cart, or wagon shall be convicted of extortion, or charging more than the rates prescribed by ordinance, the owner of the same shall be fined in a sum not



exceeding thirty dollars, and the driver of such dray, cart, or wagon may be discharged and incapacitated from driving, and the license canceled.

Ordinance 20th December, 1849.

Load for four horses, 10,000 lbs. on plank road; 4,480 lbs. off; others in proportion as to number of horses.

10. No four-horse wagon, dray, cart, truck or other vehicle, shall be permitted to be loaded with more than ten thousand pounds weight, passing over the plank (now paved) or other paved road, nor more than four thousand four hundred and eighty pounds when off the same, and all others to be regulated by the same rule, in proportion to the number of horses used, under a penalty of five dollars, to be recovered by information before the Mayor, or acting Mayor presiding at the Police Court; one half to the informer, the other half to the city.

Penalty, $5.

Ordinance 22d December, 1870.

Badges.

11. The following persons shall be compelled to take out badges on the first day of January, annually, or within ten days thereafter, at the prices herein designated, that is to say: Every vender of small wares, and every huckster and hawker, and keeper of a cook stove or cook shop, an annual badge, at the price of ten dollars, which may be reduced one-half if not required to be taken out until after the first day of July; and any person subject or liable to take out any such license or badge, or any other license or badge required by this ordinance to be taken out, except as may be required by section 7 of this ordinance, and failing to do so for ten days after the said person shall have begun business, in each year, shall be liable to a fine of not more than thirty dollars for every day's default, on conviction before the Police Court, or to imprisonment for not more than thirty days. The licenses and badges provided for in this ordinance, shall be issued by the Clerk of Council, and the licenses shall be signed by the Mayor, attested by the Clerk, and have impressed on them the seal of the city.

Venders of small wares. Hucksters and hawkers. Keepers of cook stoves or shops.

Licenses and badges.

Penalty.

How issued.

Ordinance 18th January, 1871.

No driver of any omnibus, hack, &c., shall engage in such business unless he has procured from the Clerk of Council a badge, stamped, &c.

12. No driver of any omnibus, hack or carriage, and no runner for the same, carrying or offering to carry passengers to and from the several rail road depots, and steamship and steamboat wharves or landings in said city, shall be allowed or per-

mitted to engage in such business of carrying or offering ot carry passengers, as aforesaid, until and unless such driver or runner shall have procured from the Clerk of Council of said city a badge, stamped with a number, in such manner as shall be determined by the Mayor, and in the case of drivers or runners employed by a hotel or other public house, with the name of such hotel or house, in addition to the number, and which badge shall be good for one year only from the first day of January, annually, to the first day of the next succeeding January—the number of all badges for one hotel or house to be the same, and to be good for any driver or runner of that hotel or house for one year as aforesaid; and for every of which such badges there shall be paid to the Clerk of Council, for the use of said city, the sum of two dollars. And any such driver or runner who shall engage in such business of driving or running, without having such badge prominently exposed on his person, so as easily to be seen, shall, on conviction before the Police Court, be liable to a fine of not more than thirty dollars and imprisonment for not more than thirty days, either or both, at the discretion of the officer presiding in said court; each and every act of such unauthorized driving or running to be considered a separate offence.

Every driver shall remain at his carriage door, and not leave it except for the purpose of putting on baggage.

13. That every such driver or runner shall remain at his carriage, omnibus, or hack door, at every such 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, under the penalty or penalties prescribed in the foregoing section.

The Mayor or other presiding officer in Police Court authorized to revoke badge on conviction before said court.

14. That the Mayor, or other officer presiding in said Police Court, be, and he hereby is authorized, to revoke the badge of any such driver or runner who shall be convicted before said court of any violation of this ordinance, or of any rude or boisterous demeanor or vociferation (which is hereby prohibited) at such depot, wharf or landing; and in case of such



revocation, such driver or runner shall not again be entitled to such badge except on the authority of said Mayor; but nothing in this section contained, shall be construed to prevent said Police Court from inflicting the penalties provided for violations of other parts of this ordinance, as hereinbefore prescribed.

Tax Ordinance for 1871.

Tax on vehicles. How paid. Badges. Prices graduated. Penalty for default in taking out badges.

15. The taxes on buggies, carriages and pleasure vehicles, shall be paid to the City Treasurer; and, where badges are exacted, they shall be taken out at the office of the Clerk of Council, and the fees paid to him. Such badges or licenses shall be taken out on the first day of January, annually, or within ten days thereafter, and shall be good until the succeeding January; but where the same may not be required to be taken out before the first day of July, the price may be graduated by the Mayor, in his discretion; and any person offending against this section may be fined in a sum not exceeding thirty dollars for each day's default, or imprisonment for not more than thirty days.

## ARTICLE IV.

# BILLIARD TABLES, BOWLING ALLEYS, POOL TABLES, TEN PIN ALLEYS.

### ORDINANCES.

1. Billiard Rooms or Bowling Alleys closed at 12 o'clock at night and disorderly, etc., conduct forbidden.
2. Tax for each Billiard table $40. Pool table $150. Ten pin alley $80. Private Billiard table $25.
3. If opened after the first of January in any year the like sum paid.

### ORDINANCES, AS AMENDED.

Ordinance 16th November, 1843.

Billiard rooms or Bowling alleys closed at 12 o'clock at night, and disorderly conduct forbidden.

1. It shall not be lawful for the proprietor of Billiard Rooms or Bowling Alleys to permit riotous, disorderly or noisy conduct within their respective premises, or to keep them open after 12 o'clock at night, to the annoyance of the inhabitants residing near such establishments. And for every violation of this section such keepers or proprietors shall be dealt with as in other cases of violation of the ordinances of the city in relation to riotous, disorderly or noisy conduct.

Tax ordinances 1870 and 1871.

Tax for each Billiard table $40, Pool table $150, Tenpin alley $30, private table $25.

2. Every the owner or owners of a Billiard table used for hire in the City of Savannah, shall pay to the City Treasurer forty dollars for each table, and and for every Pool table one hundred and fifty dollars, for every Ten pin alley, thirty dollars for each alley. And at the expiration of the current year for which the above taxes may have been paid, that is on the first day of January in each and every year, the like sums shall be paid so long as such table or alley shall be kept and used for hire, or such other sum as the tax ordinance for the



particular year may impose. Every private Billiard table twenty-five dollars.

Ordinance 29th October, 1857.

If opened after the 1st January, the like sum paid.

3. Every person who shall put up or open, or cause to be put up or opened, on or after the first day of January in any year, any such Billiard table or Bowling alley, to be kept and used for hire, shall forthwith, and annually thereafter, so long as such table or alley shall be kept and used for hire, pay to the said Treasurer the said sum for every such table or alley, as provided in section 2 of this article.

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## ARTICLE V.

# BOARD OF HEALTH.

### ORDINANCES.

1. Mayor shall appoint at least one policeman for each and every ward, who shall report weekly or oftener if required by the Mayor, and the Mayor shall forthwith abate any nuisance reported.
2. All ordinances in regard to the Board of Health continued in force, unless conflicting with this ordinance.
3 Penalty for refusing admittance to any member of the board, thirty dollars.
4. Untenanted buildings to be ventilated.
5. Owners of untenanted buildings to have them whitewashed.
6. Absent owners.
7. Sinks surcharged, owners to be notified.
8. Yards to be kept clean.
9. Penalty.
10. Where Marshal or constable incurs expense, such expense chargeable to owner.
11. Absent owners.
12. Penalty for opposing committees.
13. Privy to every tenement.
14. Owner neglecting to sink privy after 30 days notice, the same shall be done under direction of Marshal, and execution issued against owner on refusal to pay.
15. Unless by permission of the Mayor, no sink, privy, or dry well to be cleaned out between 1st June and 1st November.
16. Boarding house keepers to report sick sea-faring men or transient boarders in 12 hours after arrival.
17. Shall give security to pay expenses in case of death.
18. Mayor shall be chairman of the Board of Health. Duties of certain officers.

## ORDINANCES, AS AMENDED.

Ordinance 29th September, 1869.

One policeman for each ward to be appointed annually by the Mayor.

1. Hereafter instead of two citizens from each ward, the Mayor shall, annually, and at the proper time, (first meeting of Council in the month of April in each year,) appoint at least one of the policemen of the City Police force for each and every ward in said city, to perform the duties of visiting and inspecting every lot, enclosure, and yard, and every street, lane, thoroughfare and wharf in the ward for which such policeman or policemen shall be respectively designated and appointed, and to make report weekly, or oftener if required by the Mayor, of all filth or unwholesome collections of any kind in such ward. Such report shall be made to the Mayor, through the Clerk of Council, and it shall be the duty of the Mayor forthwith to have every such nuisance or cause of disease removed or abated, under the ordinances of force in respect to the Board of Health, and every such case shall be dealt with in the manner and under the penalties prescribed by existing ordinances.

To report weekly or oftener if required by the Mayor.

Duty of Mayor forthwith to abate any nuisance reported

All ordinances in regard to the Board of Health, except when in conflict with this ordinance, continued in force.

2. All the ordinances of the City of Savannah, in relation to hindering or obstructing the Board of Health in the discharge of their duties, shall be applicable to the Board of Health, as constituted by this ordinance, and all the said ordinances except in so far as they militate with this ordinance, are continued in full force.

Penalty for refusing admittance to any member of the Board.

3. Any person who shall refuse admittance to any member of said board to visit and inspect any lot, enclosure or yard, shall, on conviction thereof, be fined in a sum not exceeding thirty dollars.

Ordinance 25th August, 1823.

Untenanted buildings to be ventilated.

4. It shall be the duty of the owner or owners of all untenanted or unoccupied stores, houses, or buildings, within the limits of the City of Savannah, to cause the same to be 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 that every owner of such untenanted or unoccupied stores, houses, or buildings, as aforesaid, who shall fail or omit to cause the same to be opened and ventilated, as



aforesaid, shall, on conviction thereof, before Council, be fined in a sum not exceeding thirty dollars, for each and every failure or omission. Penalty.

Whitewashed or cleansed.

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

Absent owners.

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

Ordinance 20th April, 1827.

Sink surcharged.

7. It shall be the duty of each member of the Board of Health, when they shall discover the sink or sinks of any privy or privies to be surcharged, whether offensive or not, to give five days notice, by the Marshal or any city constable, to the owner or owners, occupier or occupiers of the lot or part of lot, wherein such privy or privies may be located, or his, her, or their agent or attorney, requiring that the evil complained of be removed; and if after the expiration of such notice, the direction shall not have been complied with, it shall be the duty of the Marshal or other proper officer peaceably to enter on the premises, and with proper aid, to cause the sink

Notice to owners.

Marshal's duty

or sinks to be either dug out, and the contents buried, or filled up with earth, as the Board of Health may have directed.

Yards, &c., to be kept clean.

8. Any person or persons owning or occupying any lot or part of lot as a yard, garden, or for any other purpose, shall keep the same clean and free from filth or impurity from animal or vegetable matter; and when such lot or part of lot shall be ascertained by any member of the Board of Health to be unclean, and in bad order, he shall give one day's notice of the fact by the Marshal, to the owner or owners, occupier or occupiers, pointing out wherein the evil complained of consists, and with directions that it be forthwith removed. If,

If unclean.

after such notice, the lot or part of lot shall continue unclean and in bad order, the Marshal or constable shall enter peaceably on the premises, and with proper aid, cause the filth or impurity to be removed, ready for the scavenger's carts, or sufficiently covered over with sand or earth.

Scavenger carts.

Penalty.

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

Expenses charged the owner.

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

Owners absent from city. Publish.

11. In all cases where notice is required, if the owner or owners, occupier or occupiers be absent from the city, without any known agent or attorney, the prescribed notice being published in one of the gazettes of the city, shall be sufficient for the purpose.



Penalty for opposing Committees of Board of Health.

12. If any person or persons shall refuse admittance to, or shall oppose or resist the Board of Health, or any member thereof, when making inspection, or shall refuse admittance to, or shall oppose or resist the Marshal or other officer, in the execution of any of his duties, such person or persons shall, on conviction before Council, be fined in a sum not exceeding thirty dollars, one half to be paid to the informer, the other half to the treasury of the city.

Ordinance 22d September, 1831.

Privy to every tenement.

13. It shall be the duty of every owner or lessee, or their agents, of every lot within the limits of the city, whereon any dwelling house is or may hereafter be erected, to have attached to every tenement a privy, to be built and sunk according to the provisions made and provided by the ordinance on that subject.

Neglect or refusal after 30 days notice.

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

Marshal to erect.

Penalty.

Ordinance 20th October, 1831.

When not to clean out sinks, privies, or dry wells.

15. No sink, privy, or dry well shall be cleaned out within the city limits, after the first day of June, of each year, until the first day of November following, unless by permission from the Mayor; and any person violating this section shall be fined in a sum not exceeding thirty dollars, to be collected in the usual manner and appropriated to the use of the Board of Health. (See Sink Ordinances.)

Penalty.

Ordinance 3d December, 1839.

Boarding house keepers to report sick sea-faring men or transient boarders in 12 hours after arrival.

16. 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 Council, he or she shall be fined in a sum not exceeding thirty dollars.

Penalty.

To give security to pay expenses in case of death.

17. The persons keeping the above mentioned houses 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 any member of the Board of Health, the person so being sick be not immediately sent to the hospital, and upon neglecting or refusing to comply with the requisitions of this section, the persons keeping such houses, shall be fined in a sum not exceeding thirty dollars.

Penalty.

Duties of certain officers.

18. Hereafter the Mayor shall be chairman of the Board of Health; and the Clerk of Council, the City Marshal, and the Messenger of Council, shall, without compensation therefor, perform for the Board of Health the duties heretofore respectively performed by said officers for said board.

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## ARTICLE VI.

## BONDS.

### STATUTES.

1. All Bonds heretofore issued by the city declared valid. Bonds hereafter to be issued upon the recommendation of a public meeting.
2. Mayor and Aldermen shall have power to borrow money, etc., and to issue Bonds, etc., for the same. But no subscription for such work out of the city, except upon the recommendation of a public meeting.



### ORDINANCES.

1. Mayor authorized to issue Bonds to pay coupons due on old Bonds.
2. Coupons so redeemed to be cancelled or destroyed.
3. Coupon or interest fund kept apart from all other moneys and applied to the payment and redemption of outstanding interest due on said Bonds.
4. Mayor authorized to issue Bonds for meeting and redeeming certain funded liabilities of the city.
5. Mayor authorized to issue Bonds in renewal of Bonds, heretofore issued for stock of Southwestern Railroad Company.
6. Bonds authorized to be issued for building new Market and other purposes.
7. Ordinance of 24th January, 1866, so amended as to authorize the Mayor to use certain Bonds for any financial exigency.

### NOTE.

[Believing that it is not a matter of any public utility to encumber this volume with the various ordinances authorizing subscriptions to certain Railroads, and the issuing of Bonds to pay such subscriptions, or the issuing of Bonds for any other purpose, which said Bonds have long since been issued and accomplished their purpose, we have deemed it advisable to omit them, simply referring to Wilson's Digest, pages 14 to 19 inclusive, where they may be found. The more recent ordinances authorizing the issue of Bonds have been incorporated into this compilation.]

### STATUTES.

All Bonds heretofore issued by the city declared valid; Bonds to be hereafter issued upon the recommendation of a public meeting.

1. And whereas doubts have been entertained whether certain Bonds, issued and disposed of by the City of Savannah, for internal improvements, were legal and valid, therefore, be it further enacted, That all Bonds heretofore issued by the constituted authorities of the City of Savannah, are hereby declared legal and valid, and from and after the passage of this Act, the Mayor and Aldermen of the City of Savannah and the Hamlets thereof, upon the recommendation of a public meeting of the citizens of Savannah, called for that purpose, shall have power and authority to cause Bonds to be issued and disposed of in such manner as they may direct, for purposes of internal improvement, which Bonds so issued, shall be legal and valid.

Code, Section 4758.

Mayor and Aldermen shall have power to borrow money etc., and to issue Bonds, etc., for the same. But no subscription for such work out of the city except upon the recommendation of a public meeting.

2. The Mayor and Aldermen shall have power to borrow money and contract loans for the public good, and to subscribe for works of internal improvement, which in their judgment may be to the interest of said city, and to issue Bonds and pledge the property, faith and credit of the city, for the payment of such subscriptions: *Provided*, no subscription or outlay of money shall be made for any such work out of the city except upon the recommendation of a public meeting of the citizens of Savannah called for the purpose; and all Bonds heretofore issued by said Aldermen and still outstanding are hereby declared legal and valid.

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## ORDINANCES, AS AMENDED.

Ordinance 24th January, 1866.

Mayor authorized to issue Bonds to pay coupons due on old Bonds.

1. That his honor the Mayor be and he is hereby authorized to issue Bonds of the City of Savannah to an amount not exceeding four hundred thousand dollars, ($400,000) in sums of one hundred, three hundred, and five hundred dollars, respectively, and having twenty years to run, with coupons attached, and payable semi-annually, that is to say on the first day of July, and the first day of January, in order to take up coupons now due on City Bonds, said new Bonds to bear the same rate of interest as the old ones to which said coupons now to be funded belong; and said new Bonds to be redeemable in New York or Savannah, as the applicants for such new Bonds may designate by giving notice to the Mayor; and in case a sufficient amount of coupons cannot thus be funded, then the Mayor is authorized to sell the residue of such Bonds in order to raise money for said city to pay coupons.

Coupons so redeemed to be cancelled or otherwise destroyed.

2. That the coupons so redeemed by the issue of new Bonds be cancelled by the Mayor or otherwise destroyed by him, under the direction of the Finance Committee of Council, and that the Mayor be and he is hereby authorized to draw from the Treasury such amount as may be necessary for preparing and issuing said new Bonds.



Ordinance 20th January, 1869.

Coupon or interest on fund to be kept apart from all other moneys, and applied to the payment and redemption of outstanding interest due on said Bonds.

3. That whenever under any contract or agreement by and between the corporation of Savannah and any other person or persons, such person or persons shall pay to the said city any money for the redemption or payment of any interest due or to be due by the said city on its bonded debt, such money so paid shall be forthwith deposited, under the direction of the Mayor, in some bank in the said city, apart from all other moneys of the city; and in such deposits it shall be designated and known as the coupon or interest fund, and shall also be so designated and known on the books of the City Treasurer; and such money so paid and deposited shall be applied to the payment and redemption of such interest as may be outstanding and due on said Bonds.

Ordinance 8th December, 1869.

Mayor authorized to issue Bonds for meeting and redeeming certain funded liabilities of the city.

4. That his honor the Mayor of said city, be and he is hereby authorized to have prepared and to issue the Bonds of the City of Savannah, to an amount not exceeding three hundred and fifty thousand dollars, in sums not under ——— dollars, and having not more than twenty years to run, with coupons attached for the payment of interest at seven per centum per annum, payable semi-annually, for the purpose of meeting and redeeming certain funded liabilities of said city about to mature, and of meeting certain floating liabilities of said city, and other financial exigencies.

Ordinance 27th October, 1869.

Mayor authorized to issue Bonds in renewal of Bonds heretofore issued for stock of Southwestern Railroad Company.

5. That the Mayor of the City of Savannah be and he hereby is authorized to issue the Bonds of the City of Savannah, to an amount not exceeding one hundred and seventeen thousand dollars, in sums of one thousand dollars, in renewal of Bonds to that amount heretofore issued for subscription by said city, to the stock of said Southwestern Railroad Company, such renewal Bonds to be endorsed by said Southwestern Railroad Company, and to express on their face that they are in renewal as aforesaid: *Provided*, said renewal Bonds have no more than ten years to run from said first day of November, 1869, and bear the same rate of interest as the original Bonds.

Ordinance 13th October, 1870.

Bonds authorized to be issued for building new Market and for other purposes.

6. That for the purpose of building a new Market House, for paving certain streets, and for the construction of sewers in the City of Savannah, there shall be issued Bonds of the City of Savannah, to the amount of five hundred thousand dollars, of the amount or denomination of one thousand dollars each; said Bonds to be payable at the end of thirty years, with interest at the rate of seven per centum per annum, the interest payable semi-annually, according to the coupons to be annexed to the Bonds. The Mayor shall cause Bonds to be prepared and they shall be signed by the Mayor and City Treasurer, and have thereto attached the seal of said city, with the attestation of the Clerk of Council; and the coupons shall be signed by the City Treasurer, who shall number and keep a registry of said Bonds. The proceeds of the money arising from the sale of said Bonds, or the Bonds themselves (when taken in payment wholly or in part) shall be expended in such sums, and at such times, and in such manner, as the City Council shall deem most expedient for the purpose of carrying on the proposed improvements.

Ordinance 27th October, 1869.

Mayor authorized to use Bonds for any financial exigency.

7. That the ordinance of 24th January, 1866, be and is hereby so amended as that the Mayor of said city be authorized to use Bonds therein mentioned for any financial exigency of said city, which may, in his judgment, authorize the use of said Bonds for such purpose, this power to include not only the Bonds actually on hand, but also such as may have been pledged as collateral security, and may be returned to the city treasury.



# ARTICLE VII.

## BREAD.

### ORDINANCES.


1. Bread to be sold only by weight, and seller bound to weigh every loaf on demand.
2. Deficient bread liable to forfeiture, and the offender to a fine of not less than $25 for every deficient loaf.
3. Assize of bread abolished.
4. Penalty for adulterating the purity of flour.
5. Mayor, Aldermen or Magistrates to visit bakeries.
6. Penalty for refusal of search.
7. Marshal to inspect bread once a week.
8. Bakeries to be fire proof.


### ORDINANCES, AS AMENDED.

Ordinance 5th December, 1860.

Bread to be sold only by weight and seller bound to weigh every loaf on demand.

1. All bread made or baked for sale, or sold or exposed for sale in the city, being of the description of bread subject to assize under ordinance or ordinances, 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.

Deficient bread liable to forfeiture and the offender to a fine of not less than $25, for every deficient loaf.

2. 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 Marshal of the city, and of the Police force of the city under the direction of the Mayor, to enter any bake-house, shop or other

City Marshal and Police force under direction of the Mayor may enter any place where bread is offered for sale and cause the said bread to be weighed and if deficient seized.

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, and for any other violation of the provisions of this article the same penalty shall be inflicted, and the same forfeiture incurred.

Assize of bread abolished.

3. The assize of bread, except as herein fixed, as established by any existing ordinance, is hereby abolished, and the several ordinances of the city in relation to bread, and the making and selling thereof, are hereby so amended as to conform to this article.

Ordinance 8th February, 1798.

Adulterating the purity of flour.

4. 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 forfeit all such bread and also a sum not exceeding fifty dollars.

Penalty.

Mayor, Aldermen or Magistrates to visit bakeries, etc.

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

Penalty for refusal of search.

6. If any baker or vender of bread shall refuse such search and seizure to be made, or in any wise hinder or resist



the same, he, she or they shall for every such offence forfeit a sum not exceeding fifty dollars.

Ordinance 27th November, 1823.

Marshal, etc., to inspect bread once a week.

7. It shall be the duty of the Marshal to inspect the bread so exposed for sale at least once in each and every week.

Ordinance 7th April, 1842.

Bakeries to be built of brick.

8. No baker shall carry on his trade within the City of Savannah, in other than a fire proof building.

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# ARTICLE VIII.

## BUILDINGS.

### ORDINANCES.


1. No wooden building to be removed from one point within fire limits to another point within the same.
2. All houses, &c., now covered with incombustible material, shall be kept so covered, &c.; penalty.
3. No house, building, or shed of any kind shall be erected under or immediately on the bluff, &c., unless ends and sides of brick.
4. Two or more tenement houses shall have a partition wall of brick or stone at least eight inches thick, and extend at least four inches above roof, and shall be coped with stone or brick.
5. Penalty, one hundred dollars.
6. Cotton, water, slops, nor any other article to be thrown from upper or any other part of building into any street or thoroughfare.
7. Houses to be numbered.
8. Duty of Street and Lane Committee.
9. How cost is defrayed.
10. Enumeration.
11. Streets east and west.
12. Streets north and south.
13. Streets west of West Broad st., and Yamacraw.
14. No numbering further west than Farm street.
15. Tax due upon completion of the numbering.
16. Additions and improvements to wooden buildings, &c. Application to be made to Council.
17. What application shall state.
18. Gutters and leaders to building.
19. Penalty.
20. Ladders and scuttles; penalty.
21. On buildings to be erected; penalty.
22. No repairs, where encroachment, etc,

## ORDINANCES, AS AMENDED.

Ordinance 3d April, 1834.

No building to be removed from one point within fire limits to another point within the same, etc.

1. No wooden building more than twenty feet high from the ground to the highest point of the roof thereof, shall be removed from any one point within the fire limits as now established, or as they may hereafter be established, to any other point within the same limits, or from any point without the said limits, to any point within the said limits, without the permission of the Board of Aldermen for the time being.

All houses, &c. now covered with incombustible material, shall be kept so covered.

2. All houses or buildings within the corporate limits of the City of Savannah, which have been, or hereafter shall be erected within said limits, and which are now or hereafter may be covered with slate, tile, or incombustible composition, shall continue to be so covered with slate, tile or incombustible composition, and shall be kept effectually secured against fire. And if any person or persons, being owner or proprietor of such house or other building, or having authority, or whose duty it shall be to repair the same, shall hereafter suffer such house or other building to remain, in whole or in part, uncovered with slate, tile or incombustible material for the space of thirty days after he, she or they shall be notified by any one of the city officers or fire department, he, she or they shall forfeit and pay for such offence a sum not exceeding thirty dollars, and shall be subject to a like fine for every thirty days afterwards that such house or building shall remain so uncovered.

Penalty.

No house, building or shed of any kind shall be erected under or immediately on the bluff, &c, unless ends and sides of brick, &c.

3. No house, building or shed of any kind, or height whatsoever, shall be erected under or immediately on the bluff, or to the north of Bay street, from the north end of West Broad street to the north end of East Broad street, unless all the external ends and sills thereof shall be built of brick, stone, tabby, or tapia, except so much as may be necessary for doors and windows, and unless the roof of all such buildings shall be entirely covered with slate, tile or some incombustible composition or material, and such wall shall be at least twelve inches thick in the lower story, and eight inches thick above the lower story.

Two or more tenement houses shall have a partition wall of brick or stone at least eight inches thick, &c.

4. Whenever hereafter a house or building of two or more tenements, shall be erected in the manner prescribed, there shall be, between every two tenements, a partition wall of brick



or stone, at least eight inches thick, to extend from the ground to at least four inches above the roof of such building, which wall shall be coped with stone or brick.

Four inches above roof.

Penalty, $100.

5. If any person shall violate the provisions of this article, he, she or they, on conviction before Council, shall forfeit and pay for such offence, a sum not exceeding one hundred dollars, which penalty he, she or they shall pay annually, until such house or building shall be removed or made conformable to the provisions of this ordinance, to be levied and collected in manner pointed out by law. And every mechanic, or artificer, or other person who shall be instrumental in the erection, or building, or removal of any house or building, contrary to the provisions of this ordinance, he or they, on conviction before Council, shall forfeit and pay for such offence, a sum not exceeding one hundred dollars.

Mechanic, &c.

Penalty, $100.

Ordinance 2d August, 1839.

Cotton, &c., not to be thrown, &c. from upper or second stories of buildings.

How lowered, &c.

6. It shall not be lawful for any person to cast, throw out, or suffer to fall from the upper or second stories of buildings within the limits of the city, any bale or bales of cotton or other goods whatsoever, but the same shall be lowered by a sufficient rope or tackle in so gradual a manner as to allow persons passing under, sufficient time to pass out of the way, and the occupiers of buildings out of which such cotton or other goods shall be cast, thrown, or suffered to fall, contrary to the provisions of this section, shall be deemed the offenders, and shall for each and every offence be fined in a sum not exceeding fifty dollars. *Provided*, That this section shall not be construed to allow persons to stop, and thereby prevent the lowering of cotton or other goods. And the aforesaid penalty shall be inflicted upon any person who shall be convicted of throwing water, slops, or other article or thing out of a window or other part of a building, into any street or thoroughfare.

Proviso.

Ordinance 24th February, 1842.

Houses to be numbered.

7. The owner of every lot or lots upon which a dwelling house, store or other building has been erected, shall be required to number the said house or houses, after the manner and within the time hereinafter provided.

Duty of Street and Lane Committee.

8. It shall be the duty of the Street and Lane Committee of this Board to provide some competent person, painter, brazier or other artist, who shall proceed forthwith under the direction of said committee, to number the houses on each street with paint, in large figures, and in a legible and durable manner, unless the tenant, occupant or owner of such house shall elect a more costly and elegant method, in which case it shall be left to his or her option as to the cost and materials, whenever such cost may exceed the cost in the general plan for numbering the city at large.

How the cost is defrayed.

9. There shall be levied upon every house within the corporate limits of the city, not facing upon the lanes and alleys, such sum as the Street and Lane Committee shall require to defray the cost of numbering such house, and the same sum upon every door of each tenement house, to be paid at the time of numbering the same, to the order or by the authority of the Street and Lane Committee, and upon the failure of every such owner of a house or houses, said owner or owners shall forfeit and pay into the city treasury the sum of one dollar, for which execution shall immediately thereafter issue.

Enumeration.

10. Every house completed, or now building, shall be enumerated by whole numbers, whether upon whole, half or quarter lots.

Streets east and west.

11. Upon the streets running from east to west, the houses shall be numbered, with the even numbers on the north side, and the odd numbers on the south, and commence at the eastern terminus of said streets.

Streets north and south.

12. Upon those streets running north and south, the even numbers shall be on the west side, and the odd numbers on the east, and commence in the northern terminus of said streets as nearly as practicable.

Streets east of West Broad st. and Yamacraw.

13. Those streets west of West Broad street, and in Yamacraw, which are not continuations of any streets heretofore named, shall be numbered upon the same general plan, but independently, viz: commencing at the eastern terminus, and the even numbers on the north and west sides.

No numbering further west than Farm st.

14. No houses shall be numbered, for the present, further west than Farm street, and further east than the western end of the Eastern Wharf Company's land, and further south than Harris street, except in Curry Town, which shall be numbered independently, as in Yamacraw.



Tax due upon completion of the numbering.

15. This ordinance shall be in full force from the passage thereof, and the tax upon each and every house shall be considered due upon the completion of the numbers upon that house, and shall be paid to the workmen or artist as he progresses, on failure to do which the owner shall pay as heretofore provided, and all ordinances or parts of ordinances militating against this ordinance, are hereby repealed.

Ordinance 12th May, 1859.

Additions and improvements to wooden buildings.

If buildings be not over thirty feet in height.

And not to be higher than ridge of main building.

Application to be made to Council.

16. The owners of wooden buildings, already erected, within the present fire limits, shall be permitted to add to and otherwise improve the same: *Provided*, that the height of a building exceeding thirty feet in height from the ground, shall not be increased, nor shall any portion of such building be elevated higher than the ridge of the main building: *And provided*, that the roof of all additions, elevations, and other improvements, is covered with tin, slate, or other incombustible material: *And provided, further*, that in each and every instance, application therefor has been made to and granted by Council, before the addition, elevation, or other improvement is commenced.

What application shall state

Superintendence.

17. Each application shall explicitly state the locality of the building, and the extent of the required addition or other improvements; and, if granted by Council, the work shall be done under the direction of the City Surveyor and the Committee on the Fire Department.

Ordinance 4th November, 1857.

Gutters and leaders to buildings.

18. Each and every building situate on or below the bluff, shall be provided with leaders and gutters, and each wharf lot shall be provided with a close drain under ground, of some imperishable materials, to be connected with the said leaders, and sufficient to conduct off into the river, all rain water that may fall on the roofs of such buildings.

Fine, $30.

19. For each and every violation of this article, a fine of thirty dollars shall be levied, said fine to be imposed and recovered in the usual manner.

Ordinance 5th June, 1828.

Ladders and scuttles.

20. The owner or owners of all buildings over one story high, within the jurisdiction of the city, that are now deficient in ladders and scuttles, shall, before the expiration of thirty days from the date of this ordinance, cause said buildings to be provided with a scuttle or opening in the roof, close to the ridge thereof, of not less than twenty-six by thirty-six inches,

Steps on buildings erected.

with steps up to it on the inside, so that a person can pass up and through to the ridge of the roof, with safety and facility. And the owner or owners of such buildings as shall not be so provided in the time above mentioned, shall be fined in a sum

Penalty for not having, $30, &c.

not exceeding thirty dollars, and a further sum not exceeding twenty dollars for every thirty days which such building shall remain so unprovided thereafter.

On buildings to be erected.

21. Every building hereafter erected within the limits of the city, of whatever material, being over one story high, shall have a scuttle or opening in the roof, close to the ridge thereof, not less than twenty-six by thirty-six inches, with steps on the inside. And the owner or owners of every such building, so to be erected, unprovided with such scuttle as aforesaid,

Penalty, $30, &c.

shall be fined in a sum not exceeding thirty dollars, and a further sum not exceeding twenty dollars for every thirty days which such building may remain so unprovided.

Ordinance 3d April, 1867.

No repairs where encroachment within fire limits, &c.

22. That hereafter no wooden structure, building or fence, within the fire limits of the City of Savannah, shall be repaired where or as long as such building, structure or fence shall encroach upon the line of any street, lane or other thoroughfare of said city; and no petition for permission to repair any wooden structure, building or fence within said fire limits, shall be entertained by Council, unless it shall appear that such structure, building or fence does no encroach upon the line of any such street, lane or other thoroughfare.



# ARTICLE IX.

# CANAL BASINS.

## ORDINANCES.

1. Ponds or basins for saw mills not to be excavated within limits of the city.
2. Bed of basins not to be exposed.
3. Flood gates to be so constructed that tide may flow in and out.
4. Penalty.
5. Offences against this ordinance to be presented as nuisances by executive officers.
6. J. & J. Hines' lumber basin.
7. Canal Company basin, 75 feet wide for timber.
8. Savannah Patent Brick Company basin, 40 feet wide for flat boats.
9. Privilege of constructing basin given to Savannah Lumber Manufacturing and Planing Machine Company, on certain conditions.

## ORDINANCES, AS AMENDED.

Ordinance 6th December, 1849.

Ponds or basins for saw mills not to be excavated.

1. There shall not be excavated or created within the extended limits of this city, any pond or basin for the holding of timber for saw mills, or for any other purpose whatsoever.

Bed of basins not to be exposed.

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

Flood-gates. Tide flow in and out.

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

Flood-gates opened once in 24 hours.

Penalty.

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

Executive officers to present as a nuisance.

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

Ordinance 13th January, 1851.

J. & J. Hines' Lumber basin.

6. J. & J. Hines be and they are hereby permitted to make a lumber basin in the land recently purchased from the city out of the Springfield plantation: *Provided*, that the same be located and made under the supervision of the Dry Culture Committee of Council, and that all culverts and ditches which the said committee shall deem necessary, by reason of said basin, shall be made by the said J. & J. Hines at their own expense.

Ordinance 7th April, 1853.

Canal company basin 75 feet wide for timber.

7. The Canal Company be and is hereby permitted to made a basin seventy-five feet wide for timber, etc., through the land of the Central Railroad and Banking Company of Georgia, on the western side of the canal and connected with the canal: *Provided*, that the same be located under the supervision of the Committee on Dry Culture, and that all culverts and ditches which the said committee shall deem necessary by reason of said basin, shall be made by the said Canal Company, at its expense.

Savannah Patent Brick Company, basin 40 feet wide for flat-boats.

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

Ordinance 10th August, 1854.

Savannah Lumber Manufacturing and Planing Machine Company, timber basin.

9. The privilege of constructing a timber basin on the side of the Savannnah and Ogechee Canal, directly opposite the mill of said company, shall be and the same is hereby granted unto the Savannah Lumber Manufacturing and Planing Machine Company, upon the following conditions:

Conditions.

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

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

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

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

Land to be delivered in dry culture order.

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



## ARTICLE X.

## CATTLE LIMITS.

### ORDINANCES.

1. Bull, ox, steer, or cow, prevented from running at large within certain limits Duty of Marshal and Constables to take up and impound cattle going at large, and to sell the same if penalty and expenses not paid in 10 days—but persous allowed to drive cattle to pasturage and back.
2. Penalty $5.
3. Any bull found at large within the limits of the city to be killed.
4. Cattle limits to include land owned by the city, and in the occupancy of the board of Commissioners of the Savannah Water Works.
5. Pound fees for maintenance.

## ORDINANCES, AS AMENDED.

Ordinance 11th February, 1841—as amended 10th March, 1843.

Steer and cow.

1. It shall not be lawful for any person to keep within the following limits, any bull or steer, nor more than one cow, nor to allow any bull, cow, ox, calf or other cattle to run at large within said limits, viz: Gwinnett street on the south, prolonged east and west to the extended corporate limits of the City of Savannah and the Hamlets thereof, the Savannah river on the north and the corporate limits of the City of Savannah on the east and west; unless such person shall keep such cows in a house floored or paved, and kept constantly clean and free from dirt, and if more than one cow shall be kept otherwise than is herein provided for, or if the cow-house shall at any time be found otherwise than perfectly clean and free from dirt, the owner or keeper of such cow or cows, shall be liable to a penalty of five dollars, and an additional fine of two dollars for every day such house shall so remain, after notice to comply with this ordinance; and it shall be the duty of the City Marshal, and any and all City Constables to take up and impound any cow, heifer, ox, bull, steer or calf found so going at large, and there at the pound to keep the same till such penalty, and all expenses of keeping be paid by the owner or his agent, besides costs of advertising and sale, and if the same be not paid within ten days after being taken up, the animal so taken up shall be sold by the City Marshal, on five days previous public notice, to the highest bidder, the funds to be applied to the payment of the expenses of poundage, etc., and the penalty aforesaid, and the surplus to be paid over to the owner: *Provided*, nothing herein named shall be so construed as to prevent cows being driven through the streets to pasturage in charge of a competent driver, or with a view to bring them into or removing them from the city.

Limits.

House floored or paved.

Penalty $5.

Duty of Marshal and Constables to take up and impound cattle going at large.

To sell same if penalty and expenses not paid in 10 days.

Persons allowed to drive cattle to pasturage and back.

Penalty $5 on owners.

2. The owner or owners of said cattle, shall for each violation of this article be fined in a sum not exceeding five dollars.



Ordinance 2d August, 1839.

3. Any bull found at large within the limits of the city shall be considered as a nuisance, and may be killed by any person.

Bulls at large to be killed.

Ordinance 13th February, 1861.

4. The provisions of the several ordinances in regard to cattle limits, are hereby so amended and extended as to prevent bulls, cows, oxen, calves and other cattle running at large on the piece of land owned by the city, and in the occupancy of the Board of Commissioners of Savannah Water Works.

Cattle limits to include land owned by the city and in the occupancy of the board of commissioners of the Savannah waterworks.

Ordinance 26th October, 1870.

5. That hereafter 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; anything in any ordinance of the city to the contrary in anywise notwithstanding.

Fees for maintenance, etc.

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# ARTICLE XI.

## CELLARS.

### ORDINANCES.

1. Cellars how to be built.
2. Penalty not exceeding $100.
3. Duty of Marshal in case of refusal or neglect to remove after notice.
4. Cellar-doors not to be left open. Occupant of building shall be deemed the offender. Cellar-doors to be kept in repair. Owner shall be deemed the offender.
5. Authority of Council as to cellar-doors.

## ORDINANCES, AS AMENDED.

Ordinance 19th August, 1839.

Cellars.

1. No person shall be permitted to erect or place any steps, descending into any vault or cellar, underneath any building within the city, and which said steps shall extend beyond the limits of the lot upon which said building is erected, but upon the express condition that flag-stones or bricks shall be placed the whole length of said lot or lots, upon which said building shall or may be erected, extending as far into the street as directed in the case of pavements; and the first step of said stairs, descending as aforesaid, shall be laid parallel with the front of said building, and shall not extend into the street, as far as said flag-stones or brick, by eighteen inches; and the cellar-door shall be well secured with iron, and the end which extends into the street shall be level with said flag-stones or brick, and the end next to said building shall not be elevated more than two inches above the pavement.

How built.

Penalty.

Fine not exceeding $100.

2. All offenders against any provision of the foregoing sec- shall, on conviction, be subject to a fine not exceeding one hundred dollars, for each and every offence.

Duty of Marshal in case of refusal or neglect to remove after notice.

3. And in case the person or persons, making, causing, permitting, or suffering such encroachments, obstructions, and nuisances as aforesaid, shall refuse or neglect to remove the same forthwith, after notice given to him, her or them, for that purpose, then the same (in such cases as will admit thereof,) shall be removed by the Marshal and Constables of the city, or any of them, at the proper expense of the person or persons so offending. And if any person or persons shall molest or trouble the said Marshal or Constables, in the execution of such his or their duty, such person or persons shall, on conviction thereof, forfeit and pay a fine of not exceeding one hundred dollars.

Ordinance 11th December, 1857.

Cellar-doors not to be left open. Occupant of the building shall be deemed the offender.

4. No person or persons shall leave his, her, or their cellar-door or doors open, 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, and on conviction before the Police Court shall be fined for each and every such violation or offence, not less than five nor more than ten dollars.

Cellar-doors to be kept in repair. Owner shall be deemed the offender.

Authority of Council as to cellar-doors.

5. The City Council may, in their discretion, and by a vote of their body, authorize the entrance to any cellar in such way other than that prescribed in the first section of this article, as convenience may justify in any particular cases.

Ordinance 31st August, 1870.

Width of steps

6. That hereafter the width allowed for steps leading down from the level of the sidewalk into cellars, on all streets from thirty-seven and a half to less than sixty feet in width, shall be three feet, and no more; and on streets from sixty feet and upward in width, shall be four feet, and no more; and in all cases the railing enclosing the steps shall be hinged to the curb-stone on the side of the area opposite to the building, and in such manner as to permit said railing to be let down to a horizontal position after the close of business at night, and the bars forming such railing shall be sufficiently close, each to the other, so as not to offer any impediment to persons passing over the same. The construction and arrangement of such steps and railings shall be subject to the approval of the Street and Lane Committee, or such officer as may be deputed to inspect the same.

Penalty.

7. Any person who shall fail to close up as aforesaid, the area of such steps, after the close of business as aforesaid, or shall fail to keep such steps or railing in safe condition, or shall violate any provision of this and the preceding section, shall be liable, on conviction before the Police Court, to a fine of not more than one hundred dollars for every day's offence; 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.

# ARTICLE XII.

# CEMETERIES.

## STATUTES, IRWIN'S CODE.

1. Owners and keepers of cemeteries.
2. Interments to be reported monthly.
3. Penalty for failure to comply with the two preceding sections. Right to appeal.
4. Keepers of public cemeteries to be exempt from jury duty.
5. Acts in regard to Evergreen Cemetery and Cathedral Cemetery continued in force.

## ORDINANCES.

1. Persons visiting cemeteries to conduct themselves in an orderly manner. Penalty.
2. Disposition of fines.
3. Hebrew Cemeteries.
4. Laurel Grove Cemeteries.
5. Granite pillar at each corner.
6. Plan of J. O. Morse confirmed.
7. Health and Cemetery Committee and five citizens to name the avenues and number the lots.
8. Valuation of lots.
9. Fractions sold pro rata.
10. Fractions, angles, etc., before main entrance reserved for public purposes.
11. Purchasers to receive titles on payment of purchase money, etc.
12. Moneys from sales kept separate. How used.
13. No interment to be made in old cemeteries.
14. Fifteen acres set apart as colored cemetery.
15. No interments in other than Laurel Grove and Hebrew Cemeteries. Penalty.
16. Keeper's house, etc.
17. Election of keeper. His duty. His salary.
18. Rates of burial.
19. Interments made as the Health and Cemetery Committee prescribe.
20. Any one injuring, defacing, etc. Penalty. Shooting guns. Penalty.
21. Pauper interments.
22. Interment of strangers.
23. Keeper of old cemeteries.
24. Reserved lots.
25. Proclamation of Mayor.
26. Undertakers to keep record of interments made in any other than Laurel Grove Cemetery.
27. To furnish monthly transcripts to Clerk of Council, etc.
28. Clerk of Council to record such transcripts, etc.
29. Penalty on undertaker for neglect.
30. Duty of head of family, etc. Penalty.
31. Hebrew Cemetery.
32. Exchange of lots, by S. Cohen.
33. Size of lots.
34. Duty of keeper as to public vault.
35. Fee for use of vault.
36. Remains not to be kept in vault over one month.
37. Fee for temporary deposit from old cemetery.
38. Cemetery for interment of Israelites.
39. Keeper and employees to take oath.
40. Disposition of fines.



## STATUTES, IRWIN'S CODE.

Owners and keepers of cemeteries.

1. §4795. It shall be the duty of each and every owner or keeper 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.

Interments to be reported monthly.

2. §4796. 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 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 Secretary of the Board of Health of said city, whenever said board shall meet weekly, and monthly when its meetings shall be monthly.

Weekly reports.

Penalty for failing to comply with the two preceding sections.

3. §4797. 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 offence—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.

Keepers of cemeteries to be exempt from jury duty.

4. §4798. The keepers of public cemeteries in and near Savannah, shall be exempt from jury duty in the Superior Court of Chatham County, in the City Court of Savannah, and in all other courts.

Acts in regard to Evergreen Cemetery and Catholic Cemetery continued in force.

5. §4799. The Act of the 27th December, 1847, incorporating the Evergreen Cemetery Company of Bonaventure, and so much of the Act of 18th February, 1854, as refers to the cemetery for the deceased members of the Roman Catholic Congregation worshiping in the City of Savannah, are continued in full force.

## ORDINANCES, AS AMENDED.

Ordinance 14th March, 1839.

Persons visiting cemeteries defacing tombs, etc.

1. All persons visiting any of the cemeteries shall, whilst within the enclosures, conduct themselves in an orderly and correct manner, and any person behaving otherwise, or defacing any tomb, or headstones, or vaults, or enclosures, or trees, or otherwise injuring them, shall be fined in a sum not exceeding thirty dollars.

Penalty.

Disposition of fines.

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

Ordinance 27th August, 1839.

Hebrew Cemetery.

3. The Hebrew Burial Grounds shall be considered and deemed public cemeteries of the City of Savannah.

Ordinance 3d June, 1852.

Springfield plantation.

4. So much of the Springfield plantation as is herein set forth and described, be and the same is hereby set apart and dedicated as a *Public Cemetery* forever, to be known by the name of *Laurel Grove Cemetery*—that is to say: The 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

Laurel Grove Cemetery.

Size.



Morel on the east and said dam on the west, to the corner of the bank on land of the heirs of Morel on the eastern side; then from said corner westwardly, to within sixty feet of the fence now running from a point near said corner in a 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. And that the space of sixty feet next to said fence and a line in the direction thereof, from said corner to the southern line of said purchase, shall be a public highway or street forever, and be called by the name of Kollock street.

Kollock street

Granite pillar at each corner

Map by Surveyor to be recorded.

5. 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.

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

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

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

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

To offer for sale.

Valuation $20 for each lot of 12x25 feet, fractions not be separate for less than $20.

8. The lots in said cemetery, when offered for sale under the direction of the said board, shall each be set up at a valuation of twenty dollars for each lot of twelve by twenty-five feet, and that no fraction of a lot shall be sold separate for less than twenty dollars, and that no person in his own name shall bid off or purchase more than two of the lots in said cemetery.

Fractions not sold separate shall be sold with the adjoining lot, pro rata valuation of $20.

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

Fractions, angles, etc., upon the circle before main entrance which have not been laid off are reserved for public purposes.

Sale to be advertised 20 days.

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

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

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

Proviso.

Right and power of Mayor and Aldermen.



Moneys from sales kept separate.

How used.

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

No interment to be made in old cemeteries

13. No interment of the body of any deceased person shall be made in either of the present cemeteries after his honor the Mayor shall, under the directions of Council, give public notice in all the city gazettes that Laurel Grove Cemetery is prepared to receive all remains of deceased persons.

15 acres set apart as colored cemetery.

14. 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.

No interments in other than Laurel Grove and Hebrew Cemeteries.

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

Fine $500.

Keeper's house, etc.

16. There shall be erected at, or near the said Laurel Grove Cemetery, a convenient dwelling house, kitchen and stable, and also an out-house for the accommodation of laborers; and at the gate or main entrance to said cemetery, there shall be erected a lodge, and within the said cemetery, there shall be erected a chapel and a public vault, all under the direction of the Health and Cemetery Committee. The dwelling, stable, kitchen and laborers' house, shall be placed in the keeping of an officer to be elected by Council as hereinafter provided. The chapel shall be for the use of all such as desire to have funeral service therein. The vault shall be for the temporary keeping of the remains of such persons as are to be carried away from the city. The lodge shall be for a porter to attend the gate.

Chapel.

Vault.

Lodge.

Election of Keeper for 3 years.

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

His duty.

To keep 1 able bodied laborer. Dig graves, etc.

Keeper to have use of dwelling, etc., and half acre of land for garden.

Salary $125 per month.

Failure to prepare grave

Fine $50.

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

Rates of burial.

18. The following shall be the rates of burial in Laurel Grove Cemetery:

| | |
|---|---|
| For an ordinary grave | $5 00 |
| Outside box | 6 00 |
| Brick vault | 8 00 |

Children under twelve years of age, half of the above rates. The fee should in all cases accompany the order.



Interments made as the Health and Cemetery Committee prescribe.

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

Any one injuring, defacing, etc., monuments, etc.

20. If any person shall remove, deface, or in any manner injure any monument, railing, enclosure, ornament, tree or plant within said Laurel Grove Cemetery, such person so offending, shall be subject and liable to a fine of not less than five dollars and not exceeding one hundred dollars, to be imposed by the Mayor of the city. If any person shall shoot any gun, pistol, rifle or other fire-arm, within the said Laurel Grove Cemetery, such person shall be subject to a fine of five dollars, to be imposed by the Mayor. If any person shall place on any part of the ground set apart as aforesaid, for Laurel Grove Cemetery, or on the city land adjoining, any dead carcass or any putrid or offensive matter whatever, such person shall be liable to a fine of five dollars, to be imposed by the Mayor. The net proceeds of all fines imposed under this section, shall be added to the fund arising from the sale of lots.

Fine from $5 to $100.

Shooting guns, etc.

Fine $5.

Persons placing dead carcasses, etc.

Fine $5.

Fines how disposed of.

Pauper interments.

21. 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.

Expenses paid by city.

Strangers, etc. Interments.

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

Keeper of old cemeteries.

23. A person shall be appointed by the Mayor of the city, to protect the old cemeteries, and the duty of such person shall be to attend to the opening and closing of the gates, and to the cutting down and removing the grass and weeds, and he shall be paid at the rate of one hundred and fifty dollars per annum, as long as his services may be required.

Yearly salary $150.

Reverted lots.

24. The Health and Cemetery Committee shall have power, after the public sales aforesaid shall be finally closed, to sell any reverted or unsold lot at private sale, for twenty dollars.

Mayor's proclamation closing old or brick cemetery.

25. PROCLAMATION.

MAYOR'S OFFICE,
*Savannah, 9th May*, 1853.

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

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

R. WAYNE, Mayor.

Attest: EDWARD G. WILSON, Clerk Council.

Ordinance 20th October, 1853.

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

26. It shall be the duty of each and every person acting in the capacity of undertaker or sexton, superintending a funeral, to keep a correct record in a well bound book, of all interments made by himself or assistants, of the remains of any deceased person, dying in the City of Savannah, and interred in any other place than Laurel Grove Cemetery, showing the nativity, age, place of residence, day of death, disease or accident occasioning the death of the deceased, name of attending physician, and place of interment.

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

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

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

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

Clerk's pay $200 per annum.

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



Penalty on undertaker for neglect, etc., $30.

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

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

30. The head of any family or keeper of a public or private boarding-house, or the keeper of any other house, hospital or place, from whose residence a dead body shall be removed for burial in any other than the Laurel Grove Cemetery, and who shall employ no undertaker or sexton for the purpose, shall, within twenty-four hours after such burial, make a report to the Clerk of Council of the particulars, as required by the twenty-seventh section of this article, and on failure, for each offence shall forfeit and pay the sum of thirty dollars, one half of the fine for the use of the city, and the other half payable to the informer.

Penalty $30.

Ordinance 17th November, 1853.

Hebrew Cemetery.

31. 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,

Four acres.

be, and the same is hereby set apart for the special use of the members of the Hebrew Congregation for cemetery purposes,

Conditions.

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.

Exchange of lots by Solomon Cohen.

32. When said portion shall have been surveyed and laid out, that Solomon Cohen be allowed to select the same number of lots, of the same dimensions as he now holds in the present enclosure, and the amount paid by him for the same be taken as so much of the purchase money of the aforesaid parcel, on condition of his surrender of the title he now holds, the price of said parcel to be estimated as nearly as

possible, by the proportion of such quality of ground in the portion set apart for cemetery purposes, valuing it according to the price paid by the city.

Size of lots 12x25 feet.

33. 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

Keeper of L.G. C.'s duty

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

Lots sold as in L. G. C.

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 that after the fencing and clearing are paid for, the purchase money of all lots shall be paid into the city treasury.

Ordinance 9th March, 1854.

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

34. 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

No remains admitted except in air exhausted cases, etc.; if offensive to be buried.

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 Health and Cemetery Committee, or any member thereof, it shall, under the direction of the same, be immediately buried, giving due notice thereof to the friends,

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

where circumstances will permit: *Provided*, the body of no person who may have died with the small pox, shall ever be deposited in said vault.



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

35. The Keeper of said cemetery shall demand and collect the sum of five dollars, for the deposit of the remains of any deceased person in said vault, and an additional fee of twenty-five cents a day for each and every day after the first ten, that such body remains in said vault, but no additional fee for the removal of the same, except when such remains are interred in Laurel Grove Cemetery, or some other vault in said cemetery, when he shall demand the fee prescribed in the ordinance regulating the same, and he shall pay over all such fees and charges, when collected, into the city treasury; and

No other vault to be rented.

no other vault in said cemetery shall be used for rent or hire; and if any person shall be found receiving rent for the use of his or her vault in said cemetery, he or she shall, on conviction, be fined in the sum of twenty dollars, one half to the informer, the other to the city.

Fine $20.

Remains not be kept in vault over one month.

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

Keeper's duty.

Temporary deposits from old cemetery, fee 25 cents a day.

37. Whenever application is made for the temporary deposit of [the remains of] any deceased person in said public vault, which have been long deposited in any vault in the old cemetery and are inoffensive, the said Keeper shall admit the same free from the usual entrance fee, but he shall demand and collect a fee of twenty-five cents a day for each and every case or box, for every day they remain in said vault; all of which, when collected, shall be paid into the city treasury.

Ordinance 4th May, 1854.

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

38. That those sections of the Laurel Grove Cemetery tract, known as numbers (13) thirteen, and (17) seventeen, on Morse's plan, be set apart for the burial of such Israelites as may purchase lots therein, and that the margin be reserved for paupers. 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 be 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.

Ordinance 11th March, 1863.

Keeper and employees to take oath.

39. The Keeper of Laurel Grove Cemetery and his employees, 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 employees to arrest and place upon the information docket any person or persons violating any of the provisions of any ordinance or ordinances now of force in relation to said cemetery.

Duty to arrest offenders against any ordinance in relation to cemetery.

Disposition of Fines.

40. All penalties and fines inflicted by reason of any person or persons having been arrested and placed on the information docket as aforesaid, one half of said fines when collected shall go to the informer, the other half to the use of the city.

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## ARTICLE XIII.

## CHIMNEY CONTRACTORS.

### ORDINANCES.

1. Chimney contractors to sweep once a month—kitchens and wash-houses every fortnight; penalty for opposing not exceeding thirty dollars.
2. Contractors neglecting duty, fined not exceeding $50.
3. Contractor must give written notice of time of sweeping.
4. Neglects of contractor not provided for.
5. Chimneys of bakeries and cook-houses to be swept once every week.
6. Penalty for violating this ordinance not exceeding thirty dollars.
7. City laid off into twelve sections—occupants of houses to pay fees.
8. Two contractors to be elected.
9. They shall give bond.
10. Owners to pay when contractors are unable to collect from occupants.
11. Optional with owners and occupants to sweep when coal is exclusively used.
12. Chimney hearth, how constructed.
13. Fees of contractors for sweeping chimneys.



### ORDINANCES, AS AMENDED.

Ordinance 28th November, 1803.

Chimney contractors to sweep once a month.

1. All and every person and persons occupying a building or part of a building, with a chimney or chimneys thereto, in which fire is usually made, shall allow and permit the said contractor to visit, inspect, and cause to be swept the said chimney or chimneys once in every calendar month, from the first day of October to the first day of April in every year, except kitchens and wash-houses, which shall be swept once in every fortnight throughout the year, and he, she, or they shall pay for such sweeping the fees. And in case any person shall oppose or prevent the sweeping of any chimney, as before directed, he she, or they making such opposition, on conviction thereof before the Police Court, shall be fined in a sum not exceeding thirty dollars.

Kitchens and washhouses once a fortnight.

Pay fees.

Opposing sweeping.

Fine, $30.

Neglect of duty by contractors.

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

Fine, $50.

If on fire, contractor to pay penalty on occupier.

Proviso.

Contractor give written notice of time of sweeping.

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

Penalty; neglect of contractors,

4. In all cases of neglect of the said contractor, not hereinbefore provided for, on conviction thereof before the Police Court, such contractor shall be fined in any sum not exceeding fifty dollars; and that any sweep boy, sweeping or offering to sweep chimneys in this city, unless requested and licensed by the contractor, shall be fined in a sum not exceeding twenty dollars.

Sweep Boy.

Penalty.

Ordinance 31st October, 1823.

Bake and cook house to be swept once a week.

5. Every person or persons who carry on the trade of a baker or keeper of a public cooking-house, shall be required to have the chimney or chimneys of their bake or cook-house, or bake or cook-houses, swept once in every week, during the period of using the same.

Penalty, $30.

6. Any person or persons violating any provision of this article shall, on conviction, be fined in a sum not exceeding thirty dollars.

Demand fees from occupants.

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

City laid off into 12 sections.

Two days for each section.

Ordinance 2d January, 1851.

Election of two contractors.

8. At the first regular meeting of Council in January, annually, there shall be elected two contractors for sweeping chimneys, the first for all that part of the city lying west of Bull street, and the second for all that part of the city lying east of Bull street.



Bond

9. Each of said contractors shall give the bond, take the oath, and within his district perform the duties now required, and receive the fees hereinafter prescribed.

Owners of houses to pay when contractors are unable to collect from the occupouts.

10. When the contractors are unable to collect the fees for sweeping chimneys from the tenants, they shall be entitled to collect the same from the owners of the houses whose chimneys they have swept: *Provided*, they notify the owners or their agents of the delinquency of the tenant within twenty days from the time of sweeping such chimneys.

Proviso.

Ordinance 30th December, 1852.

Chimneys where coal is used.

11. It shall be optional with the owners or occupants of houses to have chimneys, wherein coal is exclusively burned, swept or not.

Costruction of chimney hearths.

12. It shall not be lawful for any person to lay or cause to be laid a hearth to any chimney now erecting or constructing or which may hereafter be made or constructed within the limits of this city, unless said hearth shall be laid upon a brick or stone arch, or on flagging, or on some other incombustible material, and any person violating this ordinance, shall be fined in a sum not exceeding thirty dollars.

Penalty, $30.

Ordinance 9th February, 1843.

Fees for sweeping chimneys.

13. The fees of the contractors for sweeping chimneys shall be as follows, to wit: fifteen cents for each story; and the contractors for sweeping chimneys are hereby empowered and directed to demand and receive their respective fees from the occupants of the houses in which chimneys are swept.

Who to pay fees.

# ARTICLE XIV.

# CITY COURT OF SAVANNAH.

## STATUTES.


1. Judge; election and term of office.
2. Election, when held. Vacancies, how filled.
3. Vacancies occurring before the first of January, 1863, how filled.
4. Failure to elect a judge.
5. Salary.
6. Election of clerk and sheriff.
7. Fees to city. Penalty for not paying.
8. Books to be provided by the city.
9. Constables and bailiffs of the city, &c.
10. Labor in work-house and on streets of the city.
11. Criminal jurisdiction increased.
12. Fees of Solicitor General.


## ORDINANCES.


1. Clerk and sheriff elected.
2. Term of office three years.
3. Bond with two securities.
4. Consent to pay increase of salary.


[The City Court of Savannah, (established by Act of 18th December, 1819, under the name of the Court of Common Pleas and Oyer and Terminer for the City of Savannah,) being a State Court, only so much of the legislation of the State, in regard thereto, as relates particularly to Savannah, is here compiled.]

## STATUTES.

Irwin's Revised Code.

Judge—election and term of office.

1. §4802. The Mayor and Aldermen of the City of Savannah shall have the election, by ballot, of the Judge of said court, who shall hold his office for three years, and until his successor is elected and qualified, unless sooner removed by the Governor, on the address of two-thirds of both branches of the General Assembly for that purpose. He shall be commissioned by the Governor, on proof of his election, under the hand of the Clerk of Council, and seal of the City of Savannah.



Election—when held.

2. §4803. The next regular election of Judge of said court shall be at the first regular meeting of the City Council of Savannah, in January, in the year eighteen hundred and sixty-three, and regular elections for Judge of said court shall be every three years thereafter, but the present organization of said court shall continue until the Judge or other officers thereof shall be displaced or superseded by law, and the City Council of Savannah shall have power to fill all vacancies in such offices, occurring from death, resignation, or otherwise.

Vacancies—how filled.

Vacancies occurring before the first of January, 1863, how filled.

3. §4804. Should a vacancy in the office of Judge of said court, by death, resignation, or otherwise, occur before the said first meeting in January, eighteen hundred and sixty-three, the said Mayor and Aldermen shall, at their first regular meeting after such vacancy shall have occurred, proceed to elect a Judge to fill such vacancy; and whenever a vacancy shall occur thereafter, from any cause, the said Mayor and Aldermen shall, at their first meeting, elect a Judge to supply such vacancy.

Failure to elect a Judge.

4. §4805. Should the said Mayor and Aldermen fail to elect a Judge at the time appointed for a regular election, it shall be lawful for them to elect at their next regular meeting.

Judge's salary.

5. §4806. The Judge of said City Court shall have an annual salary [of two 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 city treasury of Savannah.

[By §4829 of same Code, "any Alderman of said city," as well as other officers therein named, "may issue attachments returnable to said court," &c.]

Election of clerk and sheriff.

6. §4809. The Clerk and Sheriff of said court shall be elected by said Mayor and Aldermen, for such term respectively, and under such qualification and other rules and regulations as they shall prescribe, [and the Sheriff of said 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 the county of Chatham.]

Fees to the city.

7. §4844. The attorney's fees in each case brought in said court, and in all attachment cases returnable to said court, and actually put into the hands of an officer for service, shall be five dollars, such fee to be taxed in the bill of costs. But,

where the defendant shall prevail, the defendant's attorney shall be allowed a fee of two dollars, and three dollars shall, in every case, become immediately due to the City of Savannah, to be paid to the Clerk, and by him accounted for, and paid over in quarterly returns to the City Treasurer of Savannah. Every officer receiving an attachment, for service, shall immediately report the same to the said Clerk, who shall immediately collect the city fee from the attaching party, or his attorney; and if said Clerk shall fail to make any quarterly return and payment as aforesaid, he shall pay, for the use of said city, the penalty of five hundred dollars, to be enforced in said court, by attachment against the Clerk for a contempt.

Penalty for not paying, &c.

Books to be furnished by city.

8. §4846. 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.

Constables and bailiffs of the city, &c.

9. §4857. The Constables, and *ex-officio* Constables, of the City of Savannah, from time to time, shall be constables of said court, so far as to authorize them to serve all process and orders of said court to them directed, but the Judge of said court is hereby empowered to select, in conjunction with the Mayor of said city, five members of the mounted or foot police of Savannah, as special bailiffs of said court, who shall remain bailiffs, as aforesaid, for one year, unless removed as bailiffs by the Judge, or in case of dismissal or resignation from said police. It shall be the duty of three of said bailiffs to attend all sittings of said court, subject to the orders of the Judge thereof, and they shall receive one dollar a day whilst so attending, to be paid from the fines and forfeitures in said court; said bailiffs being empowered to serve any criminal warrant within the jurisdictional limits of said court (provided the warrant does not issue for an offence above the grade of misdemeanor), and, for purposes thereof, shall be considered lawful constables of the State of Georgia, and receive the same



fees as may be allowed by law to the constables of this State: *Provided*, nothing herein contained shall be construed to relieve such bailiffs from any other duties imposed by law, which shall not interfere with the duties above imposed.

Labor in work house and streets of the city.

10. §4881. Whenever, in any case, the said court shall be authorized to sentence a person to imprisonment, such imprisment may, as part of the sentence of the court, be in any workhouse established by the city authorities of Savannah; and the Judge may sentence such prisoner to work in such place, or to work on the streets of Savannah, under the direction of the city authorities.*

State Law 8th October, 1868.

Criminal jurisdiction increased.

11. §2. That the criminal jurisdiction of the said City Court of Savannah shall extend to all criminal cases, less than a felony, committed within the limits of the County of Chatham.

Fees to Solicitor General, how paid.

12. §5. That the fees of the Solicitor General of the Eastern Circuit, for the prosecution of all criminal cases in said City Court, shall be paid in the manner following: For all offences committed outside the corporate limits of said city, in the manner as prescribed by law for the payment of the fees of said Solicitor General in Chatham county; and for all offences committed within the corporate limits of said city, out of the funds of the city treasury of the City of Savannah,† upon the certificate of the Judge of the said City Court of Savannah, as to the correctness of the same.

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*For abolition of chain gangs, and limiting the term of sentence to work on streets, &c., see Act of 27th October, 1870.—*Compilers.*

†The city having resisted the payment of the Solicitor General's fees out of the city treasury, on the ground of want of authority in the legislature to make such requirement, a case was made, and the Superior Court of Chatham county held the above 5th section to be valid Without taking a writ of error, the city consented to pay the fees embraced in that section as payable out of the city treasury, but with a written understanding that the corporation would not be thereby estopped from again raising the question.—*Compilers.*

## ORDINANCES, AS AMENDED.

Ordinance 8th December, 1825.

Clerk and sheriff of City Court elected.

1. There shall be elected a Clerk and Sheriff of the City Court of Savannah, on the first regular meeting of Council in January next, who shall hold their offices for the term of three years.

For 3 years.

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

Bond with two securities.

Clerk $3000.

Sheriff $5000.

3. The persons elected clerk and sheriff of the said court, shall, before they enter upon the duties of their office, give bond, with two good and sufficient securities, to be approved of by the Mayor or Chairman of Council and the Finance Committee; the clerk in the sum of three thousand dollars, and the sheriff in the sum of five thousand dollars, conditioned for the faithful discharge of the duties of their said offices, and which bonds shall be made payable to the Mayor and Aldermen of the City of Savannah, and the said clerk and sheriff shall, at the time of giving their bonds before the Mayor or Chairman of Council, take and subscribe an oath similar to the oath of the clerk and sheriff of the Superior Court of this State, which said bonds and oaths shall be filed with the Clerk of Council.

Oath similar to Clerk and Sheriff of Superior Court.

Bond filed.

Ordinance 6th February, 1867, in relation to the increase of salary of the Judge of the City Court, under the Act of 20th December, 1866.

Consent to pay increase of Judge's salary.

4. That the City Council of Savannah hereby consents to the said fourth section of the above recited Act, in the following words: "That the salary of said Judge shall be two thousand dollars, which shall be paid out of the city treasury."



# ARTICLE XV.

# CITY LAMPS.

## ORDINANCES.

1. Breaking, injuring, or destroying lamps, fine not exceeding thirty dollars.

2. Injuring lamp posts or lanterns, or lighting or extinguishing gas in any of the said lanterns, fine $30 to $50.

[The introduction of gas light into the City of Savannah, has rendered inoperative the ordinances relating to the erecting and lighting of lamps in the streets and public places in the city. The following section of the ordinance of the 22d July, 1839, applicable to all persons injuring the city lamps, is nevertheless considered of force.]

## ORDINANCES, AS AMENDED.

Ordinance 22d July, 1839.

Thirty dollars fine for breaking, &c., lamps

1. 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 dollars.

Ordinance 15th August, 1850.

Injuring, &c., lamp posts or lanterns, gas, &c., fine $30 to $50.

2. That if any person shall break, injure, deface or destroy any of the street lamp posts or lanterns, or shall, without due authority, light or extinguish the gas in any of the said lanterns, he, she, or they may be fined by the Mayor or acting Mayor, in a sum not less than thirty dollars, nor more than fifty dollars, one-half to the informer; and in default of payment, may be committed to jail for such period as in the discretion of the Mayor or acting Mayor may seem proper. And in all cases it shall be in the discretion of the Mayor or acting Mayor to order the offenders into custody until the fine shall be paid.

# ARTICLE XVI.

# CITY DOMAIN.

## ORDINANCES.


1. Franklin, Warren, and Washington Wards laid off into lots.
2. Lots—how sold.
3. Title—how made.
4. Purchasers to give bond in four times the annual ground rent.
5. All lots re-entered in five years to be sold again.
6. Sales—how made.
7. County Surveyor to lay out the lots.
8. Seven lots in Franklin Ward—how sold.
9. Names of Wards, Squares and Streets.
10. Columbia, Green, and Liberty Wards laid off into lots.
11. Lots—how sold, title, etc., etc.
12. Names of Wards and Squares.
13. Elbert Ward laid off into lots.
14. Lots—how sold.
15. Title—how made.
16. Bond for payment of quarterly rent.
17. Sales of re-entered lots after five years.
18. Square, Ward, and Streets named.
19. Oglethorpe Ward divided into six Tythings and names of Streets in Sixth Tything.
20. New Franklin Ward laid off into lots, and lots sold on same terms as Franklin Ward.
21. Title—how made.
22. Sales of re-entered lots.
23. Certain lots in New Franklin Ward—how sold.
24. How lots in New Franklin Ward to be sold hereafter.
25. Brown and Jackson Wards laid off into lots.
26. Lots—how valued and sold.
27. Wards, Squares, and Streets named.
28. Addition to Brown Ward.
29. Lots added—how sold.
30. Jasper, Lafayette, and Pulaski Wards, names of Streets.
31. Lots to be numbered.
32. Lots—how valued and sold.
33. Width of Liberty Street.
34. Jurisdiction of City extended over Currietown.
35. Continuations of Streets to take the names of original streets.
36. Certain lots made part of LaFayette Ward. Certain lots part of Jasper Ward, and certain lots part of Pulaski Ward.
37. Lots numbered.
38. Lots—how valued and sold.
39. Crawford Ward laid off into lots.
40. Lots—how valued and sold.
41. Nine lots south of old cemetery attached to Crawford Ward.





42. Charlton and Montgomery Wards laid off.
43. Lots—how valued.
44. Lots—how sold.
45. Former purchasers of lots in Montgomery Ward to have new titles.
46. Trust lots in Monterey and Calhoun to be 60 feet wide, and Streets north and south of them 60 feet wide.
47. Purchasers of lots on Gaston Street to have 20 feet added to their lots.
48. Title to 20 feet—how made.
49. Copy of conveyance.
50. LaFayette Ward completed.
51. Calhoun, Troup, and Wesley Wards named. Calhoun, Troup, and Whitfield Squares named.
52. Lots—how valued and sold
53. Title.
54. Calhoun Ward added to.
55. Lots—how valued and sold.
56. Title.
57. Springfield tract laid off.
58. Lots—how valued and sold.
59. Title.
60. Sales already made confirmed.
61. Lots 19 and 20 of Springfield tract laid off into lots.
62. Lots from 1 to 26, laid off into lots and numbered.
63. Balance of Springfield tract to be laid off and sold, when the Dry Culture Committee deem proper.
64. Lots—how valued and sold.
65. Ditches and drains reserved.
66. Title.
67. Former sales confirmed.
68. Forsyth Ward.
69. Forsyth Place.
70. Lots—how valued and sold.
71. Charlton Ward laid off into lots.
72. Lots—how valued and sold.
73. Title.
74. Half lot in fee simple.
75. Half lot in ground rent.
76. Plan of city extended over Farm lot No. 2, Holland Tything, etc., etc.
77. Relinquishment to W. G. Bulloch and others, according to their interest in the said Farm lot No. 2.
78. Ordinance to go into effect upon the delivery of conveyance, executed by the parties.
79. No part of the property reserved by the owners to be subject to taxation by the city until improved.
80. Duty of the Chief of Police to detail a sufficient force to preserve order in Forsyth Place.
81. Duty of Policemen to disperse crowd, etc.
82. Not lawful to smoke in the Park.
83. Piece of ground known as the Military Parade Ground added to, and made part of Forsyth Place.
84. Certain area of the City of Savannah declared to be within the taxable limits of the city.
85. Not lawful to sell or to use within the limits of the city, any detonating or fulminating substance whatever, etc. Duty of City Police, etc.
86. Mayor to sell thirty-two acres of land, east part of Fig Island.
87. Terms of sale.
88. One acre conveyed to United States.
89. Lots may be divided into parts not less than 20 feet front, on a public street or square.

90. Rights as to half lot granted as to other divisions.
91. Times for payment of ground rent.
92. Rate of interest on unpaid purchase moneys.
93. Names of Wards in the city.
94. Names of certain new Streets, etc.
95. Powder Magazine ground, etc., on Springfield Plantation.

## ORDINANCES, AS AMENDED.

Ordinance 28th September, 1790.

Franklin, Warren, and Washington wards, laid off into 120 lots.

1. All that part of the east and all that part of the west common situate and lying between the Bay and Broughton streets, extended eastwardly to a public street of one hundred feet in width, and westwardly to a public street of the same width, be, on or before the first day of November next, ensuing, laid off into one hundred and twenty lots: that is to say, eighty lots on the east, and forty lots on the west common, each lot to contain sixty feet in width and ninety feet in depth, with certain squares, streets, and lanes, in and between the same, agreeably to the plan marked No. 1 (one) hereunto annexed, and being so laid off, the said lots, or as many of them as can be, shall be sold and disposed of on the terms and conditions hereinafter mentioned; that is to say, the said lots shall be valued according to the estimate or schedule marked No. 2 (two) hereunto annexed, from one hundred and sixty pounds, to forty pounds lawful sterling money, inclusive, and the ground rent of the same shall be in proportion and after the rate of five pounds per annum on every hundred pounds value, and it shall be in the option of the purchaser either to pay down the said valuation money or else to hold his or her purchase on ground rent, payable quarterly, as hereinafter mentioned.

Valuation and increase money,

2. Said lots shall be put up at auction in arithmetical progression, beginning at No. one (1) in each ward, and so proceeding upwards, until they shall be all disposed of, (except as hereinafter excepted,) or until so many of them shall be disposed of as there appear bidders for; and the said lots shall be respectively set up at the valuation contained in the said schedule annexed, and whatever sum or sums shall be bid upon the said valuation at the time of the sale of the said lots shall be considered as *increase money*, and shall be paid



down in cash, and the person bidding most of such *increase money* shall be deemed the purchaser of the lot then under sale; and in regard to the said valuation money, it shall be in the option of the purchasers either to pay the same down in cash, or else to retain the same in their hands and the hands of their heirs and assigns forever, on a ground rent, which ground rent shall be at and after the rate of five pounds by the year, for every hundred pounds value of the purchase, and so in proportion for any greater or lesser sums, payable in four equal quarterly payments into the city treasury; but it shall nevertheless, at any time thereafter, be in the power of such purchasers, or their heirs and assigns, to pay in the said valuation money, with what rent may be due up to that time, in full discharge and extinguishment of the said ground rent.

Increase money payable in cash.

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

Title.

3. A deed by way of bargain and sale, shall be made to all and every purchaser or purchasers of the said lots, under the seal of the city, signed by the Mayor and a majority of the Aldermen for the time being, and attested by the Clerk, who shall enter a docket or abstract of such conveyance in a book to be provided and kept for that purpose, and a note or memorandum of such docket or abstract, shall be marked on the said deed. And the said bargain and sale shall vest either an absolute or conditional estate in the purchaser according to circumstances; that is to say, an absolute one if the valuation money shall be paid down, or a conditional one if the said valuation money shall not be paid down, this latter also to become absolute, if and when the said valuation money shall at any future time be paid into the treasury, and an acknowledgment thereof under the seal of the city, signed by the Mayor and a majority of the Aldermen for the time being, and attested by the City Treasurer, shall be indorsed on such deed. And the said conditional estates shall amount to this; that the use and occupation of the premises are forever secured to the purchaser, and others claiming under him or her, on payment of the ground rent, but on failure therein for the space of fifteen days after the same shall become due, the said premises are to revert to the corporation, who shall immediately thereafter possess the power of re-entry, and having by means of their proper officer exercised such power and given a notice thereof in writ-

Absolute if valuation paid
Conditional if not paid.

On failure to pay ground rent, premises to revert.

ing, posted on the premises, the lot or lots so entered upon, with all improvements thereon, are to be considered at the expiration of ten days thereafter as absolutely revested in the corporation, and the said conditional estate therein determined, to all intents and purposes as fully as if the same had not been bargained for or purchased, any sale or incumbrance or other act, made or suffered by the purchaser or purchasers, or others under him, her, or them to the contrary thereof, in anywise notwithstanding.

Re-entry after 10 days notice.

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

Purchasers to give bond.

Penal sum of four times the annual ground rent.

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

Buildings valued by two citizens.

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

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

Addition to valuation made for improvements.

6. Not less than three months notice shall be given of the intended sale of the said lots, and such sale shall commence

Three months notice of sale of lots.



on the twelfth day of January next at the vendue house in the said city, and continue from time to time until the said lots are all disposed of, as there appear bidders for, and the same shall be conducted by three or more commissioners, duly appointed by order or resolution of the City Council, for that purpose to be made and passed.

Sales to be conducted by three commissioners.

7. The County Surveyor, or any other Surveyor, duly appointed and qualified, shall be, and he is hereby authorized and required to survey, mark, and lay out the said lots, under the inspection and direction of the said commissioners, to be appointed as aforesaid, or a majority of them, agreeably to the plan marked No. 1 hereto annexed.

County Surveyor to lay out the lots.

Ordinance 12th January, 1791.

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

Seven lots on the Bay in Franklin ward --how sold.

Street not more than 46 feet in front of lots.

9. The names of the several squares and streets in the east and west parts of the common, by ordinance laid out into lots, shall be as follows, that is to say: The square on the east common, which lies nearest to the trustees' gardens, shall be called Washington square; the other square on the said east common shall be called Warren square; and the square on the west common shall be called Franklin square; and the several wards of said ground laid out into lots, shall take their names respectively from the squares to which they belong, agreeably to the plan of the city, and the addition thereto made; and the names of the several streets within the ground so laid out as aforesaid, shall be as follows, that is to say: the street running north and south on the outer part of the east common, and separating that from the trustees' gardens, shall be called East Broad street; the next

Wards and squares named Washington, Warren, and Franklin.

Streets named

East Broad street.

Houston street. Price street. Habersham street. Lincoln street. West Broad street. Montgomery street. Jefferson street.

street running parallel thereto on the same common, shall be called Houston street; the next parallel street, Price street; the next parallel street, Habersham street, and the next parallel street, which is the one between the old limits and the present additions on the said east common, shall be called Lincoln street; and the street running in the same direction of north and south, on the outer part of the west common, and separating that from Yamacraw and St. Gaul's lots, shall be called West Broad street; the next street running parallel thereto, on the same west common, shall be called Montgomery street; and the next parallel street, which is the one between the old limits and the present addition on the said west common, shall be called Jefferson street; and all the streets which run through the said west common, annexed to the city, in a direction of east and west, shall take their names from, and be called after the streets of the city as contained in the original plan of the Town of Savannah.

Ordinance 30th May, 1799.

Columbia, Greene, and Liberty wards laid off into 120 lots,

10. All that part of the east, and all that part of the west common situate and lying between Broughton street and the southern boundary line of this city extended, and between East Broad street and the city, and the city and West Broad street be, on or before the tenth day of June next ensuing, laid off into one hundred and twenty lots, that is to say: eighty lots on the east, and forty lots on the west common, each lot to contain sixty feet in width and ninety feet in depth, with certain squares, streets, and lanes, in and between the same, corresponding with the plan of this city. And being so laid off, the said lots or so many of them as can be, shall be sold and disposed of on the terms and conditions hereinafter mentioned, that is to say: the said lots shall be valued according to the estimate or schedule hereunto annexed, from six hundred to two hundred dollars, and the ground rent of the same shall be in the proportion of five per cent. per year, and it shall be in the option of the purchaser either to pay down the said valuation money, or else to hold his, her, or their purchase on a ground rent payable quarter yearly as hereinafter mentioned.



Lots, how sold.

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

Annual ground rent 5 per cent. payable quarterly.

For title see sections 3, 4, and 5 of this article except 20 days in lieu of 15 days, and $100 in lieu of £20 sterling.

Wards and squares named

12. The several squares and wards to be laid out under and by virtue of this ordinance, that is to say: the square and ward between the city and West Broad street, shall be known by the name of Liberty; the square and ward adjoining the city on the east common, shall be known by the name of Columbia; and the square and ward adjoining East Broad street, shall be known by the name of Greene.

Liberty.

Columbia.

Greene.

Ordinance 20th April, 1801.

Elbert ward laid off into 40 lots.

13. All that part of the southwest common situate and bounded as follows: to the north by Liberty ward, to the south by the five acre lots, to the east by Jefferson street, and to the west by West Broad street, be laid off into forty lots, each lot to contain sixty feet in width and ninety feet in depth, with certain squares, streets, and lanes in and between the same, corresponding with the plan of this city; and being so laid off, the said lots or so many of them as can be, shall be sold and disposed of on the terms and conditions herein-

after mentioned, that is to say: the said lots shall be valued according to the estimate or schedule hereto annexed from six hundred to seven hundred dollars, and that the said lots be set up at the original valuation, and the increase money bid thereon shall be added to the same, and that the purchaser shall pay down in three days from the day of sale, ten per cent. on the whole amount and the balance to become the valuation money of the said lots; and the ground rent of the same shall be in the proportion of five per cent. per year; and it shall be in the option of the purchasers either to pay down the said valuation money, or else to hold his, her or their purchase on a ground rent payable quarter yearly as hereinafter mentioned.

Lots how sold.

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

Annual ground rent 5 per cent.

Title.

15. A deed, by way of bargain and sale, shall be made to all and every purchaser or purchasers of the said lots under seal of the city, signed by the Mayor and a majority of the Aldermen for the time being, and attested by the Clerk, who shall enter a docket or abstract of such conveyance in a book to be provided and kept for that purpose, and a note or memorandum of such docket or abstract shall be marked on said deed. And the said bargain and sale shall vest either an absolute or conditional estate in the purchaser, according with circumstances, that is to say: an absolute one if the valuation and increase money shall be paid down, or a conditional one, if the said valuation and increase money shall not be paid down—

Absolute estate.

Conditional.



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

Failure to pay rent for twenty days.

Ten days notice for re-entry.

Bond for payment of quarterly rent.

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

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

Buildings valued by two or three citizens.

per cent. And in all cases the said buildings shall be appraised and valued by two or three citizens appointed by and sworn before the City Council.

Sales of re-entered lots after five years.

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

Addition for improvement.

Square and ward named Elbert.

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

Streets named.

Liberty.

Perry.

McDonough.

Hull street.

South Broad.

Oglethorpe ward divided into Tythings and names of streets in sixth Tything.

19. That all that part of Oglethorpe ward from the river back to Joachim street, shall be called and known by the name of the first tything in the said ward; that all that part from Joachim street back to Pine street, shall be known by the name of the second tything; that all that part of Pine street back to the north line of Ewensburg, shall be known by the name of the third tything; that all that part called Ewensburg shall be known by the name of the fourth tything; that all that part called New Leeds shall be known by the name of the fifth tything, (and that all that public lot of sixteen acres



at the Spring Hill shall be known by the name of the sixth tything. And the names of the streets in the sixth tything, lately laid out into lots, shall be as follows: That is to say, the street running east and west, bounded by the main road to the south, shall be called Liberty street; the next parallel street Spring street; and the next parallel street, which is the one that separates that from New Leeds, shall be called Oak street; and the street running north and south, crossing Spring street, shall be called Franklin street).

Ordinance 27th June, 1803.

New Franklin ward laid off into lots, each sixty feet in width and ninety feet in depth.

20. All that space of ground situate and being on the Bay, bounded to the eastward by lots of Edward Telfair and Joseph Clay, Esqrs., to the southward by Bay street, to the westward by West Broad street, and to the northward by the strand, as lately laid off into lots, each lot containing sixty feet in width and ninety feet in depth, according to the plan hereto annexed, be sold and disposed of on the terms and conditions herein mentioned, that is to say: The said lots shall be valued according to the estimate or schedule hereto annexed, from one thousand five hundred to two thousand dollars, and being so valued, the same shall be put up at public auction in numerical succession, unless otherwise ordered by Council, beginning with the number one, until the whole, or so many of them as there shall appear bidders for, shall be disposed of; and the said lots shall be put up at the valuation aforesaid, and the highest bidder shall be declared the purchaser, and the increase money which shall be bidden on the same shall be added to the said valuation money, and the purchaser or purchasers shall, within three days after the sale, pay into the hands of the City Treasurer ten per cent. on the whole sum, which shall be deducted therefrom, and the balance thereof shall be thereafter deemed the valuation money, which said valuation money shall forever be irredeemable and remain a lien on the said lot for securing the payment of the interest, or ground rent, hereafter mentioned, which ground rent or interest shall be five per cent. per annum on the said valuation money, and shall be paid quarterly into the city treasury.

Ten per cent. paid in cash.

Balance on annual ground rent payable quarterly.

Title.

21. A deed, by way of bargain and sale, shall be made to all and every purchaser and purchasers of the said lots, under

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

Failure to pay rent for twenty days.

Re-entry upon ten days notice.

Sales of re-entered lots.

22. All lots, from time to time re-entered upon and revested in the corporation in the manner before mentioned, shall be sold out again on the same terms and conditions as the said lots are now directed to be sold and let out, upon a reasonable addition being made to the respective valuations, for any buildings or improvements that may be made on the said lots respectively.

Addition to valuations for improvements

Ordinance 22d March, 1819.

New Franklin ward.

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



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

Surplus ground, how valued; how sold.

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

The same lots shall hereafter be considered as part of the aforesaid ward, and included in the same, for all the purposes of residence and other requisitions of locality as are required by law or ordinance.

Lots considered a part of New Franklin ward.

Ordinance 16th January, 1851.

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

Sales of lots in New Franklin ward.

The moneys to arise from such sale or sales, and the annual interest to accrue upon the balances remaining unpaid, shall constitute a part of the general fund of the city, subject to be disposed of in the same manner as the other funds, and that all ordinances or parts of ordinances appropriating the proceeds of said lots to any special purpose, be and the same are hereby repealed.

Proceeds of sales, how appropriated.

Ordinance 19th June, 1815.

25. All that part of the south common, situate and bounded as follows: That is to say, on the north by South Broad street, on the south by Liberty street, on the east by the public burying ground, and on the west by Jefferson street, be laid off into one hundred and six lots, each lot to contain sixty feet in width and ninety feet in depth, with two wards, two squares and certain streets and lanes, in and between the same, agreeably to the plan of the city.

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

The said lots shall be valued by three inhabitants or lotholders of the city, nominated and appointed by the Mayor, associated with two Aldermen, who, or a majority thereof, are hereby authorized to value and appraise the said lots, and so

Lots, how valued.

soon as the said inhabitants, lot-holders and Aldermen, or a majority thereof, shall have valued and appraised the said lots, a schedule shall be returned to the Clerk of Council, subject to the revision and approbation of the Mayor and Aldermen.

How sold.

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

The said lots shall be sold in numerical succession, and agreeably to the valuation affixed thereto as aforesaid, and the increase money bid thereon shall be added thereto, and the purchasers of said lots shall pay to the Treasurer of this city, within thirty days after said sale, twenty per centum on the original valuation and increase money aforesaid, and balance of said valuation and increase money shall become the amount of the consideration money of the said lots sold under and by virtue of the authority aforesaid: *Provided, nevertheless,* That it shall be at the option of the purchaser or purchasers to pay down the whole of the valuation money, if no more shall be bid, or if more, the increase money and valuation, or to hold the purchase upon a ground rent, at the rate of six per centum on said valuation, payable quarterly as hereinafter directed.

Twenty per ct. paid in cash. Balance on an annual ground rent rate of 6 per cent. payable quarterly

As to titles, bond and security, see sections 14, 15, 16 of this article.

Wards named Brown and Jackson. Squares named Chippewa and Orleans. Streets named Perry, McDonough and Hull.

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

Ordinance 3d November, 1853.

Addition to Brown ward. Floyd street 37½ feet in width.

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

Fireman's Hall.



Lots how sold.

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

Twenty per ct. cash.

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

As to title, see section 15 of this article.

Ordinance 3d February, 1837.

Lots 60 by 100 feet.

30. All those portions of the south common delineated as within the lines (shaded red) on the plan hereto annexed, be laid off into lots, with such streets and lanes as are laid down on said plan, and that each one of said lots be sixty feet in front and one hundred feet in depth, or nearly as can be to correspond with the rest of the city. The said lots so to be laid off, between Abercorn and Drayton streets continued, shall form part of a ward to be called LaFayette ward. The lots laid off and to be laid off between Drayton and Whitaker streets continued, shall form part of a ward to be called Jasper ward; and those lots to be laid off between said Whitaker street continued and a line to be drawn parallel to and sixty-eight feet to the eastward from the line of Curry Town, shall form part of a ward to be called Pulaski ward. The street running south of the southern range of all the said lots and parallel to Liberty street, shall be called and known by the

Jasper, Lafayette and Pulaski wards.

Named.

Names of streets.

Harris street. Tatttnall st.

name of Harris street; and the street of sixty-eight feet, next to Curry Town, shall be called and known by the name of Tattnall street.

Lots numbered.

31. The said lots so to be laid off, shall be numbered as follows: Those in Lafayette ward from No. 1 to No. 10, inclusive; and those in Jasper ward from No. 1 to No. 10, inclusive; and those in Pulaski ward from No. 1 to No. 10, inclusive.

Lots how valued and sold.

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

Twenty per ct. payable in cash.

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

As to title, see section 15 of this article.

Ordinance 28th March, 1837.

Width of Liberty street 130 feet.

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



Lane 22½ feet. Harris street 60 feet wide.

The lane between Harris and Liberty streets shall be of the width of twenty-two and a half feet, and that Harris street shall be of a width not less than sixty feet.

Lots 60 by 100 feet.

The first section of the ordinance (of 3d February, 1837,) whose title is above recited, be amended so as to read as follows, to wit: Each of said lots shall be sixty feet in front and one hundred feet in depth.

Ordinance 14th March, 1839.

Jurisdiction extended over Curry Town.

34. The jurisdiction and ordinances of the City of Savannah be extended according to the provisions of said act, and be of force in the said extended limits, and that all persons and property in said extended limits be subject to the laws of the city (except otherwise provided) in the same manner as if the said persons resided, and the said property was situate within the old limits of the city.

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

Continuation of streets to take names of original streets

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

Lots 60 by 100 feet.

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

Jail enclosure.

Part of Lafayette and Jasper wards.

36. The said lots, to be laid off between Abercorn and Drayton streets continued, shall form part of the ward called LaFayette ward; and the said lots to be laid off between Drayton and Whitaker streets continued, shall form part of the ward called Jasper ward; and those lots to be laid off between said Whitaker street continued and Tattnall street, shall form part of the ward called Pulaski ward; and that the first street running south of Harris street, and parallel thereto, between the

Pulaski ward.

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

Macon street.

Charlton street.

Jones street. Width each 60 feet. Lane 22½ feet.

Madison and Pulaski squares.

Lots numbered.

37. The said lots so to be laid off (including the jail enclosure) shall be numbered as follows: Those in LaFayette ward from number eleven to number twenty-four, inclusive; those in Jasper ward from number twenty-one to forty-eight, inclusive; and those in Pulaski ward from number seventeen to number thirty-eight, inclusive.

Lots how valued and sold.

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

Twenty per ct. in cash, balance on annual ground rent.



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

At rate of 6 per cent. payable quarterly

As to title, see section 15 of this article.

Title.

Ordinance 11th February, 1841, as amended by ordinance of 2d November, 1843, except as to grant to Widows' Society, and Female Asylum.

39. All that portion of the south common delineated as within the lines (shaded) on the plan hereto annexed, and bounded on the south by Liberty street, east by the Thunderbolt road, north by South Broad street, and west by Habersham street and the old cemetery, be laid off into eighty-six lots, with such streets and lanes as are laid down on said plan, and that the same shall be called Crawford ward.

Crawford ward.

Eighty-six lots

40. All the said lots shall be valued separately, by a committee of Council and a committee of three citizens, owners of real estate in the city, to be appointed by the Mayor, and such valuation shall be returned to this corporation in writing, under the hands of said commissioners or a majority of them. The sale of the lots in said ward take place under the valuation heretofore placed upon the same, or under such valuation as may hereafter be made by the Committee on Public Sales and City Lots and three freeholders, to be appointed by the Mayor, at such time as shall be deemed advisable by the Mayor and the Committee on Public Sales and City Lots; the said sale to be made under the superintendence of the Committee on Public Sales and City Lots, by the Marshal of the city at public outcry; and whatever amount shall, at the sale, be bid over the valuation of a lot, twenty per cent. upon the aggregate of such increase and of the valuation money, shall be paid into the city treasury in cash, and the highest bidder shall be the purchaser of the lot then sold. In regard to the residue of said valuation and

How valued and sold.

Lots in Crawford ward, how sold.

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

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

At rate of 6 per cent. payable quarterly

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

Title.

As to title see section 15 of this article.

Ordinance 19th August, 1847.

For LaFayette read Crawford

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

Nine lots south of old cemetery attached to Crawford ward.

The third section of the ordinance* granting to Charles B. Cluskey on ground rent five lots south of the old cemetery;

* The third section of the ordinance, entitled an ordinance granting to Charles B. Cluskey on ground rent, five lots south of the old cemetery; to attach said lots and others to Crawford ward, and to prohibit the future purchasers and owners of certain other lots from building thereon in wood—passed 4th April, 1844, and which is revived by the 2d section of the above ordinance, passed 19th August, 1847, is in the following words:

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



to attach the said lots and others to Crawford ward, and to prohibit the future purchasers and owners of certain other lots from building thereon in wood—passed 4th April, 1844, be, and the same is hereby revived.

Ordinance 4th March, 1847.

Chatham and Monterey.

42. All that portion of the south common lying between Tattnall and Drayton streets, extending southward three streets from Jones street, be laid off into lots, with such streets and lanes as are laid down on the maps of the city, with the exception of the street dividing lots known in the plan of the city as trust lots, which street is abandoned (see Wayne street, section 51,) and that each one of said lots be sixty feet in front and one hundred feet deep (section 2,) as nearly as can be to correspond with the other portions of the city. Said lots to be laid off between Tattnall and Whitaker streets continued, shall form a ward, to be called Chatham, and those lots to be laid off between Whitaker and Drayton streets continued, shall form another ward, to be named Monterey. The first street south and running parallel with Jones street, be named Taylor; the second street running parallel with Jones street be named Gordon, and the third street be named Gaston. The said lots to be laid off, be numbered in each ward from one to forty-eight.

Lots 60 by 100 feet.

Chatham ward.

Monterey ward.

Taylor street.

Gordon street.

Gaston street.

Number of lots 48.

Lots, how valued.

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

Ordinance 4th August, 1848.

How sold.

44. The fourth and fifth sections of the above recited ordinance of 4th March, 1847, be, and the same are hereby repealed, and that the said lots specified in the said ordinance, shall be sold upon the terms and conditions prescribed for

the sale of other portions of the city domain, by existing ordinances: *Provided,* nevertheless, that nothing herein contained shall affect any contracts of sales where the titles have passed under the provisions of the above recited ordinance.

Ordinance 23d November, 1848.

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

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

Cash 20 per cent.

Ground rent 6 per cent.

Ordinance 11th October, 1849.

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

Streets 60 feet wide.

46. The lots heretofore commonly called trust lots shall, in both Monterey and Chatham wards, have a width of sixty feet, and the streets between them shall be sixty feet wide, and the streets north and south of them shall also be sixty feet wide, so as to conform to the plan of Jasper ward.

Ordinance 31st July, 1851.

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

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

Gaston street to be 75 feet wide.

Depth of lots 120 feet.

The depth of the lots heretofore sold on Gaston street (extending from Drayton street to Tattnall street,) be added twenty feet in front, and a conveyance be made to each lot holder upon condition that said lot holder pay at the rate of six per cent. per annum in quarter yearly payments, on a sum

Conveyance.

Annual ground rent 6 per cent. payable quarterly.



equal to twenty per cent. of the appraised value of such lot, such quarter yearly payments to be due and payable at the same time that the regular ground rent on said lots falls due.

Endorsement on conveyance for 20 feet.

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

49. WHEREAS, under and by virtue of an ordinance, passed 31st July, 1851, upon the application of lot holders on Gaston street, twenty feet was added to the front of each of said lots between Drayton and Tattnall streets, upon condition that twenty per cent. be added to the appraised value of each of said lots, and each lot holder pay at the rate of six per cent. per annum, in quarter yearly payments, on said additional value of twenty per cent., said quarter yearly payments to be due and payable at the same time that the regular ground rents on said lots fall due: *Now, know all men by these presents,* That the Mayor and Aldermen of the City of Savannah and hamlets thereof, for and in consideration of the premises and of the quarter yearly payments to be made by the within named owner of lot No. on Gaston street, have bargained and sold, and by these presents do bargain and sell unto the said heirs and assigns, that lot of land sixty feet in front and twenty feet in depth, immediately in front of said lot No. on Gaston street. To have and to hold said addition of twenty feet by sixty feet unto the said heirs, executors, administrators, and assigns forever, as part of the original lot, upon the express condition, nevertheless, that the said heirs, executors, administrators, and assigns, shall every year, by four equal quarter yearly payments, pay or cause to be paid into the city treasury of Savannah, the additional sum of as ground rent for the use and occupation of the same, at the same time and on the same terms as in the original lease of the original lot, and in case of failure to pay the whole ground rent on said lot so added to, for the space of twenty days after it is due, then said lot shall revert to the corporation, who shall proceed to re-enter in the manner pointed out in the conveyance of said lot No.

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

Ordinance 13th March, 1851.

Part of LaFayette ward.

50. All that part of the city domain lying north of Gordon street and east of Drayton street, be laid off into lots by the City Surveyor, under the superintendence of the Committee on Public Sales and City Lots, that as many of said lots as may be necessary to complete the plan of LaFayette ward be added to that ward, and that the remainder be classed into three new wards.

Calhoun, Troup, and Wesley wards named.

Calhoun, Troup, and Whitfield squares named

51. The new ward between Liberty street on the north and Jones street on the south, and the square appurtenant to said ward, be named and called Troup ward and Troup square; and the new ward immediately to the south of Troup ward, with its appurtenant square, be named and called Wesley ward, Whitfield square; and the new ward immediately to the west of Wesley ward, with its appurtenant square, be named and called Calhoun ward and Calhoun square; and that the street between Taylor and Gordon streets, be named and called Wayne street, and that all the new streets connecting with and continuing old streets already named, be considered as part of said streets respectively, and distinguished by the respective names already in use.

Wayne street.

How valued and sold.

20 per cent. in cash.

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

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

Title.

53. Same as 3d section, ordinance 20th April, 1801, 15th section of this article.



Ordinance 9th March, 1854.

Part of Calhoun ward.

54. All that part of the city domain lying north of Gaston street, south of Gordon street, and east of Drayton street, be laid off into lots by the City Surveyor, under the supervision of the Committee on Public Sales and City Lots, and that the same be added to Calhoun ward.

How valued and sold.

20 per cent. in cash.

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

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

Title.

56. Same as 3d section, ordinance 20th April, 1801, 15th section of this article.

Ordinance 16th January, 1851.

Lots Nos. 1 to 18 of Springfield tract laid off.

57. All that portion of the Springfield tract of land numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, in the maps drawn by William Hughes, Surveyor, be laid off into lots, with the numbers and boundaries described in said map.

Lots how valued and sold.

58. All the lots so laid off shall be set up for sale at public outcry by the Marshal of the city, at the valuation made by the committee appointed by Council, on the 5th December, 1850, under the superintendence of the Committee on Public Sales and City Lots, and whatever amount shall, at the sale, be bid on the valuation of a lot, twenty per cent. upon the aggregate of said increase and the valuation, shall be paid into the city treasury in cash, and the highest bidder shall be the purchaser of the lot then sold. In regard to the residue of the said valuation and increase money, it shall be optional with the purchaser to pay the same in cash, or else to retain the same, or any portion thereof unpaid, in his or her hands, twenty-four years from day of sale, receiving in the latter case,

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

a deed from the Mayor and Aldermen of the City of Savannah and hamlets thereof, signed and sealed by the purchaser also, on condition of the quarterly payment of an annual interest to this corporation, equal to the interest on the amount of the said residue, at the rate of seven per cent., and on such further conditions and limitations as are herein set forth and referred to, and with such covenants as are necessary to secure the purchase money and interest, to be expressed in the deed. But it shall, nevertheless, at any time hereafter, be in the power of the purchaser, his or her heirs, executors, administrators or assigns, to pay into the city treasury the said residue and interest.

Ten feet width of lots reserved for ditch.

Ten feet in width of said lots on the southern boundary, is hereby reserved by the city for a ditch, to answer as a common drain for all of said lots.

(Ordinance of 13th February, 1851, says: "That the third section of the above recited ordinance, reserving ten feet wide for a ditch, be, and the same is hereby repealed, so far as regards lots 15, 16 and 17, providing a ditch giving a free flow of water and full drainage is made through said lots 15, 16 and 17, in lieu of said ten feet reservation; said ditch to be made under the superintendence of the Committee on Dry Culture.")

Title.

59. Same as section 3d of ordinance of 20th April, 1801, 15th section of this article.

Sales already made are confirmed.

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

Ordinance 13th March, 1851.

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

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

Numbering from 1 to 26.

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



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

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

Lots how valued and sold.

64. This section is the same as the 58th section of this article.

Ditches and drains.

65. The ditches and drains now constructed for the purpose of draining the low grounds of the Springfield Plantation, are hereby reserved to the city.

Title.

66. This section is the same as the 4th section of this article.

Former sales confirmed.

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

Ordinance 24th April, 1851.

Forsyth ward.

68. All that portion of the city domain lying between Gaston street on the north, the southern boundary of the city on the south, (leaving forty feet for a new street,) Abercorn street on the east, and Barnard street on the west, be, and the same is hereby made a ward, to be called and known as Forsyth ward.

Forsyth place.

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

Lots how valued and sold.

70. The lots in said ward be laid off under the supervision of the Committee on Public Sales and City Lots, in conformity with the plan above mentioned, and that they be valued and sold in the usual manner, at such time or times as to said committee shall appear expedient and proper—the terms of the sale to be those prescribed in the third section of an ordinance for laying off and selling the part of the city do-

main north of Gordon street and east of Drayton street, passed March 13th, 1851.

Title. (Title same as 3d section, ordinance 20th April, 1801, 15th section of this article.)

Ordinance 9th March, 1854.

Charlton ward laid off into lots. 71. All that part of the city domain lying south of Gaston street, west of Barnard street, north of Gwinnett street, and east of Tattnall street, be laid off into lots by the City Surveyor, under the superintendence of the Committee on Public Sales and City Lots, and be called Charlton ward.

How valued and sold. 72. The said lots, the laying whereof is above provided for, be valued in the usual manner, and sold in the usual manner, under the direction of the Committee on Public Sales and City Lots, at such time or times as to said committee shall appear expedient and proper; the terms of the sale to be twenty per cent. cash on the aggregate of the valuation and increase money, and interest on the balance of the purchase money, to be payable quarterly, at the city treasury, at the rate of six per cent. per annum, with the privilege to the purchaser, his or her heirs, executors, or administrators, or assigns, of paying into the treasury the balance remaining unpaid of the purchase money and all interest due thereon up to the time of said payment, receiving after such payment a fee simple title.

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

Title. 73. Same as section 3d of ordinance 20th April, 1801, 15th section of this article.

Ordinance 27th February, 1851.

Half lot in fee simple. 74. Any person holding a lot in the City of Savannah as joint tenant or tenants, in common with another, under the ordinary city deed, may pay one-half of the balance of purchase money due on the same, and upon such payment, shall receive a deed in fee for one half of said lot; which shall be designated as the eastern, western, northern or southern half, as the case may be.

Half lot on ground rent. 75. 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.



Ordinance 3d October, 1866.

Plan of the city extended over Farm Lot No. 2, Holland Tything, etc. 76. That the plan of the city be and is hereby extended through and over farm lot No. 2, Holland tything, Percival ward, according to a map made by the City Surveyor, the first day of April, 1866, and of file in the office of the said City Surveyor, so that the said farm lot being bounded on the north by Gwinnett street, on the east by Montgomery street continued, on the south by Anderson street, which is in the line of Lover's lane continued, and on the west by Roberts street continued, shall be traversed north and south by the following streets [viz:]—West Broad street continued, a new street yet unnamed, sixty feet wide, beginning at Gwinnett street on the north, whose eastern line is parallel to and three hundred feet distant from the western line of West Broad street continued, and another new street, yet unnamed, sixty feet wide, beginning at Gwinnett street on the north, whose western line is parallel to and two hundred and forty feet distant from the eastern line of Roberts street continued, and shall be traversed east and west by the following streets and lanes [viz:] a lane between Gwinnett street and Bolton street—Bolton street continued—a lane between Bolton street and Waldburg street—Waldburg street continued—a lane between Waldburg street and New Houstoun street—New Houstoun street continued—a lane between New Houstoun street and Duffy street—Duffy street continued—a lane between Duffy street and Henry street, and Henry street continued.

Relinquishment to W. G. Bulloch and others according to their interests in the said Farm Lot No. 2. 77. The Mayor and Aldermen of the City of Savannah do hereby relinquish and surrender to W. G. Bulloch and others, the owners of said farm lot above named, according to their respective interests in the said farm lot or any part thereof, all rights of every sort which the said the Mayor and Aldermen of the City of Savannah may have or claim in, to and over so much of the bed of the Ogechee road as traverses any part or parts of the said farm lot not conveyed by the said owners thereof, for streets and lanes as aforesaid.

Ordinance to go into effect upon the delivery of conveyance executed by the parties. 78. This ordinance shall go fully into effect, immediately upon the delivery to the said the Mayor and Aldermen of the City of Savannah of a conveyance duly executed by the parties aforesaid, according to the laws of the State of Georgia.

No part of the property reserved by owners to be subject to taxation by the city until improved.

79. No part of the said property reserved by the owners thereof after the said conveyance, shall be subject to taxation by the said the Mayor and Aldermen of the City of Savannah before the same shall be improved, or before other property similarly situated within the limits of the said city shall be made subject to taxation.

Ordinance 17th October, 1866.

Duty of the Chief of Police to detail a sufficient force to preserve order in Forsyth Place.

80. It shall be the duty of the Chief of Police, under the orders 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 policemen so detailed shall arrest and bring before the Police Court for trial, all persons who may in any way 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 dollars, or be imprisoned, or be made to labor on the public streets, squares, or lanes for a period not longer than thirty days.

Duty of Policemen to dispurse crowd, etc.

81. It shall be the duty of the policemen to disperse any crowd or congregation of persons, who may in any way obstruct free access by visitors to any portion of said park.

Not lawful to smoke in the Park.

82. It shall not be lawful for any person to smoke in said park, under such penalty as is prescribed in section first of this ordinance, for the offences therein mentioned.

Ordinance 6th February, 1867.

Piece of ground known as the Military Parade Ground added to, and made part of Forsyth Place.

83. 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 New Houston street, and on the west by Whitaker street, is hereby added to said Forsyth Place, and made a part of the same, and that 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.



Ordinance 31st August, 1870.

Certain area of the City of Savannah declared to be within the taxable limits of the city.

84. That so much of the area of the City of Savannah as lies south of the northern line of Gwinnett street, and north of the south line of Anderson street, west of the eastern line of East Broad street, and east of the western line of Cemetery street, be, and the same is hereby declared to be within the plan and taxable limits of said city, whenever within said area, streets have been laid out or designated, or lots laid off and buildings or improvements put up; whether such laying out of streets and lots may have been made by authority of said city, or by the owner or owners of such lots; and that from and after the first day of January next, taxes shall be assessed and levied and paid, within said now defined limits, in the same manner that taxes are assessed, levied, and paid in the other parts of the corporate limits of the City of Savannah.

Ordinance 8th December, 1869.

Not lawful to sell or to use within the limits of the city any detonating or fulminating substance whatever, etc.

85. That 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 offence, 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.

Duty of City Police to report violations

That 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 that the Mayor is hereby authorized to offer suitable rewards for the detection of persons violating said ordinance.

## FIG ISLAND.

Ordinance 14th May, 1846.

Mayor to sell 22 acres of land east part of Fig Island.

86. The Mayor be authorized and required to offer for sale twenty-two acres of land lying and being in the county of Chatham, and known as a part of the eastern portion of Fig Island, commencing at the dividing line between the lands of J. H. Baldwin and the city, running north eleven degrees west from the main Savannah River, across the island to the water passage between Fig and Hutchinson's Island, thence, eastwardly to an old dam now existing, running north seven degrees west, which will make the quantity of land twenty-two acres.

Terms of sale.

57. The Mayor cause said piece or parcel of land to be valued by three freeholders of the City of Savannah and three Aldermen, advertised for sale fifteen days in both of the city papers, then put up at public sale to the highest bidder over and above the valuation. The purchaser paying twenty per cent. on the valuation and advance money, receiving a lease for the balance at an interest of six per cent. payable quarterly, with the condition that said land be kept in conformity to the ordinances regulating dry culture.

Ground rent, 6 per cent.

Dry Culture.

Ordinance 22d July, 1847.

One acre conveyed to United States.

88. A deed of conveyance be executed to the United States for one acre of land on the eastern end of Fig Island, designated as lot L.

## DIVISION OF LOTS.

Ordinance 26th June, 1856.

Lots may be divided into parts not less than 20 feet front on a public street or square.

89. Joint owners of any lot or lots in this city, under the ordinary city 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.

Rights as to half lot granted, as to other divisions.

90. All the rights and privileges granted to lot holders as to one half of a lot, be and the same are extended to them as to the division or divisions authorized by this article.



## GROUND RENT.

Ordinance 13th June, 1866.

Times for payment of ground rent.

91. That hereafter in all sales of the city domain, the deeds to be executed by the city to purchasers of such domain, or any part thereof, shall contain a stipulation for the semi-annual payment of ground rent; that is to say, for the payment of such ground rent on the first day of January and July of each and every year, instead of quarterly payments as heretofore; and that in all future advertisements of such sales, the City Marshal shall give notice of the change of terms required by this ordinance.*

## RATE OF INTEREST ON UNPAID PURCHASE MONEYS.

Ordinance 16th October, 1867.

Unpaid purchase moneys arising from future sales of public domain to bear 7 per cent. interest.

92. Hereafter the interest on unpaid purchase moneys arising from future sales of the public domain, shall be at the rate of seven per centum instead of six per centum per annum, and that said new rate of interest shall hereafter be expressed in the advertisements of sale of such public domain and in the deeds of conveyance to the purchasers.

Names of wards.

93. WARDS IN THE CITY OF SAVANNAH.

| | |
|---|---|
| Anson, | Choctaw, |
| Bartow, | Columbia, |
| Berrien, | Crawford, |
| Brown, | Crawford, east, |
| Calhoun, | Curry Town, |
| Carpenter's Row, | Cuthbert, |
| Charlton, | Davis, |
| Chatham, | Decker, |

*The ground rent on city lots (sold before 13th June, 1866,) are due and payable quarterly, but by custom they are paid semi-annually to the City Treasurer. The City Treasurer, on the first day of June and December in each year, furnishes the City Marshal with a list of those city lots which are in arrears to the city. The Marshal publishes said list for ten days, and then re-enters those in arrears. If owners of lots wish to save the re-entry fee of $1, they must pay up on or before the 10th day of June and December. If they do not wish to see their lots advertised, they must pay up in May and November, annually.—*Compilers.*

Derby,
Elbert,
Elliott,
Forsyth,
Franklin,
New Franklin,
*Garden Lots, East,
*Garden Lots, West,
Gallie,
Gaston,
Gilmerville,
Greene,
Gue,
Heathcote,
Jackson,
Jasper,
Jones,
LaFayette,
Liberty,
Lloyd,
Magazine,
Marshall,
Minis,
Monterey,
Middle Oglethorpe,
North Oglethorpe,
South Oglethorpe,
O'Neill,
Percival,
Pulaski,
Railroad,
Reynolds,
Screven,
Stephens,
Troup,
Trustees' Garden,
Walton,
Warren,
Washington,
Wesley,
Wylly.

### NEW WARDS AND STREETS NAMED.

94. The following is the report of the committee appointed December 11th, 1867, to name certain wards and streets in the City of Savannah.

The committee recommend that:

---

*Garden Lots, East, and Garden Lots, West, although so called, are not properly wards of the city.

For farther information in regard to the names of streets and wards, their extent, etc., the Compilers state that they have no records or minutes other than those already furnished in this article, except the following from the proceedings of Council of 8th of January, 1868. The map of JOHN B. HOGG, City Surveyor, must supply the deficiencies.

For concessions, etc., by various parties for continuation of streets, see article on Streets and Lanes.

The Compilers take occasion here further to state that they omit from this article and from this work, all ordinances in regard to grants of lots to private persons and corporations, exemption of lots from ground rent, taxation, etc.



**Railroad ward.** All that portion lying between Jones street on the south, West Broad street on the east, Purse street on the west, and Railroad street on the north, be called Railroad ward.

**Choctaw ward.** All that portion lying between Jones street on the north, Wilson street on the east, front lot No. 4 of the estate of Mordecai Sheftall on the south, and West Boundary street on the west, be called Choctaw ward.

**O'Neill ward.** All that portion lying between Jones street on the north, Walton ward on the east and south, and Wilson street on the west, be called O'Neill ward.

**Screven ward.** All that portion lying between Gwinnett street on the north, Burroughs street on the east, New Houstoun street on the south, and Cemetery street on the west, be called Screven ward.

**Elliott ward.** All that portion lying between Gwinnett street on the north, Montgomery street on the east, New Houstoun street on the south, and Burroughs street on the west, be called Elliott ward.

**Marshall ward** All that portion lying between Anderson street on the south, New Houstoun street on the north, Burroughs street on the east, and Cemetery street on the west, be called Marshall ward.

**Wylly ward.** All that portion lying between New Houstoun street on the north, Montgomery street on the east, Anderson street on the south, and Burroughs street on the west, be called Wylly ward.

**Gue ward.** All that portion lying between Montgomery street on the west, New Houstoun street on the north, Barnard street on the east, and Anderson street on the south, be called Gue ward.

**Gallie ward.** All that portion lying between New Houstoun street on the north, Bull street on the east, Anderson street on the south, and Barnard street on the west, be called Gallie ward.

**Cuthbert ward** All that portion lying between Gwinnett street on the north, land of the estate of Dr. White on the east, Anderson street on the south, and Bull street on that portion between New Houstoun and Anderson, and Drayton street on that portion between New Houstoun and Gwinnett streets on the west, be called Cuthbert ward.

**Cleburne st.** The street extending from Arnold street to the low lands

east of the city, and lying north of Perry street (forty feet wide), be called Cleburne street.

Cemetery st. The street extending from Roberts street to Anderson street along east boundary of Laurel Grove Cemetery, be called Cemetery street (forty feet wide).

Cuyler street. The street extending from Gwinnett to Anderson streets, lying next east of Cemetery street (sixty feet wide), be called Cuyler street.

Burroughs st. The street extending from Gwinnett to Anderson streets, lying next east of Cuyler street (sixty feet wide), be called Burroughs street.

Sims street. The street extending from the north line of Walton ward to West Boundary street, and lying next south of Jones (forty-three feet wide), be called Sims street.

Walker street The street extending from the north line of Walton ward to West Boundary street, and lying next south of Sims street (forty-three feet wide), be called Walker street.

### POWDER MAGAZINE—SPRINGFIELD PLANTATION.

Powder Magazine. 95. By deed bearing date 29th June, 1870, the United States, through the "Commissioner of the Bureau of Refugees," etc., conveyed to the City of Savannah, Powder Magazine, lot and premises, on Springfield plantation. For conveyance and description of property, see the deed recorded in the Clerk's office of the Superior Court of Chatham County, (17th July, 1870,) in County Records Book H. H. H. H., folios 126, 127, and 128.

Record.



# ARTICLE XVII.

# CITY OFFICERS.

## ORDINANCES.


1. Salaried officers not to be concerned in contracts.
2. Election of city officers at regular meeting of Council.
3. Oath of city officers.
4. Bonds of city officers.
5. Officers not to be absent longer than 24 hours, without permission of Mayor.
6. Mayor to suspend officers for flagrant violation of duty.
7. Salaries of officers.
8. Temporary appointment of officers after military occupation of the city to be good until regular election.
9. Election of officers of City Police.
10. Officers during military occupation not entitled to be paid.
11. No Alderman or officer of city to be surety for any officer or employee.
12. Officers' salaries payable monthly.
13. Officers' returns every two weeks
14. Obstructing officer ; Punishment.
15. Fees paid into the treasury.
16. Penalty for failing to pay over.
17. Certain ordinances to be transcribed, etc., and declared valid.
18. Standing Committees of Council.
19. Rules of Council.
20. Additional rules.
21. Rules of order.
22. Order of business.


## ORDINANCES, AS AMENDED.

Ordinance 2d August, 1839.

Salaried officers not to be concerned in contracts.

1. It shall not be lawful for any officers of Council or any person holding any appointment under Council, with any salary annexed thereto, to be concerned directly or indirectly in any contract with the City Council, or their agents or officers, or in any contract or engagement of a pecuniary character in which the corporation of the City of Savannah is either directly or indirectly concerned, under the penalty not exceeding one hundred dollars for every such offence, and the per-

Penalty.

son so offending may also be dismissed from office by the City Council.

Election of City officers first regular meeting of Council.

2. The election of all city officers, unless otherwise provided by a law of the State, or an ordinance of Council of force, or by this article, shall take place on the first regular meeting in January in each and every year: *Provided, always,* that in case any office shall become vacant by death, resignation, removal or disability, or any other cause, the Mayor and Aldermen may proceed to fill said vacancy at any regular meeting, first giving ten days notice of the time at which said election will take place (except in the case of the Mayoralty, which may be filled without any previous notice). See City Charter, article 1st: *And provided also,* that nothing herein contained shall prevent the said Mayor and Aldermen from filling any vacancy by the appointment of some fit and proper person to hold the same until an election shall have been held upon notice, as aforesaid; and whenever any person shall be elected after said notice has been given, such person shall hold his office until the next regular election and no longer.

Vacancy.

Oath of City officers.

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

Bonds of City officers.

4. All the officers of the city (except the Mayor) and all others holding appointments or having contracts with the corporation (unless the case or office shall be specially provided for by some ordinance or law in force) shall give bond, with two or more good and sufficient securities, to be approved of by Council or the Mayor, to the Mayor and Aldermen of the City of Savannah, for the faithful performance of the duties of the office to which such officer may have been appointed, or for the faithful performance of the contract entered into by him; and the said bond of the Clerk shall be in the penal sum of ten thousand dollars; of the City Treasurer in the penal sum of twenty thousand dollars; of the City Marshal in the penal sum of five thousand dollars; of each Port Warden in the penal sum of five hundred dollars; of the Messenger of Council in the penal sum of five hundred dollars; and for every other officer not expressly provided for by this article or any other ordinance or law, in such sum not exceeding five thousand dollars, as the Council or Mayor may direct; and the bond of every contractor shall be in double the amount of such contract.

Two or more securities.

Clerk, $10,000.

Treasurer, $20,000.

Marshal, $5,000

Port Wardens, $500.

Messenger, $500.

Contractors double amount contract.

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

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

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

Mayor to suspend officers for flagrant violation of duty.

Ordinance 22d December, 1870.

That the following shall be the annual compensation, and no more, allowed the following city officers and employees from and after the first regular meeting of Council in January next, and annually thereafter, that is to say:

Salaries of City officers.

| | |
|---|---|
| The Mayor | $3,000 |
| Clerk of Council | 2,500 |
| City Treasurer | 2,500 |
| Assistant City Treasurer | 1,800 |
| City Marshal | 2,000 |
| City Printer (by contract) | |

| | |
|---|---|
| Clerk of the Market | 1,200 |
| Assistant Clerk of the Market | 500 |
| City Surveyor | 2,000 |
| Assistant City Surveyor | 1,500 |
| Messenger of Council | 900 |
| Keeper of the Pest House | 450 |
| Jailer, including deputy | 2,500 |
| Keeper of Forsyth Place | 1,200 |
| Pump Contractor (by contract) | |
| Corporation Attorney | 1,800 |
| Harbor Master | 1,500 |
| Harbor Inspector | 1,200 |
| Chief of Police | 2,500 |
| First Lieutenant of Police | 1,800 |
| Second Lieutenant of Police | 1,800 |
| Chief Detective of Police | 1,800 |
| Six Sergeants of the Police, each | 1,200 |
| Privates of Police, each | 900 |
| Jail Guard, each | 900 |
| Health Officer | 600 |
| Keeper of Laurel Grove Cemetery | 1,200 |
| Commissioner of Streets and Lanes | 1,200 |
| City Dispensary | 1,200 |
| Superintendent and Engineer of Water Works | 1,800 |
| Assistant Superintendent and Engineer of Water Works | 1,200 |
| Second Assistant Engineer of Water Works | 1,080 |
| Secretary and Treasurer of Water Works | 1,500 |
| Turncock of Water Works | 1,000 |

Board of Health. Duties of certain City officers. No extra compensation allowed.

That hereafter the Clerk of Council, the City Marshal, and the Messenger of Council shall, without compensation therefor, perform for the Board of Health the duties heretofore respectively performed by said officers for said Board.

Ordinance 27th December, 1865.

Temporary appointment of officers after the military occupation of city to be good until regular election.

8. That the election of all officers eligible by the City Council, and who would have been elected for three years from the time fixed for the first regular meeting in January last, but which meeting and election did not take place in consequence of the military occupation of the city, and where the City Council has since only made temporary appointments to hold good until the first regular meeting in January, shall take place at such first regular meeting in January next, for the unexpired portion of said three years; such officers, when elected, to give the bond, take the oath, receive the compensation and perform the duties, severally, now fixed by law or ordinances of the city, or by this article.



Election of officers City Police.

9. That the election of officers of the City Police shall take place at the first regular meeting of Council in January next; the said Police officers then elected, to hold their offices for three years from that time, and not from the last regular meeting of Council in June of every third year, as heretofore: *Provided*, nothing in this ordinance contained shall be construed to interfere with any laws, ordinance, regulation or rule authorizing any officer, eligible by the City Council, from holding over until the election and qualification of his successor.

Officers during military occupation not entitled to be paid.

10. That nothing in this ordinance contained, shall be construed to imply a recognition, by Council, of any obligation or duty on the part of the corporation authorities to compensate or pay any officer or employee, holding or claiming to hold office under said authorities, during the military government of said city, and whilst such officer was not in the actual service of said city, or in the discharge of the duties of his office.

Ordinance 1st April, 1868.

No Alderman or officer of the city to be received as surety for any officer or employee.

11. That hereafter no Alderman or officer of the City of Savannah shall be taken or received as the surety of any officer or employee of said city, for the discharge by said officer or employee of official or contract duty, or as surety of any person subject or liable to pay money or do other duty to said city.

Ordinance 27th July, 1843.

Officers' salaries payable monthly.

12. The salaries of the city officers shall be paid monthly instead of quarterly, as heretofore.

Ordinance 25th June, 1857.

Officers' returns every two weeks.

13. Officers elected by Council, who shall be authorized to collect the public money, shall, on the Monday preceding the meeting of Council, render to the Mayor in writing, a statement of all moneys received during the previous fortnight, and shall at the same time pay over the same to the City

Treasurer, who shall each day deposit all public moneys in the bank selected as the depository.

OBSTRUCTING IN DISCHARGE OF DUTIES.

Ordinance 2d August, 1860.

Obstructing officer; punishment.

14. Any person who shall hereafter obstruct, hinder or resist any City Officer in the discharge of any duty incumbent on him under any existing or future ordinance of the city, and when no penalty is or may be expressed in such ordinance for such obstruction, hindrance, or resistance, such person shall be liable to fine or imprisonment, at the discretion of the Mayor or Acting Mayor; such fine not to exceed one hundred dollars, and such imprisonment not to exceed ten days.

Ordinance 22d December, 1859.

Fees paid into the treasury.

15. All fees of office, which by existing ordinances are payable to said officers respectively (except the City Surveyor,) shall be by them received, accounted for, and paid into the city treasury, for the use of the city; this section to take effect immediately on the election of said officers at the regular election in January next: *Provided*, nothing herein contained shall be so construed as to prevent the City Council from granting, by resolution, to the City Treasurer, in addition to his said salary, such sum as shall be reasonable and proper for making out the Tax Digest.

Proviso, as to Treasurer's digest.

Penalty for failing to pay over.

16. 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.

Ordinance 16th August, 1860.

Certain ordinances to be transcribed, etc., and declared valid.

17. That in any instance where an ordinance may have been duly passed but not transcribed, examined, signed, and certified, pursuant to the rule of Council in that behalf, and where the Mayor or Acting Mayor presiding at the time of such passing, is now dead, it shall be lawful for his honor, the present Mayor, to examine any such ordinance, and when



found correct to have the same properly transcribed, and also signed and certified under his own hand, and the counter signature of the Clerk of Council and seal of the city, making proper reference to this article as his authority for so doing; and that every such ordinance be deemed as valid and binding as though no such omission had occured.

18. STANDING COMMITTEES OF COUNCIL.

Accounts.
Docks and Wharves.
Dry Culture.
Education.
Finance.
Fire.
Gas.
Health and Cemetery.
Jail.
Market.
Public Buildings.
Public Sales and City Lots.
Parks.
Streets and Lanes.
Pumps.
Water Works.
Ex-officio Commissioners of Water Works.
Commissioners to the Board of Public Education.*

*[This last named committee is not strictly a Standing Committee of Council. For its appointment, see article twenty-seven—Education.

## 19. RULES OF COUNCIL.

### RULE I.

Style of Corporation.

The style of the corporation shall be "THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH."

### RULE II.

Quorum.

A quorum for business shall consist of seven Aldermen and the Mayor, or presiding Chairman, except in the months of July, August, September, and October, when a majority of the Aldermen in the city shall suffice.

### RULE III.

Accounts.

All accounts against the corporation, except the pay roll of the City Police (which shall be paid by the Treasurer upon the order of the Mayor,) shall be left with the Clerk of Council at least two days before the regular meeting, and shall be registered by him. And it shall be the duty of the Committee on Accounts to examine every account so registered, at any time before a regular meeting, and to report upon each, to be approved or rejected by Council; and no account or claim shall be laid before the board, that has not previously been audited and examined by the committee, nor paid until approved by Council, except the pay roll aforesaid; and the Treasurer shall keep a correct record in a book appropriated to that purpose, of all accounts so passed, distinguishing in separate columns those paid and those unpaid.

### RULE IV.

Members speaking more than twice, etc.

No member shall address the Chair sitting, or shall speak more than twice on the same subject without permission from the Chair; nor shall any member be allowed to speak more than ten minutes at any one time, or on any account when another member has not delivered his sentiments and wishes to be heard.

### RULE V.

Motions and Bills.

All motions shall be made in writing, and seconded before debate, and every bill shall be read twice, that is, once at two



distinct regular meetings of Council, before it passes into an ordinance, unless in case of emergency, when a bill may be read twice by unanimous consent at the same session and passed; 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 reconsideration of the minutes at the next meeting of 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?" All ordinances when passed, shall be fairly and correctly transcribed by 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. Ordinances.

### RULE VI.

Appointment of Committees

The Mayor (in his absence the Chairman) shall appoint all committees, except where a ballot is demanded by two members of Council, and shall have a vote only when the members of Council are equally divided, unless in case of balloting for officers or committees of this Board, when he shall vote as other members.

### RULE VII.

Meetings.

The Council shall meet at their chamber on Wednesday, in every alternate week. From April 1st to September 30th, at 8 o'clock, P. M., and from October 1st to March 31st, at 7½ o'clock, P. M.; and having met, no member shall absent himself without leave from the Chair; and any member absenting himself without such permission, or who shall be absent at any meeting, shall be fined in a sum not exceeding two dollars, unless excused by the Board. Any member absenting himself without leave for more than three months at one time from the city, his seat shall be declared vacant, and a new election ordered. Absence.

### RULE VIII.

Summons.

The Messenger shall summon the members personally, or by leaving written notices at their usual places of abode, for

every meeting, regular or extra, notifying precisely the hour of meeting, and every such summons shall be served by 12 o'clock, M., of the day of meeting.

RULE IX.

Reading Minutes.

The Clerk shall read over the minutes of the preceding Council at the subsequent regular meeting, in order that any clerical mistake or omission may be corrected or supplied; but no alteration and amendments as to the substance shall be made or entered, unless on motion for reconsideration.

RULE X.

Extra meetings.

The Mayor, or in case of his absence or sickness, the Chairman, or in case of the sickness or absence of both of these officers, any three Aldermen, shall have the power to call extra meetings, and any member summoned shall be subject to the same fine in case of default, as for non-attendance on regular meetings, unless excused by the Board. And it shall be the duty of the Mayor or Chairman, as the case may be, to call extra meetings whenever three Aldermen shall require him in writing, so to do; but no appropriation of money shall be made except at a regular meeting of the Board.

RULE XI.

Power to expel members.

It shall be in the power of this Board to expel any of its members for indecent or ungentlemanly conduct, whether before Council as a member, or in his capacity as an Alderman, and two-thirds of the members present may expel such member or members from Council.

RULE XII.

Yeas and nays

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.

Contracts.

In all cases where committees are ordered to contract for public work, they shall give notice in one or more of the public gazettes of the city for a period of not less than six days, within which time bids, sealed and endorsed with the name of the applicants and of the matter to which they relate, shall be handed to the Clerk of Council, and when proposals shall



be so received, they shall be reported to Council by the chairman of each committee for its action. Each Standing Committee may, however, order any necessary or urgent repairs, not exceeding in cost the sum of one hundred dollars.

RULE XIV.

Elections.

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

RULE XV.

Chairman of Council.

Every Council shall, on the day of its organization, elect a Chairman, on whom shall devolve all the duties of the Mayor during the sickness or absence of that officer, and who shall act accordingly until the Mayor shall resume his functions.

RULE XVI.

No member to be interested in contracts.

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.

Officers required to attend meetings.

The only officers whose regular attendance will be required during the sittings of Council, are the Treasurer, Marshal, Corporation Attorney, Clerk, and Messenger; but all or any other officers of the city shall be bound to attend any meeting upon the requisition of the Mayor, in writing, or by special resolution of Council to that effect.

RULE XVIII.

Doors to be kept open.

The doors of the Council Chamber shall, on all occasions, during the sittings of Council, be kept open, nor shall any citizen be excluded therefrom, nor shall the doors on any occasion be closed but upon a vote of a majority of the members present.

RULE XIX.

Offices in Exchange.

The Messenger and all other officers, except the City Sheriff, are required to keep their offices in the Exchange, and desks and apparatus shall be provided for them, and the said offices shall be attended to from 9 o'clock, A. M., to 2 o'clock P. M., daily, Sundays excepted.

RULE XX.

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

RULE XXI.

Summons for extra meetings. The summons for all extra meetings of Council shall express the cause thereof, and no business shall be brought before the Board at any extra meeting which is not set forth in the summons.

RULE XXII.

Copies of resolutions furnished committees. The Clerk of Council shall furnish each committee with copies of all resolutions relating to the concerns of said committees, which copies shall be personally served or left at the dwelling of the chairman of such committee, within forty-eight hours after the passage of any resolution, or immediately thereafter, in cases of emergency.

RULE XXIII.

Members not to be security. No member of this Board shall be accepted as security on the bond of an officer appointed by its 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 XXIV.

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

RULE XXV.

Alteration of rules. 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 XXVI.

Power of Mayor over officers The Mayor shall possess a superintending power over all the salaried officers of this Board, and upon any complaint against, or for neglect of duty by said officers, he shall investigate the same, and if he thinks it necessary, report the delinquent and the charges to this Board. The Mayor shall also have power to suspend any officer holding an appointment under Council, for any flagrant violation of duty, rendering it necessary to take such step, which suspension he shall report to Council within forty-eight hours afterwards, by whom the said alleged offence may be inquired into.



20. ADDITIONAL RULES ADOPTED BY COUNCIL—SPECIAL MEETING OF OCTOBER 29, 1869.

Bills and resolutions. 1. All bills or resolutions should originate in, and be reported to Council, as from an appropriate Standing Committee. Before being reported, they must be endorsed as legal, under the hand of the City Attorney, and must also be endorsed by the chairman or acting chairman of the committee, in the following form:

"The Committee on ———— beg leave to report this original bill (or resolution), and recommend that the same do pass."

Reports of committees. 2. All bills or resolutions referred to a committee (whether standing or special,) must be reported back to Council, endorsed by the chairman or acting chairman, in the following form:

"The Committee on ———— (or the special committee), to whom this bill (or resolution) was referred, beg leave to report that, having had the same under consideration, they recommend that the same do (or do not) pass."

3. In all instances, the chairman of the committee (or a member delegated to represent the committee,) will introduce the bill or resolution in person, and will then hand the paper to the Clerk for reading.

21. RULES OF ORDER.

Rules of order 1. Every question of order shall be decided by the Chair without debate, subject to an appeal to 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 a member are concerned in a bill or question, he is to withdraw, and when such an in-

terest 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. No one speaking directly against the body of a bill or measure, ought to be one of its committee (if referred).

6. When a question is under debate, no motion shall be received, but to adjourn, to lie 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.

7. 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 only for that day and it may recur again, if it is desired to suppress entirely, the motion should be to postpone indefinitely.

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

9. When matter claiming present attention, but which it is desired to reserve for a more suitable occasion, the order is to "lie 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.

10. 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.

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

12. The question is to be put first on the affirmative and then on the negative side. After the affirmative part of the



question has been put, any member who has not spoken before to the question, may rise and speak before the negative be put, because it is no full question till the negative part be put.

13. 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.

14. 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 afterwards, unless under motion for reconsideration.

15. When a question has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof, but no motion for the reconsideration of any vote shall be in order after a bill, resolution, amendment, or motion, upon which the vote was taken, shall have gone out of the possession of the Board.

16. A member having spoken as often as the rules allow, 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 manner or words of the question, keeping himself to that only, and not going into the merits of it, and not falling into the matter itself.

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

18. In filling blanks, the largest sum and longest time shall be first put.

Adopted in Council October 17th, 1870.

22. ORDER OF BUSINESS. Order of business.

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

# CLERK OF COUNCIL.

## ORDINANCES.


1. Office of Clerk of Council in the Exchange; shall keep true copies of proceedings and ordinances.
2. Shall furnish to City Printers in one week after their passage copies of all ordinances passed by Council. Fine Docket.
3. Fees.
4. Bonds of certain officers to be recorded in office of the Clerk of Superior Court.
5. On failure to deposit bonds for record, shall be dismissed from office or otherwise punished.
6. Clerk to give bond.
7. Clerk to furnish minutes to City Printer in forty-eight hours.
8. Iron safe.
9. No removal of documents, records, etc.
10. Annual report of city records.
11. Synopsis of other duties.


## ORDINANCES, AS AMENDED.

Ordinance 2d August, 1839.

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

1. The Clerk of Council or City Clerk shall keep an office in the Exchange, which office he shall attend from nine o'clock, A. M. to two o'clock, P. M. (Sundays excepted,) and to which all persons having business with him in the line of his duty may repair, and in addition to the duties which are prescribed by the various ordinances which are now in force or which may hereafter be ordained, it shall be the duty of the said Clerk to receive all applications and petitions, and to lay the same before the Mayor or Acting Mayor, if immediate necessity require, or the City Council at the next regular meeting thereof. And he shall keep true and fair copies of the proceedings of said Council, and of all ordinances passed by them, which shall be registered and remain of record in books to be kept for that purpose.

Duty.

Fine Docket.

2. He shall also furnish to the city printers copies of every ordinance passed by Council within one week after the final passage thereof, and he shall keep a docket, wherein shall be inserted the names of persons fined, offences, amount of fine,



when inflicted, and returns of Marshal thereon, to be laid before Council at each regular meeting. And the said Clerk shall attend the Council at all regular and extra meetings thereof, and he shall also attend the Mayor, Chairman or any of the Aldermen 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.

To attend Council.

Records.

3. The following fees of office to be paid by the individual requiring the service, or liable for the same, viz:

Fees.

Preparing testimonial, one dollar, countersigning the same, fifty cents. For attendance on the Mayor, by application of any person on private business, fifty cents. For every certificate or any extract of the City Council, for any person not a member, fifty cents. Affixing seal to any paper or order from the Mayor, (warrants and executions excepted) seventy-five cents. For every search, twenty-five cents. For reading a petition, fifty cents. For an order on that petition, fifty cents. For every bond, fifty cents. For taking deposition in writing, fifty cents. For drawing a summons, warrant, or execution, fifty cents. For swearing a witness in Council or Police Court, twenty-five cents. For a recognizance, seventy-five cents. For drawing every deed or lease, two dollars and fifty cents. And for every license as prescribed by the ordinances regulating licenses for retailing spirituous liquors, three dollars and twenty-five cents.

Ordinance 19th December, 1860.

Bonds of certain officers to be recorded in office of Clerk of Superior Court.

4. The Clerk of Council shall cause to be recorded in the office of the Clerk of the Superior Court of Chatham County, the bonds hereafter taken of the following officers, to wit: The Clerk of Council, the City Treasurer, the Marshal, the Jailor, Clerk of the Market, Harbor Master, Clerk and Sheriff of the City Court.

Penalty for failure to deposit bonds.

5. Any Clerk of Council who shall fail to deposit with the Clerk of the Superior Court for record, any of the above named bonds for the space of five days after said bond shall have been executed, the Mayor shall report the fact to Council, when he shall be removed from office or otherwise punished in the discretion of Council.

Ordinance 10th August, 1864.

Clerk to give bond.

6. The Clerk of Council shall be required to give a bond in the penal sum of ten thousand dollars, with two or more good and sufficient securities to be approved of by Council, or the Mayor, to the Mayor and Aldermen of the City of Savannah for the faithful discharge of the duties of his office.

Ordinance 24th March, 1853.

To furnish minutes.

7. 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 meetings of the City Council.

Ordinance 3d September, 1857.

Iron Safe.

8. It shall be the duty of the Clerk of Council, so soon as an iron safe shall have been placed in his office for that purpose, to deposit therein all the books of minutes, records of ordinances and other valuable documents of the City of Savannah, now entrusted to his care.

Records.

No removal of documents, records, etc.

9. While said books of minutes, records of ordinances, and other valuable documents shall be always free and open to the inspection of each and every citizen, it shall not be lawful for any person, whether an officer of the city or otherwise, to remove from the Clerk of Council's office any of said books of minutes, records of ordinances, or other valuable documents,

Penalty, $50.

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.

Annual report of City Records, etc.

10. 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 said iron safe, and their condition annually hereafter on the first meeting in January, if so required by the Mayor.

Bonds.

11. To attest all bonds issued by the city, and to give bond in the penal sum of $10,000 for the faithful performance of his duties.

Cemeteries.

To make out and record the titles to lots in Laurel Grove Cemetery, and receive a fee of $1 for each title. To receive monthly transcripts of records of deaths, from sextons and undertakers, and from the Keepers of Laurel Grove and



Catholic Cemeteries, and to record the same; to notify Council of the neglects of such sextons, undertakers, and keepers, also to receive from the head of any family or keeper of a public or private boarding house, or the keeper of any other house, hospital or place who employs no undertaker or sexton, a report of all dead bodies removed from his or her residence, for burial in any other than Laurel Grove Cemetery, such report to be made in twenty-four hours after such burial, under penalty of $30.

City Accounts.

To receive, register, and send to the Committee on Accounts, all bills against the city, when properly certified and handed in, at least two days before each regular meeting of Council, after such bills have been examined by said committee, to lay the same before Council, and after their passage by Council to hand them to the City Treasurer for payment.

Dry Culture.

To receive the dry culture contracts, and keep them among the city records, after they have been recorded by the Clerk of the Superior Court of the County.

Informations.

To receive all informations against persons violating the ordinances, and place the same before the Police Court; to issue subpœnas for informers and witnesses to attend Police Court or Council.

Licenses.

To receive all applications for license, and place the same before the Mayor, issue licenses for measurers and inspectors of lumber, inspectors and gaugers of liquor, weighers of cotton, tobacco, rice, and hay, and receive his fee of $1 for each license. To issue licenses for retailers of spirituous liquors, etc., and to endorse on such license the place of removal when they change their place of business. To issue license certificates for persons selling from vessels or wharves, and for peddlers. To issue licenses of all descriptions as required by ordinance.

Lots.

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.

Officers.

To receive all applications for office and proposals, and lay the same before Council; to swear in all officers elected, and all persons appointed on the police and watch, and give them their certificates upon receiving his fees of office, and to advertise all elections.

Petitions. To receive all applications for licenses, etc., and place the same before the Mayor; and all communications and petitions, and place the same before Council.

Police Court. To attend Police Court, record the proceedings and submit the same to Council at every regular meeting; make out appeal bonds and issue executions for unpaid fines, when such fines are confirmed by Council.

Rafts. To issue executions against persons mooring rafts contrary to ordinance, when the fines are not paid within twelve hours.

Registry of Voters. To register the names of voters at city elections, and publish the same as required by law.

Returns. To make returns every two weeks of all public moneys received by him, and such other duties as are now or may hereafter be imposed by ordinance.

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## CLERK OF THE MARKET.

### ORDINANCES.

1. Duty of the Clerk of the Market to close the market.
2. Three stalls reserved for planters, who shall pay double fees.
3. Election of Clerk of the Market. Bond and oath.
4. Council authorized to remove Clerk for neglect or misconduct.
5. Clerk to receive fees and pay over to the Treasurer.
6. Clerk shall attend Market, close the same, keep the stalls and market clean, and keep two or more scales and weights.
7. Duty when persons refuse to pay fees.
8. Neglect of duty, penalty $30.
9. Duty of butchers to carry the hide and head of each animal slaughtered to Clerk, who shall enter the same in a book.
10. Clerk to examine weights and measures and destroy false ones.
11. Clerk annually to examine weights and measures, and to place on the information docket every person using false weights and measures.
12. Clerk to regulate fees for sale of fish and shell-fish.
13. Clerk to be inspector of weights and measures and receive fees.



### ORDINANCES, AS AMENDED.

**Ordinance 22d July, 1839.**

A Clerk shall be appointed by Council, whose duty it shall be to close the market precisely at ten o'clock in the morning, from the first day of November in every year, to the first day of April following; and from the first day of April to the first day of November at nine o'clock in the morning, except on Saturdays, when the market shall continue open until nine o'clock at night, from the first day of April until the first day of October, and from the first day of October until the first of April, until eight o'clock at night, and the closing of the market shall be announced by the ringing of the market bell. Duty of Clerk of the Market to close the market.

2. The Market Committee, or a majority of them shall select and reserve three of the stalls for the use and accommodation of the planters and persons from the country who bring or send their stock or produce to market, and who shall pay into the hands of the Clerk double the fees hereinafter enumerated on all articles brought and exposed for sale in the said stalls. Stalls reserved for planters, etc.

3. A Clerk of the Market shall be appointed by the Mayor and Aldermen in Council assembled, at their first regular meeting after the first day of January, of each and every year, or if not then appointed, at any other subsequent regular meeting, who shall hold his office or appointment until he be regularly re-appointed or a successor duly appointed or qualified. Election of Clerk.

The said Clerk shall give bond with good and sufficient security to the Mayor and Aldermen, in the sum of one thousand dollars, to account for all moneys received by him as Clerk as aforesaid, and faithfully to do and perform all the duties required of him by ordinance 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, the following oath or affirmation: Bond, $1,000.

"I, A. B., do solemnly swear (or affirm, as the case may be) that I will well, and truly, and faithfully discharge all the duties imposed on me as Clerk of the Market of the City of Savannah, by any of the ordinances of the city, and that I will faithfully, justly and fairly account for all moneys collected and received by me as Clerk, as aforesaid, under the ordinance Oath.

or ordinances now in force, or which may be hereafter passed; so help me God."

After which he shall receive a certificate from the Mayor, under the seal of the city, stating that he is duly appointed and qualified Clerk of the Market.

Council authorized to remove Clerk for neglect or misconduct.

4. In case of neglect or misconduct of the Clerk of the Market, on due complaint made thereof, Council is hereby authorized to remove the said Clerk, and Council is further authorized and empowered, in case of the death, resignation, or removal of the said Clerk, to appoint at any regular or special meeting thereafter, a successor who shall be invested with all the power, authority and immunities of a Clerk of the Market.

Clerk to collect fees and pay same to City Treasurer; etc.

5. The said Clerk is authorized and he is hereby required to collect and receive from the owner or seller of any meat, victuals, provision, or any other articles of food, brought to the market for sale, and for weighing in the public scales, the fees respectively prescribed in Article 41 of this Code, entitled "Market," and he shall perform all the other duties required of him in said article.

Cleaning market, keeping scales, etc.

6. The Clerk of the Market shall attend the same regularly from daylight, and close the same at the time and hours hereinbefore directed. He shall sweep clean, or cause to be swept clean the said Market every day in the year, and also such space of ground as shall be marked out and fixed by the Market Committee as connected with the same, and shall likewise clean or cause to be cleaned, all the stalls for large and small meat, vegetables, fish, or other articles. He shall keep two or more scales and weights for the convenience of weighing butter and other small articles.

Persons refusing to pay fees

7. When any seller of meat or other articles of provisions charged by this ordinance, shall refuse to pay the sum required under the same, the Clerk is hereby authorized to levy upon and retain such meat or other articles, until such charge be paid, or until one or more of the Market Committee order the release thereof. And if the said charge be not paid before the closing of the market, and the article or the articles remain in the possession of the Clerk, the same shall be disposed of as may be directed by the member of the Market Committee present, or in his or their absence, as the Clerk may see fit.



Penalty for abusing the Clerk.

And if any person or persons shall oppose, obstruct, insult or abuse the Clerk of the Market in the execution of his office or duty, such person or persons shall be fined in a sum not exceeding thirty dollars.

Penalty on Clerk neglecting his duties.

8. If the Clerk of the Market shall neglect any of the duties required of him by this or any future ordinance, he shall be liable to a fine not exceeding thirty dollars, and according to the nature of the charge brought against him, to removal from office by Council, as already provided.

Clerk to enter ear-marks, etc.

9. Every butcher or person killing an ox, cow, heifer, or grown neat cattle, and exposing the same for sale within the city, shall take the hide and head of each animal slaughtered, attached to each other and not severed, and the said head, with the ears and horns on of every such animal, he shall carry to the market and show the Clerk, whose business it shall be to keep a book for that purpose, where he shall regularly enter the ear and horn marks (if any) of such animals, with the day of the month the same was brought to market, and the book shall be kept open at all times during market hours, for the purpose of inspection of every person, under forfeiture of a sum not exceeding thirty dollars for every neglect of any butcher or other person bringing the same, and for the neglect of the Clerk in not taking the marks, or for his entering improper or false brands and marks, he shall suffer the like penalty.

Penalty.

Clerk to examine weights and measures.

10. The Clerk of the Market is hereby authorized and required, from time to time, to examine into the weights and measures of all and every person or persons buying or selling in the market.

Ordinance 24th March, 1842.

Clerk annually to examine weights and measures, etc.

11. It shall not be lawful for any person to purchase or sell by any other weights or measures than those adjusted and made to conform to the standard prescribed by law; and it shall be the duty of the Clerk of the Market, under the direction and superintendence of at least one member of the Market Committee, annually between the first day of October and the first day of December, and at any other time or times, to examine and compare the weights and measures used in the market, and to cause every person using false weights or measures to be put upon the information docket, who upon

conviction shall be fined in a sum not exceeding thirty dollars for each offence.

Ordinance 27th November, 1856.

Clerk to regulate fees for sale of fish and shell fish.

12. The Clerk, with the consent of the Market Committee, shall regulate the fees to be paid for the sale of fish and shell-fish.

Ordinance 22d December, 1856.

Clerk to be inspector of weights and measures, etc.

13. The Clerk of the Market shall be the Inspector of Weights and Measures, and shall perform all the duties and receive all the fees prescribed in and by ordinance in that behalf.

[Ordinance of 16th March, 1870, and other ordinances, recognize an Assistant Clerk of the Market; but he is not elected by Council, his appointment being temporary, under selection by the Clerk of the Market, with the approval of the Market Committee and the Mayor.]

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## COMMISSIONER OF STREETS AND LANES.

### ORDINANCE.

1. Office of Commissioner of Streets and Lanes created.
2. His salary.
3. His duties.

### ORDINANCE.

Ordinance 20th July, 1870.

Office of Commissioner of Streets and Lanes created.

1. That the office of Commissioner of Streets and Lanes for the City of Savannah, is hereby created, and that the person to fill said office shall be elected by Council at their first regular meeting in August next, 1870, and shall, unless sooner removed, hold his office until the first regular meeting in January next, when, and annually thereafter, there shall be a new election. Such officer shall give bond and security in the sum of five thousand dollars, for the faithful discharge of the duties



of his office, to be approved by the Mayor, and shall also be sworn faithfully to perform such duties.

His salary.

2. He shall receive a salary at the rate of one hundred dollars per month.

His duties.

3. The Commissioner of Streets and Lanes shall have the supervision of all street work under the direction of the Street and Lane Committee and the City Surveyor; shall keep the time of the men, make out their pay-roll, shall be responsible for the efficient working of the men themselves, and shall see that the work is thoroughly done as laid out by the City Surveyor, under the direction of the Street and Lane Committee.

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## CORPORATION ATTORNEY.

### ORDINANCES.

1. Election of Corporation Attorney.
2. To hold his office until the first regular meeting in January, 1859, and then Council to elect for three years.
3. Vacancies, how filled.
4. Duty of Corporation Attorney to attend all regular, and also extra and informal meetings, when requested by the Mayor.
5. Questions on which advice is desired shall be submitted only by the Mayor or an Alderman.
6. Report by Corporation Attorney shall come up in the order of reports from committees.
7. Salary $1,800 per annum, payable monthly.

### ORDINANCES, AS AMENDED.

Ordinance 24th July, 1856.

Corporation Attorney elected. Duties.

1. Council shall, at the first regular meeting in August next, elect by ballot, a Corporation Attorney, whose duty it shall be to represent the city in all cases brought by or against the city in any of the Courts of Law or Equity, to give his legal opinion upon any subject connected with the interests of the city, whenever desired by the Mayor or either of the Aldermen, to revise any ordinance submitted to him, to attend

the meetings of Council upon the trial of appeal cases whenever so requested in writing by the Mayor or two Aldermen (see section 4, below), and generally to be the legal adviser, counsellor and advocate of the corporation of the City of Savannah.

Elected every three years.

2. The officer so elected as Corporation Attorney under the provisions of section 1st, shall hold the said office until the first regular meeting of Council in January, eighteen hundred and fifty-nine, and that Council shall, at said first regular meeting in January, 1859, and every three years thereafter, elect by ballot a Corporation Attorney, who shall hold his office for three years.

Vacancies, how filled.

3. Should a vacancy occur in the office of Corporation Attorney, by death, resignation, or otherwise, the said Mayor and Aldermen shall fill the vacancy in the same manner as is prescribed for other city officers.

Ordinance 23d January, 1867.

Duty to attend both regular and informal meetings of Council.

4. That hereafter it shall be the duty of the Corporation Attorney to attend all the regular meetings of Council, and also all extra and informal meetings when requested by the Mayor so to do.

Opinions of Attorney, how obtained.

5. That in all questions on which the opinion or advice of the Corporation Attorney may be desired, such questions shall be submitted only by the Mayor or an Alderman.

Attorney to report on such business as may be in his hands.

6. That whenever a matter may be submitted to said Corporation 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 Corporation 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 Corporation Attorney may be deemed proper.

Salary.

7. That the salary of said Corporation Attorney shall be at the rate of eighteen hundred dollars per annum, payable in monthly instalments.



## DISPENSARY OFFICER.

### ORDINANCES.


1. Election of Dispensary Officer. Bond and Salary.
2. Duty of City Treasurer.
3. Mayor and Chairman Health Committee to purchase medicines and adopt rules.
4. Penalty for violating rules.
5. Penalty for obtaining medicines by misrepresentations.
6. Dispensary officer not to vend any medicines or supply with medicine any but the sick poor of Savannah.
7. Rules for the government of City Dispensary.


### ORDINANCES, AS AMENDED.

Ordinance 25th November, 1858.

Dispensary. Bond, $2,000. Salary, $1,200. Duties.

1. A Dispensary Officer shall be elected annually, who shall take the oath prescribed for city officers, give bond in the sum of two thousand dollars, receive the annual salary of twelve hundred dollars, payable monthly, and supply the sick poor of the City of Savannah with such medicines as shall be furnished to him by the Mayor and Chairman of the Health and Cemetery Committee, at the times and in the manner prescribed by the rules to be adopted by them.

Treasurer to pay sum necessary for medicines.

2. That it shall be the duty of the City Treasurer to pay unto the Mayor and Chairman of the Health and Cemetery Committee, such sum or sums of money as they may deem requisite for the purpose of furnishing the Dispensary Officer with medicines.

Mayor and Chair'n Health Com. to purchase medicines and adopt rules.

3. That it shall be the duty of the Mayor and Chairman of the Health and Cemetery Committee to purchase and supply the Dispensary Officer with such medicines as they may deem requisite; to adopt such rules for the government of the Dispensary Officer as they may deem proper, and to supervise the acts and doings of said officer.

Penalty for violating rules

4. That in case the Dispensary Officer or any other person shall violate the rules to be prescribed by the Mayor and Chair-

man of the Health and Cemetery Committee, he, she or they, upon conviction thereof before the Police Court, shall be fined in a sum not exceeding one hundred dollars; one-half of such fine to be paid to the informer; and the Dispensary Officer may, by Council, be dismissed from office.

Ordinance 29th June, 1854.

Penalty for obtaining medicine by misrepresentation.

5. If any person shall, by misrepresentation, obtain medicine at the public expense, when able to pay for the same, he or she shall, on conviction before the Police Court, be fined in a sum not less than five nor more than twenty dollars for each offence—one half of said fine to go to the informer, the other half into the city treasury.

Ordinance 2d September, 1868.

Dispensary Officer not to vend any medicines or supply with medicine any but the sick poor of Savannah.

6. That it shall not hereafter be lawful for such Dispensary Officer, 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 now exist or may hereafter be made under ordinance or ordinances of said city; and in any and every case where such Dispensary Officer shall have just cause to suppose that a patient is able to pay for medicine, said Dispensary Officer shall furnish such medicine, but within twenty-four hours thereafter he shall report the facts to the attending physician, and also to the Mayor.

Rules for Dispensary.

7. RULES FOR THE GOVERNMENT OF CITY DISPENSARY.

1. It shall be the duty of the Dispensary Officer to supply medicines to the indigent poor of the city, upon the prescription of a regular graduate of any respectable college (medical), which prescription shall set forth the name of the patient, with the statement that he or she is totally unable to pay for said medicine.

2. The City Dispensary (located on the corner of State and Whitaker streets) shall be designated by a proper sign, and be kept open day and night, the same hours that are usually observed by the retail drug stores of the city. In cases of emergency, he shall supply the medicines required at night.

3. In all cases the medicines shall be dispensed without any unnecessary delay to the patient, and rude and indecorous



conduct toward patients will not be tolerated. Physicians are requested to report to the Mayor and the Chairman of the Health and Cemetery Committee, any want of attention to patients, or dereliction of duty on the part of the Dispensary Officer. Such reports to be made in writing and addressed as above.

4. The Dispensary Officer will see that none but pure and genuine medicines and preparations are issued.

5. In all cases, medicines will be issued upon a proper prescription or voucher, and the same shall be numbered and filed, and on the first day of each quarter transmitted to the Mayor's office for reference and examination; the periods for transmitting prescriptions as before stated, shall be on the first days of January, April, July and October in each and every year. In no case will a prescription be repeated (except in cases fo great emergency), unless a written order or prescription be furnished, which order or prescription shall be filed and numbered in its regular order. Patients should always, if practicable, furnish their own vials or bottles.

6. The utmost economy must be exercised in dispensing and manufacturing medicines or preparations, but in no case shall that principle be carried so far as to impair the virtues or efficacy of any preparation, which shall always be of the standard laid down by the United States Pharmacopœia. At any time that medicines shall become damaged or inert from any cause, they must be set aside at once, and will be destroyed by direction of the Mayor and Chairman of the Health and Cemetery Committee.

7. In cases where the Dispensary Officer has just cause to suppose that patients are able to pay for their medicines, he shall at once inform the attending physician, whom it is expected will not tolerate the abuse.

ACCOUNTS.

Accounts.

1. All requisitions for medical supplies must be made in duplicate (as per Form A), and the articles given their proper nomenclature, and in alphabetical order (the form of the U. S. Army to be used), with the certificate attached, that such supplies are absolutely necessary. One copy of said requisition shall be filed in the Mayor's office, and the duplicate approved

and filed by the officer in charge of dispensary. In calling for supplies, discretion must be used so as not to obtain an overstock, as by constant repetitions the stock on hand can be kept fresh and pure.

2. Prescriptions must be neatly numbered and filed, and forwarded to the Mayor's office, together with a statement of the number dispensed, and also a complete account of stock on hand (as per Rule No. 5), on the first days of January, April, July and October, so that the same may be examined and recorded.

3. The Dispensary Officer shall, at all times, furnish such information and vouchers in relation to the auditing of his accounts, as the Mayor or Chairman of the Health and Cemetery Committee may direct.

4. These rules are to go into effect immediately.

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## HARBOR INSPECTOR.

### ORDINANCE.

1. Office of Harbor Inspector created. Duties. Salary.

### ORDINANCE.

Ordinance 5th January, 1870.

Office of Harbor Inspector created.

1. That from and immediately after the passing of this ordinance, and at the first regular meeting of Council in January, annually thereafter, Council shall elect an officer who shall be known as Harbor Inspector for the port and harbor of Savannah, and whose duty it shall be to inspect the docks and wharves in the City of Savannah, report any violation of ordinance, in regard to the same, to the Committee on Docks and Wharves; to report to the Commissioners of Pilotage all violations of ordinance or State law in regard to the navigation of the river and the obstructing of the same; and generally to perform all such duties in reference to said river as do not

Duties of Harbor Inspector.



properly belong to the Commissioners of Pilotage, the Harbor Master, or the Port Wardens. It shall be the duty of said Harbor Inspector to make a monthly report, in writing, to the Mayor, of the condition of said docks and wharves, and of all other matters connected therewith, and with the navigation of the river, as to said Harbor Inspector may seem of public importance; said Harbor Inspector shall be sworn to the faithful discharge of his duties, and shall give bond and security to be approved by the Mayor, and shall receive a salary for his services, at the rate of twelve hundred dollars per annum.

Salary.

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## HARBOR MASTER.

### ORDINANCES.

1. Harbor Master elected. His duties.
2. Copy of Rules to be delivered masters, etc., of vessels.
3. Harbor Master to file with the City Treasurer a report every two weeks of fees received, and to pay over the same to the Treasurer.
4. Harbor Master shall give bond.
5. Fees of Harbor Master.
6. On failure to pay fees, Harbor Master shall report to the Treasurer, etc.
7. Harbor fees.
8. Fees to be paid within forty-eight hours or doubled.
9. Harbor Master's Rules.
10. Commissioners of Pilotage authorized to make rules and regulations for government of Harbor Master.

### ORDINANCES, AS AMENDED.

Ordinance 2d August, 1839.

Harbor Master elected. His duty, print rules, &c., of the port.

1. The Harbor Master shall be elected on the first Monday in January annually, and it shall be the duty of the said Harbor Master, (in addition to any duties which may be prescribed by any of the ordinances of the city which are now of force, or which may hereafter be ordained,) to have printed the rules and regulations which he may deem proper to be established for the government of pilots and masters of vessels, in the port of Savannah, and cause the same to be published in such

manner as will give the most general information to those interested: *Provided*, that nothing shall be contained in these rules in opposition to the laws of the State or the ordinances of the city: *And provided*, that the said rules, so established by the Harbor Master, shall first have been submitted to and approved by the Board of Commissioners of Pilotage for the port of Savannah, and have been signed by their chairman or secretary; and if any person shall violate any of the said regulations, when they shall have been so established, he or she shall be fined in a sum not exceeding one hundred dollars, one moiety of which shall be paid to the Commissioners of Pilotage and the other moiety to the City Treasurer.

$100 fine for violating Harbor Master's rules.

2. And the said Harbor Master shall be entitled to receive the fees prescribed in this article, from each and every master, or owner, or consignee of every vessel arriving in the port of Savannah aforesaid; to the master or commander of which vessel he shall deliver a copy of the regulations of the port.

Copy of rules to be delivered to masters. &c. of vessels.

Ordinance 16th October, 1845.

3. In addition to the duties already attached to the office of Harbor Master, said officer shall henceforth be required to file in the office of the Treasurer of the city, on the Monday preceding the meeting of Council, a full and formal report, made up to the last day of the month immediately preceding, of all the fees which he shall have received, or which shall be due to him by virtue of his office, specifying the names of the vessels and the charges against each, and to pay over to the Treasurer at the time of filing such report, the entire amount received by him as exhibited in such report; and for failure to comply with these requirements, he shall be subject to a fine, or dismissal, in the discretion of Council.

Harbor Master to file with the City Treasurer a report every two weeks of fees received.

4. The Harbor Master, before entering on the performance of his duties, shall execute a bond to the corporation, with two sureties to be approved by Council or the Mayor, in the sum of two thousand dollars, conditioned for the faithful performance of the duties of his office.

Bond, $2,000.



## HARBOR MASTER'S FEES.

Ordinance 5th March, 1857.

5. The following shall be the Harbor Master's fees in the cases hereinafter named:

Fees of Harbor Master.

For each ship, barque, tern and steamer arriving from foreign ports, the sum of twenty dollars.

For each brig and other vessel not above named, arriving from foreign ports, the sum of fifteen dollars.

For each ship, barque, tern and steamer, except as hereinafter named, arriving from any port in the United States, the sum of seven dollars and fifty cents.

For each brig and other vessel not above named, arriving from any port in the United States, the sum of six dollars.

For each steam tug, the sum of fifteen dollars per annum, payable quarterly.

For each pilot boat and lighter, the sum of six dollars, payable quarterly.

For each steamer and other vessel engaged in inland navigation, or regularly arriving at this port oftener than once a week, the sum of fifteen dollars per annum, payable quarterly.

6. On failure to pay any of the said fees, the Harbor Master shall report the same to the City Treasurer, who shall forthwith issue execution against the ship or other vessel and place the same in the hands of the City Marshal for collection.

On failure to pay fees Harbor Master to report to the Treasurer, etc.

## HARBOR FEES.

Ordinance 19th February, 1868.

7. That hereafter the Harbor Fees of the port of Savannah shall be as follows;

Harbor fees.

On all vessels of the United States, except as hereinafter excepted, and on all foreign vessels entering on the same terms as vessels of the United States, one cent and a half per ton according to the tonnage as shown in the vessel's register or other papers; such fees to be paid every voyage.

On all foreign vessels not entering upon the same terms as vessels of the United States, three cents per ton, payable every voyage.

On ocean steamers of the United States plying regularly to this port, seven dollars and fifty cents, payable every voyage.

On steamers and other vessels running regularly between any port or ports of South Carolina or Florida and this port, fifteen dollars per annum, payable quarterly; and the like sum of fifteen dollars per annum, payable quarterly, on every steam tug, steamer, or other vessel engaged in inland navigation.

On pilot boats and lighters, the sum of six dollars per annum, payable quarterly.

Fees to be paid within forty-eight hours or doubled.

8. That whenever any of said fees are or shall be payable for the voyage, the same shall be paid within forty-eight hours after the arrival of the vessel; and if not paid on the presentation of the bill within said forty-eight hours, the fees shall be doubled and execution shall issue accordingly.

Commissioners of Pilotage authorized to make rules and regulations for government of Harbor Master, etc.

9. 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 that, 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 ordinance contained, shall be construed to prevent the Mayor, in 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 ordinance.

Harbor Master's Rules.

10. HARBOR MASTER'S RULES, CONFIRMED BY THE CITY COUNCIL, FEBRUARY 19, 1869.

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 her safe riding at such mooring. He shall, also, make known to the captain of such vessel the laws requiring lights on board, as



well as inform him of his duty to report his arrival at the Harbor Master's office, within four hours of the same.

2. Pilots are directed to moor all vessels which stop at Five Fathom to lighten or discharge, as near the south shore as may be safe, that an open passage may be left to the northward for vessels to pass and repass.

3. No vessel shall discharge or load any of her cargo in the river opposite the city, except at the wharves, under a penalty of four hundred dollars. No anchor is allowed in the river when the vessel is made fast to the wharf.

4. All masters of vessels, as soon as they come to anchor, shall rig in their jib-boom and main-boom; and all vessels top their lower and top-sail yards, take in their bomkins and davits, lay their sprit-sail yards fore and aft, rig in their martingale, take in all boom irons, and cockbill their anchors. These regulations must be observed while lying at the wharf, or at anchor in any part of the river, under a penalty of a sum not exceeding thirty dollars.

5. No vessel whatever shall be permitted to lie in the river before the city longer than twenty-four hours, inward or outward bound (powder vessels excepted). Vessels having powder on board, the pilot shall bring to anchor as near the fort wharf as they may have water to lie in at low water, and the master must land his powder in twenty-four hours after anchoring, and place it in the magazine, the officer of which is to receive the same and give a receipt therefor, except vessels having on board powder destined for the interior, either by railroad or by river; such vessels may haul alongside any vacant wharf, and the powder on board shall be removed direct from the vessel to the depot or boat, immediately after she is made fast to the wharf. Any violation of this rule will subject the vessel to the penalty of fifty dollars.

6. All vessels, except regular packets, in ballast, waiting for freight, light, or occasionally taking in, discharging or retailing a cargo at any wharf, shall give the inside berth to a loaded vessel that wants to discharge forthwith; and every such vessel shall likewise give the inside berth to a vessel that wants to take on board her cargo immediately. Any vessel, except regular packets, taking in a cargo at any wharf, shall give the inside berth to a loaded vessel, if at the time of appli-

cation for such berth there be no other vacant or equally suitable berth for such loaded vessel, under a penalty of thirty dollars per day.

7. Every vessel hauling past, or lying alongside and made fast to another vessel, shall put out in a proper manner, good and sufficient fenders, and keep the same so placed as to prevent injury to the vessel she shall be alongside of, and shall likewise so place her moorings as to prevent injury to 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, under a penalty of fifty dollars.

8. Masters of vessels shall not permit ballast, rubbish, or dirt of any kind, to be thrown into the river or harbor. All ballast and 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 sweeping of the decks, ashes from the caboose and rubbish of any kind must be put upon the wharf and carted away. Any master of a vessel failing to comply with any of these rules, shall be fined in a sum not exceeding one hundred dollars.

9. No vessel while lying alongside the wharf, or another vessel, shall be smoked for the purpose of destroying rats, but must first be hauled in the stream, and kept constantly afloat, so as to be easily removed in case of taking fire, under a penalty of one hundred dollars.

10. No tar, pitch or turpentine shall be boiled on any vessel's deck, or within sixty yards of any vessel or warehouse, under a penalty not exceeding thirty dollars. Notice in all cases to be given to the Harbor Master.

11. No raft of timber or lumber shall be broken up in the front river below low water mark, under a penalty not exceeding thirty dollars. No raft shall be permitted to lie more than forty-eight hours afloat in the river, nor shall any stave, wood, or shingle raft be landed at the heads of the wharves.

12. No vessel lying at any of the wharves on the southern side of the river, between Habersham's mill and the eastern extremity of the city, shall be permitted to take on board any timber or lumber from rafts alongside, under a penalty of forty dollars per day. 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 the wharf, said sticks to be secured by chains and dogs after the rafts shall have been broken up.



13. No person shall encumber the wharves with cotton, coal, bricks, lumber, stone, or other heavy articles, so as to prevent the use of said wharf to vessels wishing to load or discharge cargoes, under a penalty of twenty dollars per day.

14. Not more than two vessels of one hundred tons or more register, shall be allowed to lay alongside at any wharf in the city, so long as there shall be another wharf vacant, or with only one vessel thereat, under a penalty of forty dollars per day.

15. 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, under the penalty of thirty dollars.

16. 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.

17. No shingle or sand ballast, or rubbish of any description, shall be landed without permission of the Harbor Master, under a penalty of thirty dollars.

18. Any vessel will be admitted to a berth, or be allowed to change from one berth to another, on application to the Harbor Master.

19. Any master or other person having charge of any ship or vessel, who shall refuse or neglect to obey the directions of the Harbor Master or his assistant, in any matter or matters within his or their authority, or shall molest, resist, or oppose the Harbor Master or his assistant in the execution of any of the duties of his or their office, such master or other person having charge of any ship or vessel, or other person whatsoever, shall, upon conviction for every such offence, forfeit and pay the sum of one hundred dollars. In case of dispute, appeal shall be made to the Mayor.

20. The master of any vessel lying at anchor in any part of the river in the 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, and that for every neglect such master or commander shall be fined in a sum not exceeding thirty dollars.

21. Every vessel must always have on board a ship keeper or other person capable to take charge of her.

22. 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.

23. All penalties, fines or forfeitures under the foregoing rules, shall, on conviction before the Mayor, or Mayor and Aldermen, be collected in the usual manner, and be divided between the city and Commissioners of Pilotage, the Harbor Master to be considered in all cases full and competent witness against offenders.

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## HEALTH OFFICER.

### STATUTE.

1. Health Officer.

### ORDINANCES.

1. Health Officer to visit vessels arriving from places infected with contagious diseases. His duties.
2. Health Officer to keep vaccine virus, and supply physicians at $3 a grain.
3. Election of Health Officer.
4. His fees
5. Patient when deemed necessary may be sent to the pest house.
6. Duty to give attention to privates police force.



### STATUTE.

1. [For power of the Corporation of Savannah to appoint a Health Officer and fix his duties and compensation, see §4760 of Irwin's Revised Code as contained in Article 1st of this Code; and see also Article 53, title Quarantine.]

### ORDINANCES, AS AMENDED.

Ordinance 22d May, 1828.

1. It shall be the duty of the Health Officer to visit all vessels arriving in the port of Savannah from places infected with the small pox or other disease of a contagious or malignant character. When any port shall be thus infected, he shall require, by public notice in the gazettes of the city, all pilots and captains of vessels arriving from the infected ports, to bring their vessels to anchor at some convenient place below the city, there to remain, without communication with the city or adjacent country, until visited by him. If a disease subjecting the vessel to quarantine is found to exist on board, he shall order her to proceed to the quarantine ground opposite Fort Jackson, and shall immediately make a report to the Mayor of the nature of the disease, and recommend such measures as are, in his opinion, best calculated to prevent its introduction into the city or adjacent country. He shall give the requisite medical attendance to the sick on board of vessels performing quarantine, or to such as shall be removed therefrom to hospitals, either temporary or established, and shall inspect such vessels from time to time, until he deems them in a condition to proceed to the city with safety. After the performance of quarantine, he shall order fumigations, ablutions, or other purifying processes calculated to disinfect unclean vessels, previous to their coming up to the city, and shall fully carry into effect the laws and ordinances regulating quarantine in the port of Savannah. It shall furthermore be his duty, when required by the Mayor, to visit persons in the city supposed to be infected with small pox, or other diseases of a contagious and malignant character, and to give his opinion upon the nature of the disease, and the best means of preventing its extension. Upon the removal of such person to temporary or established hospitals in the city or country, it

Health Officer's duty to visit vessels, etc.

Quarantine ground.

Medical attendance.

Order fumigations, etc.

To visit small pox cases, etc.

Cargoes of damaged provisions.

shall be his duty to visit the patients in said hospitals. It shall likewise be his duty, when a question arises as to the condition of cargoes of damaged corn and other provisions, fruit, hides, and other articles of a perishable nature, calculated by their putrefaction, to cause disease, to visit the vessel thus laden, and to make such recommendations to the civil authority as the case may require.

Ordinance 31st January, 1839.

To keep vaccine virus and supply physicians at $3 a grain.

2. 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 at the rate of three dollars a grain, troy.

Ordinance 3d October, 1844.

Election of Health Officer.

3. Health Officer to be elected on the first Monday in January, annually.

Ordinance 4th September, 1856.

Fees.

4. The fees of the Health Officer (which he shall be paid by the owner or consignee of any vessel) shall be as follows:

For boarding any vessel lying at the quarantine ground, at Fort Jackson, two cents a ton up to five hundred tons, beyond which no additional fee shall be charged. In case of a visit at night, the fees charged shall be double the preceding; and all expenses incurred for boarding any vessel, shall be paid by the Health Officer, except that the city will furnish a quarantine boat.

For visiting and inspecting a vessel which has been subjected to quarantine, and giving a permit to come up to the city, five dollars.

Pest House.

5. In case it shall be deemed necessary by the Health Officer to send a patient to the pest house from the vessel, it shall be done by the vessel's boat, or at the expense of the owner, master, or consignee of such vessel, under a penalty, in case of failure or refusal, of not exceeding one hundred dollars on conviction before the Police Court; and the expense of such sending shall be paid out of said fine.

Fine, $100.



Ordinance 22d December, 1859.

Duty to give medical attention to privates Police force.

6. It shall be the duty of the Health Officer, when called upon by any duly appointed private or privates of the police force of the City of Savannah, who may be sick, to render to him or them suitable medical aid and attention, and to give his written order upon the City Dispensary for all needful medicine. This service shall be required for the policeman only, and not for the members of his family.

Proviso.

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# JAIL AND JAILER.

## STATUTES.


1. Jail vested in Mayor and Aldermen.
2. Jail subject to visits from the Ordinary and Grand Jury.
3. Jail of Chatham County.
4. Rules and regulations respecting the Jail.
5. Laws for the erection of new Jail.
6. Jail fees.
7. Fees of Jailer.


## ORDINANCES.


1. County Jail vested in the Mayor and Aldermen.
2. Jailer elected.
3. Deputy. Bond. Oath.
4. Liabilities and duties of Jailer.
5. Oath of Jailer.
6. Duty of Jailer in respect to persons committed by authority of the Mayor or by the City Council.
7. Jail rules.


## STATUTES.

State Law, 8th December, 1839.

Jail vested in Mayor and Aldermen.

1. That from and after the first day of January next, the direction, management and control of the Jail of Chatham County, shall be vested in the Mayor and Aldermen of the City of Savannah and the hamlets thereof, who are hereby constituted the commissioners thereof, with all the rights and duties thereto appertaining, with power to them to appoint a

Power to appoint Jailer, etc.

Jailer and other necessary officers for a term of years not exceeding three years; which said Jailer and other officers, shall respectively give such bond, and be allowed such compensation as the said Mayor and Aldermen shall, by ordinance, prescribe; and which said Jailer and other officers, or any of them, shall be removable from office by the said Mayor and Aldermen of the City of Savannah, for any misconduct, which shall, in their opinion, furnish sufficient cause.

**Inferior Court to appropriate funds, etc., to erect a new Jail.**

It shall and may be lawful for the Justices of the Inferior Court [now Ordinary] of Chatham County, in his discretion, to appropriate and apply any county funds in the treasury of said county, or which shall hereafter come to the said treasury, to the erection of a new jail, which, when so erected, shall become the Jail of said County, under the direction of the said Mayor and Aldermen of the City of Savannah, in the same manner, and with the same rights, powers and duties, as are provided in the first section of this act.

**Jail subject to visits, etc., of Ordinary and Grand Inquests, etc.**

2. That the said Jail shall be subject, at all times, to the visits and inspection of the Inferior Court [now Ordinary] of Chatham County, and of the Grand Inquest of said county and city, who may or shall report to the City Council of said city, any misconduct in the offices thereof, or evils existing therein, and recommend to the said City Council any mode of redress or remedy therefor.

Irwin's Code, sections 4769, &c.

**Control of Jail**

3. §4769. The Jail of Chatham County shall continue, as heretofore, under the direction, control, and management of the Mayor and Aldermen of Savannah, with all the rights and duties of commissioners of the same, and with power to them to appoint a Jailer, and other necessary officers, for a term not exceeding three years; which said Jailer and other officers shall respectively give such bond, and be allowed such compensation, as the Mayor and Aldermen shall, by ordinance, prescribe; and which said Jailer and other officers shall be removable from office by said Mayor and Aldermen, for any misconduct which shall, in their opinion, furnish sufficient cause.

**Rules and regulations respecting Jail.**

4. §4770. And said Mayor and Aldermen shall have power to pass all ordinances, resolutions, rules and regulations for



the regulation of the Jail and the government of the Jailer and other officers, and all persons confined within said Jail, as said Mayor and Aldermen shall, from time to time, deem proper, and as shall not be repugnant to law; and the Jailer shall be answerable for all escapes from such jail, to the same extent and in the same manner as the sheriff or other keeper of a jail may, by the general law, be.

**Laws for the erection of new Jail.**

5. §4771. All laws of force for the erection of any new jail by the Justices of the Inferior Court of Chatham County, are hereby continued in force; but such new jail, when erected, shall become the jail of said county, under the direction, control and management of said Mayor and Aldermen, as in the preceding section mentioned; but the said jail shall be subject at all times to the visits and inspection of said Justices, [now Ordinary] and of the Grand Inquests of said county and city, who may report to the City Council of said city, any misconduct of the officers thereof, or evils existing therein, and recommend to said City Council, any mode of redress or remedy therefor.

**Jail fees.**

6. §4772. Persons committed to said jail on other than civil process, or process from the corporate authorities of Savannah, shall be a charge on the county from which the prisoner may be sent; and said city authorities may demand periodical settlements from such county for the fees accruing for such prisoner, and in case the Inferior Court of any such county shall refuse to make periodical settlements or payments, it shall be lawful for the Superior Court of such county, by mandamus or other process, on the application of said Corporation of Savannah, or the Jailer, to compel such settlement and payment.

**Fees of Jailers**

7. §3647. Jailers are entitled to the following fees, to wit:

For receiving prisoner or debtor.....$ 60

For turning the key or discharging the prisoner, by virtue of *habeas corpus*, by order of the court, judge or justice ..... 60

[For dieting prisoners confined in jail on any ground whatever, such fees as may be fixed by the Justices of the Inferior Court [now Ordinary] of the county, who are hereby invested with the power to fix said fees.]

## ORDINANCES, AS AMENDED.

Ordinance 25th December, 1834.

County Jail vested in the Mayor and Aldermen.

1. From and after the first day of January, 1835, the direction, management and control of the Jail of Chatham County shall be vested in the Mayor and Aldermen of the City of Savannah, who shall be the commissioners thereof, with all the rights and duties thereto appertaining.

Jailer elected.

2. The said Mayor and Aldermen shall, on the thirtieth day of December instant, proceed to the election of a Jailer, to take in charge the management of said jail, who shall hold his office for the term of three years, unless sooner removed by the said Mayor and Aldermen for any misconduct which shall, in their opinion, furnish sufficient cause; and such Jailer and his deputy or deputies, shall live in, sleep in, and reside at the jail.

Sleep in and reside at Jail.

The said Jailer is now elected at the first regular meeting of Council every three years.

Deputy.

3. The Jailer shall appoint his own deputy, who shall be approved of by the said Mayor and Aldermen, and who shall be compensated by the said Jailer from his salary, and that he, the said Jailer, shall give bond, with good and sufficient security, in the sum of twenty thousand dollars, and they shall each take and subscribe the following oath before the Mayor or acting Mayor of said city, before they enter on the duties of their respective offices, to wit: "I do solemnly swear (or affirm, as the case may be,) that I will well and truly do and perform all and singular the duties of Jailer, or Deputy Jailer, of the County of Chatham, and that I will humanely treat all criminals who may be brought to jail, and not suffer them to escape by any negligence or inattention of mine. So help me God."

Bond, $20,000.

Oath.

Liabilities and duties of Jailer.

4. The liabilities and duties prescribed by the laws of the State of Georgia as applicable to the jailers of the several counties, shall be and continue in force, and that the fees, as prescribed by law, shall continue, and that the said jail shall be subject at all times, to the visit and inspection of the Ordinary of Chatham County, and of the Grand Inquest of said county and city.

Duty of Jailer.

5. The Jailer shall keep regular books of account, and shall make proper entries therein of the times of receiving



criminals and prisoners, and of their discharge, and of all sums received or paid by him as such Jailer, and shall make, the Monday preceding the meeting of Council, returns, and payments on the first of each month to the Mayor or acting Mayor of the City of Savannah, and which said accounts shall, at all times, be subject to the inspection and approval or disapproval of the said Mayor and Aldermen, and be preserved on file in the office of the City Treasurer.

Ordinance 27th June, 1866.

Duty of Jailer in respect to prisoners committed by authority of the Mayor or of the City Council.

6. That it shall not hereafter be lawful for the Jailer to discharge from the Jail of Chatham County, under the direction, management and control of the Mayor and Aldermen of the City of Savannah, any prisoner committed to said jail by authority of the Mayor or of the City Council for non-payment of a fine, until such fine shall have been paid into the Clerk of Council's office, and an order for the discharge of such prisoner shall have been obtained from the Mayor or acting Mayor, except when the prisoner shall have regularly served out the term of his imprisonment as specified in the commitment or order of imprisonment, under pain of dismissal of said Jailer from office for misconduct: *Provided*, nothing herein contained, shall be so construed as to authorize said Jailer to discharge a prisoner in any other case not herein mentioned, except by authority of law or ordinance to that effect.

Jail Rules.

7. JAIL RULES, ADOPTED BY COUNCIL SEPTEMBER 27, 1838, AS AMENDED.

1. All contracts for supplies for the Jail, shall be under charge of the Jail Committee.

2. All provisions for prisoners shall be wholesome and sound of their kind.

3. The Jailer shall have the wards kept clean. The employment of prisoners in their labor may be regulated by the Jail Committee, under their written order.

4. Medical aid shall be furnished prisoners when required.

5. No intoxicating drinks shall be introduced into the Jail, to be used by prisoners, except under the prescriptions of a physician.

6. No games of chance or any species of gambling shall be allowed in any part of the Jail or premises.

7. The Jailer, under the supervision of the Jail Committee, may procure blankets and bedding for prisoners unable to provide the same for themselves, and that a charge be made against the county for blankets and bedding furnished to paupers.

8. Male and female prisoners shall be separately confined.

9. No prisoner shall be allowed to furnish the room, where he may be confined, with special accommodations, unless by assent of two of the Jail Committee.

10. The secure confinement of prisoners may be made by additions to the ordinary securities of the Jail at any time.

11. All refractory conduct of a prisoner shall be taken cognizance of by the Jail Committee.

12. The Jailer shall prevent all communications between prisoners outside the Jail or the wall enclosing it.

13. No provisions shall be carried into any ward or room, unless by permission of the Jailer, other than the daily allowance to prisoners.

14. No one shall be allowed to go in or out of the Jail after bell-ring at night, except in cases of sickness, fire, or the necessary reception of a prisoner or prisoners.

15. The Jail shall be subject to the inspection of the Grand Jury, the Ordinary of the County, the Jail Committee, the Mayor of the city, or the Chairman of Council.

16. The rooms shall be inspected by the Jailer or his deputy, every day.

17. No person or persons shall enter the Jail who is or are not legally placed there, or is one of the Jailer's family, or has permission of one of the Jail Committee.

18. No person confined in the Jail under criminal charge, or conviction of the same, shall be allowed to have the liberty to walk about the Jail, under any circumstances, but shall be strictly confined to his room or ward.

19. No light or fire shall be permitted in any prisoner's room after 9 o'clock at night, unless by special written permission by the Jail Committee, or in case of sickness; and the Jailer shall see the lights and fire are thus extinguished.



20. The Jailer and his deputy shall reside in the Jail, and he or his deputy shall be there at all times.

21. The Jailer shall not permit chastisement to be inflicted in the Jail or its premises, except under sentence of a court.

22. That the entrance to the Jail yard shall at all times be kept locked, and that a bell be attached to the door, to give notice by any person wishing entrance.

23. That there shall not be any building attached to the wall of the yard on the inside thereof, or anything whereby escape could be facilitated, and nothing kept in the yard that could be used for the purpose of aiding in scaling the walls.

24. The Jailer shall not permit communication with persons confined for offences or under sentence of court, except by written permission of one of the Jail Committee, or the Mayor of the city, or the Chairman of Council.

25. It is understood that these regulations are obligatory upon the Deputy Jailer, as well as upon the principal.

26. These regulations may be amended, abrogated or added to, at any time, by the Council.

# MAYOR.

## STATUTE, IRWIN'S CODE.

1. Special powers of Mayor.

## ORDINANCES.

1. Mayor may raise moneys on loans to pay interest, etc. Mayor's notes. Faith and property of the city pledged.
2. Mayor to suspend officers for flagrant violation of duty.
3. Mayor to have published first Monday, in October, etc., in each year, report of Finance Committee.
4. Mayor's office in Exchange building. Chairman of Finance Committee, etc.
5. Portion of Police Force to be stationed at barracks.
6. Mayor to hold Court every day, Sundays excepted.
7. Mayor's duty in fining and turning over.
8. Mayor to take bonds, etc., for appearance before Council.
9. Neglect to give bonds, etc. Jail.
10. Mayor to have published at expense of the city all ordinances passed by Council for the preceding municipal year.

## STATUTE, IRWIN'S CODE.

Special powers.

1. §4775. 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, offences 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 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 on affidavit 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 offences, within said jurisdictional limits, against the laws of this State, or the ordinances of said city.

[For other powers of the Mayor under State laws, see Article I of this Code.]

## ORDINANCES, AS AMENDED.

Ordinance 10th December, 1857.

To raise money on loan to pay interest, etc.

1. His honor the Mayor be and he is hereby authorized to borrow or raise on loan for the use of the city, such sum or sums of money, and at such time or times as he may deem requisite, for the purpose of paying the interest now due or which may hereafter become due by the City of Savannah, upon bonds issued by the City of Savannah for works of Internal Improvement, and for the purpose of paying off all other indebtedness of the city now or hereafter to become due. That the notes now running to maturity in the banks, for moneys heretofore borrowed by the Mayor be confirmed. That the notes hereafter given be signed by the Mayor, made payable to the City Treasurer, and attested by the Clerk of Council, with the seal of the city affixed thereto—and that the faith and property of the city are hereby pledged for the faithful payment and redemption of all notes now or hereafter given in pursuance of the provisions of any ordinance.

Mayor's notes.

Faith and property of the city pledged.

Ordinance 2d August, 1839.

To suspend officers for flagrant violation of duty.

2. The Mayor or acting Mayor shall have power to suspend any officer holding any appointment under Council for any flagrant violation of duty rendering it necessary to take such step, which suspension he shall report to Council within forty-eight hours afterwards, by whom the said alleged

offence may be enquired into, and Council shall, at all times, have the power to fine any of their officers for any violation of their duty, or for any misconduct in office, and to suspend and remove any of the said officers from their respective offices, when convicted of any offence or misconduct, which Council may deem a sufficient cause for such removal.

Ordinance 26th June, 1845.

To have published 1st Monday in October in each year report of Finance Committee.

3. It shall be the duty of the Mayor to publish or cause to be published on the first Monday in October in each year, (or as soon thereafter as he can procure the report of the Finance Committee) an account of the receipts and expenditures of the city for the year ending thirtieth September of each year, and that the account shall undergo the inspection and be certified by the Committee of Finance before the publication of the same.

Ordinance 10th February, 1853.

Mayor's office in Exchange building.

4. (1.) It shall be the duty of the Mayor to have an office in the Exchange building.

Chairman Finance Committee.

(2.) He shall be Chairman of the Committee on Finance.

Inspect books of officers, streets, etc.

(3.) He shall examine monthly the books of all the officers of Council, shall superintend and inspect every public work done in the city under the authority of Council, shall see that all contracts between the city and other parties are properly drawn up, executed and performed; shall inspect the streets, lanes and squares and public grounds, as often as the interest of the city requires, for the purpose of seeing that they are kept in proper order, and shall generally superintend the city officers and see that their several duties are faithfully performed.

Portion of Police to be stationed at barracks.

5. He (the Mayor) shall see that a portion of the City Police are stationed at the police barracks, alternating each day, to take charge of such persons as may be sent there for misdemeanors, and to perform such other duties as may be required of them.

To hold Court every day, Sundays excepted.

6. It shall be the duty of the Mayor, and in case of his absence or sickness, it shall be the duty of the Chairman of the Board of Aldermen, to hold a court at the Mayor's office in the Exchange or at the police barracks every day at 10 o'clock, A. M., Sundays excepted, for the purpose of hearing



all complaints against riotous and disorderly persons and determine the same in a summary manner.

Duty in fining and turning over, etc.

7. That the Mayor is hereby vested with authority to examine, hear and determine all cases brought before him, of violations of the ordinances of the city, and shall inflict such penalties as the said ordinances prescribe. And he shall turn over, for examination by the Justices of the Peace, all persons charged with offences against the laws of the State.

Ordinance 4th January, 1847.

To take bonds, etc., for appearance before Council.

8. The Mayor of the City of Savannah shall have power, and is hereby expressly authorized to bind over and take recognizance in such sum and with such security or securities as he may deem adequate and necessary, all and every person or persons who may be brought up before the said Mayor in the Police Court of the City, charged with any infraction, violation of, or offence against any of the ordinances of the said City of Savannah, and whose trial and punishment for said offences may by law require the co-operation of the said Mayor and Aldermen or a majority of them, or when the punishment adjudged by the said Mayor in said Police Court requires by law to be confirmed by the Board of Aldermen in Council assembled, for the appearance of such person or persons so offending and charged before the Mayor and Aldermen of the City of Savannah in Council assembled, at the next meeting of Council regularly to be held thereafter.

Neglect to give bonds, etc., jail.

9. In case of the neglect or refusal of any person or persons to give the recognizance authorized in the foregoing section, when the same shall be required, that the said Mayor is hereby authorized and empowered to commit such person or persons so neglecting or refusing to give such recognizance so required, to the common jail of the County of Chatham, until the next regular meeting of Council.

Ordinance 18th August, 1869.

To publish ordinances.

10. That it shall hereafter be the duty of the Mayor to have published annually in pamphlet form, and at the expense of the city, all the ordinances passed by Council for the preceding municipal year; such publication to be ready for distribution among the Aldermen, and to the citizens generally, by the middle of September of each and every year.

## MESSENGER OF COUNCIL.

### ORDINANCES.

1. Duty of Messenger of Council to attend meetings, serve notices, attend Police Court and keep clean the unrented parts of the Exchange.
2. Messenger's duty to keep clean Mayor's, Clerk's, and Treasurer's offices, bring water, make fires.

### ORDINANCES, AS AMENDED.

Ordinance 2d August, 1839.

Duty to attend meetings serve notices, etc.

1. It shall be the duty of the Messenger of Council to summon the members of Council as commanded by the Mayor or acting Mayor, to attend all the meetings of Council for the purpose of executing any commissions; to prepare the Council chamber for its sessions; to attend on committees of Council if required, and to execute their commissions; to serve notices on the committees of Council from the Clerk's office; to attend at the Police Court every morning at ten o'clock and to remain there during office hours, if required so to do; to execute all commissions appertaining to his office when required by the Mayor or committees of Council; to keep clean and in decent order the unrented parts of the Exchange; to keep the keys of all doors not attached to rooms rented.

Resolution passed in Council 21st April, 1853.

To keep clean Mayor's, Clerk's and Treasurer's offices, etc.

2. *Resolved,* That the Messenger shall attend to the Mayor's, Clerk's, and Treasurer's offices, keep the same clean and in good order, make the fires, bring water and perform any other service connected with the duties of Messenger, that may be required of him by the Mayor.



## PORT WARDENS.

### ORDINANCES.

1. Five Port Wardens.
2. Duty of Port Wardens to appoint a Clerk.
3. Rules and regulations.
4. Two or more Port Wardens to make surveys.
5. Vessels in distress, etc.
6. Power of Port Wardens to employ carpenters.
7. No one but Port Wardens except under orders of Court to officiate.
8. Clerk of Port Wardens to collect all sums due.
9. Oath of Port Wardens.
10. If Port Wardens neglect duty, penalty $30.
11. Each Port Warden to receive fees only when he renders service.
12. No Port Warden to certify unless he surveys.
13. Fees of Port Wardens.
14. Office hours of Clerk 9 to 1 o'clock.

### ORDINANCES, AS AMENDED.

Ordinance 14th March, 1824.

Five Port Wardens.

1. At the first regular meeting of Council in every January in each year, there shall be appointed five persons to act as Port Wardens for the Port of Savannah, who shall be commissioned by the Mayor under the seal of the corporation.

Duty to appoint a Clerk, etc.

2. The said Port Wardens be and they are hereby required to keep a fair record of all their proceedings, to appoint a Clerk for that purpose, and to furnish extracts or copies of the same at the request of any person or persons, and they shall have and use a common seal to be annexed to all extracts or copies of proceedings furnished by the Clerk aforesaid, and the Clerk shall be, and he is hereby allowed the same fees for searches, extracts, copies of certificates, as are allowed for the like services to the Clerk of the Superior Courts of this State.

Seal.

Fees.

Rules and regulations.

3. The said Port Wardens, at their first or any subsequent meeting, be and they are hereby authorized to make such rules

and regulations as may be conducive to the good order and a proper discharge of their duties, and enforce the same by reasonable fines to be, when imposed, deducted by the Clerk out of the sums collected for the use of the Port Wardens so fined, and the said Clerk, before he enters on the duties of his office, shall give to the Mayor and Aldermen of the City of Savannah a bond, with two good and sufficient securities in the sum of five hundred dollars, conditioned for the faithful performance of his duties as Clerk as aforesaid, and he shall take and subscribe before the Mayor 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."

Clerk's bond $500.

Clerk's oath.

Two or more to make surveys.

4. The said Port Wardens or any two of them, or more if required by the persons applying for the survey as aforesaid, shall have power and they are hereby authorized to act upon any survey and to perform all the duties required of them by this article.

Vessels in distress, leaky, etc.

Examine and survey.

Stowage cargo.

5. At the request of any owner of a vessel, master, merchant or consignee, it shall be the duty of the said Port Wardens, or any two or more of them as aforesaid, upon the arrival of any ship or vessel within the port and district of Savannah in distress, or which may receive damage therein, or be in a leaky situation or condition, or on board of which there may be goods, wares, or 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, etc.

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.

Portion injured.

Employ a carpenter, etc.

6. The said Port Wardens, or any two or more of them as aforesaid, when called upon the survey of any vessel, shall have power to employ a carpenter or carpenters to open the ceiling, strip the sheathing, bore the timber, and perform such other work as shall be necessary to enable them to make a correct survey, and to employ such laborers and other persons necessary to move, open or cooper or otherwise arrange any goods, wares or merchandise they may survey, the expense of all which shall be paid by the owner, master or consignee of said vessel or goods.

No one but Port Wardens (except under order of Court) to officiate.

Penalty $30.

7. If any person or persons other than those authorized by this article (except persons appointed by order of Court,) shall act or officiate upon any survey or perform any of the duties herein required of the said Port Wardens, he or they shall severally forfeit a sum not exceeding thirty dollars, to be recovered upon conviction before the Police Court, to the use of said Port Wardens.

Clerk to collect all sums due, etc.

8. 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, and shall also make a quarterly return of the sums received to the City Treasurer, to be by him laid before the City Council at their first meeting thereafter.

Port Warden's oath.

9. Each Port Warden so appointed, before entering upon the duties of his office, shall take and 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.

Penalty for neglect of duty.

10. If the said Port Wardens, or any of them, shall neglect or refuse to perform the duties enjoined by this or any other ordinance, he or they, unless sufficient cause be shown to the contrary, shall severally forfeit and pay a sum not exceeding thirty dollars, to be recovered on conviction before the Police Court to the use of the informer, or shall be removed from office, at the discretion of Council.

Ordinance 29th May, 1834.

Each Port Warden to receive fees only when he renders services.

11. Each Port Warden shall be entitled out of the moneys collected by the Clerk for services rendered by the Port Wardens, to payment only of the fees received in the particular case in which the services were rendered; so that each Port Warden shall be compensated according to the amount of labor performed by him, and it shall be the duty of the Clerk, or in his absence, his deputy, to summons the Port Wardens to act upon all surveys in rotation, if their attendance can be obtained, and in case of failure to summons as aforesaid, he shall be fined in a sum not exceeding thirty dollars, on conviction thereof before the Police Court, one half to the use of the informer, and the other half to the City.

Clerk or Deputy's duty to summon, etc.

Fine $30.

No Port Warden to certify unless he surveys. Penalty.

12. 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.

Ordinance 23d February, 1843.

13. For the services to be performed there shall be paid to each of the Port Wardens, officiating, by the owner, master or consignee of any vessel or cargo, the following sums, to wit:



Fees.

| | | | | |
|---|---|---|---|---|
| For each survey on the hatches of a vessel | | | | $1 50 |
| " | " | " a vessel | | 4 50 |
| " | " | " " and cargo | | 4 50 |
| " | " | " a cargo | | 3 75 |
| " | " | " the stowage of the hold of a vessel | | 3 75 |
| " | " | " goods after they are landed | | 2 00 |

Proviso.

*Provided*, That the said vessel or goods be at or within the limits of the City of Savannah. If between said limits of the city and Five Fathom hole, then fifty per centum in addition to the above enumerated rates; if below Five Fathom, and not below Long Island, seventy-five per centum in addition to the first enumerated rates; if below Long Island, double the enumerated rates; if the Port Wardens are required to furnish a boat and hands, ten dollars per diem, for such boat and hands, shall be paid them. In all cases where the Port Wardens shall be employed more than one day in the performance of any duty required by this article, the said Port Wardens thus employed shall be entitled to similar fees for each day so employed.

Ordinance 6th April, 1854.

Office hours.

14. 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: *Provided*, in case of neglect or misconduct of said deputy the principal and his sureties shall be liable to the penalties, fines, etc., prescribed by ordinances.

# CITY MARSHAL.

## ORDINANCES.


1. Office of Deputy Marshal abolished.
2. City Marshal's duties, etc.
3. His fees.
4. Marshal's duty as City Purveyor.
5. Marshal to attend Market.
6. Marshal to attend fires.
7. Marshal to rent Market Stalls.
8. Marshal to collect tax executions.
9. Default or neglect of Marshal to make returns on tax executions in three months, liable to the city for the amount uncollected and interest, with power to collect the same out of the persons within the time prescribed by law.
10. Other duties.


## ORDINANCES, AS AMENDED.

1. [By ordinance passed on the 18th December, 1861, the office of Deputy City Marshal was abolished, which ordinance went into operation on the first of January, 1862.]

Ordinance 2d August, 1839.

City Marshal's duties. Attend Council, Mayor or Aldermen. Give informations. Enforce ordinances. Pay over public moneys to City Treasurer Make returns on fines, etc., every 2 weeks.

2. The City Marshal shall regularly attend the City Council at all stated and other meetings, and at the Police Court; and also the Mayor or any Alderman whenever required so to do, and execute their orders and precepts. He shall give information of all offences committed against any of the ordinances of the city which may come within his knowledge; and shall attend to the enforcement of all the ordinances which may be of force at any time; and he shall perform all the duties which may be prescribed by any ordinance now of force, or which may hereafter be ordained. And the said Marshal shall account for and pay into the hands of the City Treasurer, when required by the City Council or any ordinance whatever, all public moneys he may have received, and it shall be the duty of the City Marshal to make a return on each execution, and pay over to the City Treasurer the money



by him received thereon, at or before the second regular meeting of Council after such execution shall have been issued, except tax executions.

Fees. 3. The following fees of office shall be paid by the person requiring the service or liable for the same, viz:

For the commitment of any person, for any copy of a mittimus, for every discharge of a prisoner, for serving a summons or order of Council, fifty cents for each act as aforesaid.

For making a levy, seventy-five cents.

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

For taking up a fugitive seaman, two dollars sixty two and a half cents.

For executing a warrant and returning the same, seventy-five cents.

For a re-entry on each lot in arrears, one dollar, and a commission of one per cent. on the money paid into the treasury on all sales of city lots.

For attending Police Court, fifty cents in each case, to be taxed in the costs of conviction when the party is discharged on payment of costs.

Ordinance 11th January, 1855.

Marshal's duty as City Purveyor. Enter yards. Remove filth, etc.

4. It shall be the duty of the Marshal to contract for and superintend the purchase of all articles to be used by the city, and shall be purveyor of the city, and no other officer shall be authorized to make any purchase for the city except when expressly directed so to do by the Mayor, and he shall have full power to enter peaceably any yard or enclosure within the limits of the city, to ascertain the condition of the same, and to remove therefrom any rubbish, filth or offensive matter, or abate any nuisance therein, the same to be removed at the expense of the owner or occupier of the premises, to be enforced and collected in the manner prescribed by the existing ordinances of the city, and any one opposing or resisting him in the discharge of such duty, shall be fined in a sum not exceeding thirty dollars, one-half to be paid to the informer, the other half to the treasury of the city.

Marshal to attend market.

5. It shall be the duty of the Marshal to be in the market every morning from the rising of the sun until nine o'clock, A. M., and on Saturday afternoon from three o'clock until the closing of the market, to see that the ordinances of the city are not violated, and to preserve good order and government in the market.

Attend fires. Riots. Elections.

6. It shall be the duty of the Marshal, in all cases when an alarm of fire may be given, and in all cases of riots, immediately to repair there, and to be present at all elections, to aid and assist the police in the preservation of good order; and on all such occasions he shall be under the direction of the Mayor.

Ordinance 27th November, 1856.

To rent market stalls.

7. The City Marshal shall, on the first Wednesday in December next, offer all the stalls (the public stalls excepted) at public outcry, setting them up at stated prices. [For prices, see Article 41, section 25.]

Ordinance 29th October, 1857.

Marshal's duty to collect tax executions, levy and sell.

8. 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, whether such property be, or be not itself, subject to taxation, and he shall advertise and sell the property so levied on, in the manner prescribed for sheriff's sale under the laws of this State; and in all cases the amount to be collected on any such execution so placed in his hands as aforesaid, shall

To collect interest at 7 per cent.

include interest at seven per cent. thereon from the first day of June next preceding the date of such execution, unless such execution shall have been issued at some other time, in which case interest shall be computed from the time when the tax for which such execution shall have been issued became due and payable, and such costs as may be allowed thereon; and

Fees and commissions.

the said Marshal shall be allowed the sum of fifty cents on every execution placed in his hands as aforesaid, and such commissions upon sales as are allowed to sheriffs under the laws of the State. And it shall further be the duty of the



To pay over moneys collected and return all insolvent executions.

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.

Default or neglect of Marshal to make return, etc.

9. 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 or sureties, shall be held liable to the city for the amount due on such execution, including interest and costs: *Provided, nevertheless*, that the said Marshal shall be at liberty to proceed to collect the same from the person or persons or corporation against whom such execution may have been issued, within the time allowed by law.

Other duties.

10. SYNOPSIS OF THE OTHER DUTIES PRESCRIBED FOR THE MARSHAL.

(In almost every penal ordinance his duties are laid down. See all such ordinances.)

Unoccupied buildings.

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

To report all persons who own unoccupied stores, houses or buildings, and who do not cause the same to be whitewashed or cleansed in such manner as the Mayor may direct and order; to serve notices for the Board of Health relative to surcharged privies; to serve notices for said Board relative to lots unclean and in bad order, and if the lots are unattended to by the owners or occupiers, then to enter the premises with proper aid and cause the filth or impurity to be removed, ready for the scavenger carts, or sufficiently covered over with sand or earth—the reasonable expenses incurred by the Marshal to

Notices for Board of Health.

Vault and privy sunk where none.

Bond, $5,000.

be paid out of the city treasury, and charged to such owners or occupants; to have a vault and privy sunk and erected in case owners, lessees or their agents do not within thirty days—the amount to be collected from them or execution to issue; to impound any cow, heifer, ox, bull, steer or calf going at large, and sell the same on five days notice if the fine and costs be not paid within ten days after being taken up; to give bond in the penal sum of $5,000 for the faithful performance of the duties of his office; to make returns of moneys collected every fortnight; to advertise and sell such city lots as Council or the Committee on Public Sales and City Lots may direct; to re-enter lots after ten days notice, in case ground rents are not paid when due; to kill and destroy dogs going at large whenever the Mayor issues his orders in writing; to ascertain all persons who have failed to return their dogs for city taxation; to disperse the audience and arrest and imprison the performers, at each theatrical or musical entertainment, circus, concert, show or exhibition without license, upon receiving a warrant from the Mayor or either of the Aldermen; to compel persons making fires (unless in a covered caboose,) on board any boat or other small craft, to give bond and security to appear before Council, whenever he receives a warrant from the Mayor; to summon the owners or consignees of the boat, or lessee of the wharf before Council, relative to the fires; also in case such boat obstructs the wharf, or discharges or takes in cargo in violation of ordinance, to summon the captain, manager, owner, or consignee of such vessel or boat; to inform against all persons discharging or attempting to discharge any guns, pistols or other fire-arms, crackers, or any other combustible preparation.

Attend fires.

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

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



Pull down buildings, etc.

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

Notify owners of dry culture lands when not drained, etc.

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

Destroy rice growing on dry culture lands.

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

Serve subpœnas.

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

Seize articles exposed for sale without license.

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

Notice transient dealers and peddlers.

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

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

To sell market stalls.

To attend and act as public crier, under the direction of the Market Committee, whenever stalls are rented out, and immediately thereafter to furnish the Treasurer with a statement of said sales, and pay over the amount received.

View unwholesome meats, &c.

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

Forfeit meat, poultry, &c., bought at market and sold again, &c.

To forfeit any meat, fish, or poultry, game or wild fowl, eggs, vegetables or provisions of any kind, usually brought to the market, if the same are bought at the market and again sold

or exposed for sale at the market or at any other place within the city; also to report the sellers or offerers for sale.

To enforce market regulations as to carts, animals, etc.

To enforce and carry into effect any order of the Market Committee, respecting the rules and regulations of the market, relative to any person keeping any cart or other vehicle, horse, mule, ass, or ox nearer the market, or for a longer time than authorized by said committee or Clerk of the Market. Also, relative to any person feeding with grain or forage, any horse, mule, ass or other animal at the market, or within the limits prescribed by the committee or Clerk; to enforce any execution issued against any person for violating the above market regulations, and sell at the market on five days notice, any property levied on under said execution.

Attend market.

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

Penalty.

To take up any person sleeping or lying down upon the market stalls in the night or day time; to execute all warrants for market fines under the hand of the Mayor with the seal of the city, directed to the Marshal of the city, or any constable of the same.

Arrest persons making indecent exposure.

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

Take up and impound all cattle running at large.

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



Take up horses, &c., at large.

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

Remove all animals that appear offensive to the sight.

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

Remove hides offensive or injurious to health.

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

Remove rice chaff.

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

Transportation of iron, etc.

To see that the provisions of the ordinances of the city are strictly enforced against all persons transporting iron, boilers, hoop poles, timber, plank, board and lumber, crosswise and not lengthwise upon their vehicles; also relative to vehicles keeping to the right in passing over the paved roads.

Summon offenders before Police Court.

To summon before the Mayor during the hours prescribed for holding Police Court, all persons offending against the ordinances of the city.

Impound any animal hitched to a tree, etc.

That it shall be the duty of the Marshal, or other public officer, discovering any animal hitched as is by ordinance prohibited, viz: to any tree planted, or to any part of the fences, railings, gates or enclosures of the public squares, places or buildings, or to any one of the public pumps or lamp posts, not only to file an information against the owner, rider or driver of such animal, but to take the animal itself and impound it until the payment of all fines and costs which may fall upon the offender, as well as the expense of impounding, or until good and sufficient security shall be given for the payment of such fines, costs and expenses.

Protect city property.

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

Rafts, etc.

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



Sell lots for rent, taxes, etc.

To sell at the court house in this city, on the first Tuesday in each month, all lots or other property for the collection of rent, taxes, etc., after advertising the same for thirty days, and stating (if real estate) the number of tything, ward, square and street of the said lot or lots, and also the name or names of the owner or owners of the said lot or lots as may appear in the books of the Treasurer from the last person who paid the rent, taxes or assessments, and in all cases the property so advertised shall be fully described.

Manner of selling real estate.

When he offers to sell he must (in case of real estate advertised for rents, taxes, etc., due to the city,) offer in the most public and audible manner the described premises for lease for one year, and if no bid be given therefor, he must offer the same publicly and audibly for two years, and in the case of no bid then, he must offer the premises for lease for ten years, and if no bid be given at a lease of ten years, he shall then offer the same in fee, subject to the conditions of the ordinances under which the premises are held; and he is authorized to execute a lease or leases or deed in fee simple for the premises sold. All property advertised shall be placed in one column of the paper in which they are advertised, headed, "City Marshal Sales," and all sales of real estate sold under any city ordinance, shall be superintended by a special committee of Council, whose duty it shall be to attend such sales, and direct the Marshal or officer selling, as circumstances may require. In

Notices of re-entry.

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.

To collect from the Superintendent of Streets and Lanes the fees or moneys collected for delivering up impounded cattle or other animals.

Remove obstructions from street.

To remove from the squares, streets, lanes and alleys, any timber, brick, stones or other materials for building, or fire-wood, goods, wares and merchandise, or other bulky thing whatsoever, and any vehicle which may remain there longer than six hours. Also any booths, tent or other obstructions, erected or placed in any square, street, lane or other place in the City of Savannah, without the written consent of the Mayor. Also any hole or pit dug in any square, street, lane

or alley, whereby the free passage of persons on foot or on horse-back, or in or with any carriage, may be in any wise obstructed or rendered unsafe, such removal to take place at the proper expense of the person or persons offending, if such person or persons refuses or neglects to remove the same forthwith, after notice given him, her or them, for that purpose. If any person or persons molest or trouble the Marshal, such person or persons shall on conviction, be fined not exceeding $100. The City Marshal is enjoined to notice and report to the Mayor all encroachments, obstructions and nuisances.

Persons molesting the Marshal fined $100.

Employ carts to remove all dirt.

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

Pay of Marshal whilst thus engaged.

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

Encroachments to be 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 Surveyor or the Street and Lane Committee, or a special committee of Council, to be appointed for that purpose, and the said committee or officers are hereby authorized to call to their aid and assistance the City Police, who are hereby required and enjoined to aid and assist in the premises.

Remove filth, rubbish, etc.

To remove any dirt, filth or rubbish, or any matter or material whatsoever, therein, in any street, lane or square, by



which the proper level is destroyed; in case the person making the nuisance refuses or neglects to remove the same forthwith after notice given, such removal to be at the expense of the maker of the nuisance.

Ballast.

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

Damaged cotton.

To see that, with the Mayor's consent, no damaged cotton or any bulky merchandise endamaged by rain or water in its transportation to Savannah, is not exposed while in its wet condition, more than three days in any public place contiguous to the store or warehouse in which it is intended to be deposited when dry. Without the Mayor's consent, no such exposure can take place at all, whether for three days or less, or longer: also to see that no such exposure takes place in any of the lanes, either of any hides or other articles of merchandise whatever, which may be injurious to the health or disgusting to the smell of the citizens; or of any cotton packed in bags.

Hides.

To see that no person obstructs, blocks up, or in any manner interrupts with cotton or other merchandise, the free passage of any citizen on foot, or horseback, or in a carriage, through any of the squares, streets or public places.

Digging Sand.

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

Pavements.

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

levy and collect as all other executions for taxes and assessments on real estate are levied and collected.

Repair pavements.

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

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

Executions against retailers of spirituous liquors.

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

To sell at the pound all goats impounded by the City Police, upon three days notice, and pay the net proceeds of sale, deducting costs, into the city treasury.

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



# CITY PRINTER.

## ORDINANCES.

1. Election of City Printer. His duties.
2. City Printer shall give bond, and in addition to his other duties shall publish Mayor's annual report, and Treasurer's annual fiscal statement, etc.

## ORDINANCES, AS AMENDED.

Ordinance 26th January, 1854.

Election of City Printer. Duties.

1. Council shall, at the first regular meeting in every January, elect a City Printer, whose duty it shall be to publish the minutes of Council, whenever they shall be furnished to him by the Clerk, and as soon thereafter as practicable, and also to publish all new ordinances and old ordinances when required, all notices, orders, proclamations issued by or under the authority of Council or committees thereof, or the officers thereof, the Mayor or acting Mayor.

Ordinance 24th December, 1857.

Bond, $1,000.

2. Each and every City Printer hereafter elected shall give bond in the sum of one thousand dollars, with two or more securities, to be approved by the Mayor, conditioned for the faithful performance of the duties of the office of City Printer, and that in addition to the duties prescribed by the existing ordinances, it shall be his duty to publish the Mayor's annual report, and the Treasurer's annual fiscal statement and all new bills or ordinances when read the first time. Also to publish the registry list of voters at the times and in the manner prescribed by the laws of the State of Georgia.

To publish certain reports.

# CITY SURVEYOR.

## ORDINANCES.


1. Election of City Surveyor.
2. The foundation of no building to be laid on the line of a lot unless line is first ascertained by Surveyor, and no building to be placed unless Surveyor is present. Duty to report all encroachments, and on application to stake off lot.
3. His fees.
4. Surveyor to keep map of each tything.
5. To mark out encroachments, obstructions, &c.
6. To level and graduate squares, streets, lanes, &c.
7. Height of sidewalks.
8. Paving lots must conform to the level and inclinations prescribed by Surveyor.
9. Owners aggrieved by acts of Surveyor have right of appeal to Council.
10. Surveyor to make surveys of Springfield Plantation; to make all city grades and grade pavements.
11. Duty of City Surveyor to superintend and examine public works and improvements; to lay out squares and parks and fix position of trees.
12. Office of Deputy Surveyor created. His election.


## ORDINANCES, AS AMENDED.

Ordinance 19th August, 1839.

City Surveyor elected.

1. On the first regular meeting of Council in each and every January, a Surveyor for the city shall be appointed, who shall, before he enters into the duties of his office, enter into

Bond, $2,000.

bond, with two securities, in the penal sum of two thousand dollars, for the faithful and correct performance of the duties prescribed by the ordinances of the city, and the said Surveyor shall take the usual oath prescribed by the ordinances of

Oath.

the city to the officers thereof.

Surveyor to ascertain line of lot, etc.

2. No lot holder or occupier of any lot, shall lay the foundation of any building or fence on the line of any lot or part of a lot, owned or occupied by him or her, unless such line is first ascertained by the City Surveyor, and after the line as aforesaid is ascertained, such owner or occupier shall not place



any building, fence or other thing appertaining thereto, so as to affect the right of the city, and unless the said Surveyor is present (except as is hereinafter specified). And it shall be the duty of the City Surveyor to report to the Mayor or Council, all encroachments by individuals or otherwise that now exist or that may hereafter be made on the public squares, streets, lanes, docks or commons of the city; and it shall also be the duty of the City Surveyor, on the application of any lot holder, to attend and stake off such lot, within twenty-four hours after such application is made.

Duty to report all encroachments.

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

Fees.

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

To keep a map of each tything, record site etc., of buildings.

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

Deliver to his successor all records, etc.

Mark out encroachments, obstructions, etc.

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

Graduate and level squares, streets, lanes, etc.

6. As soon as Council shall deem it expedient, the Committee of Streets and Lanes shall proceed, with the aid of the City Surveyor and Marshal, to graduate and level the several squares, streets and lanes within the city, or such parts there-

of as to the said committee may seem necessary, and to cause the said squares, streets and lanes to be cut down or raised up, as may be necessary, in order to produce a proper level, and the said City Surveyor shall determine the proper standard of elevation, whereby to regulate the same.

Height of side walks.

7. 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 Surveyor and a majority of the Street and Lane Committee. And no person, without the permission of the Street and Lane Committee, shall throw any dirt, filth or rubbish, or any matter or material whatsoever, in any street, lane or square, by which the proper level as established, may be destroyed. And all offenders and encroachments against the provisions of this section shall be fined in a sum not exceeding thirty dollars; and in addition the sidewalks shall be raised or lowered to the proper level at his or her expense.

The level or grade directed by the Surveyor. etc.

Paving lots.

8. Whenever any person owning or leasing, or possessing any lot, shall pave or in any manner alter the surface of a public street in front of his lot, he shall be bound to conform to the levels and inclinations marked and prescribed by the City Surveyor, whose duty it shall be to grade and stake down the place to be paved or otherwise altered, both on the line of the lots and the limits hereinbefore determined on the street, driving a stake at every ten feet of line, and the said Surveyor shall attend within five days after he shall be requested to do so. And any pavements hereafter to be made which shall not conform to the provisions of this section, shall be considered an encroachment and may be removed, and the person so violating the same, or the owner, lessee or possessor of the lot, may be fined by the Mayor or acting Mayor presiding at 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 City Surveyor.

To grade and stake down the place to be paved, etc.

Ordinance 2d July, 1840.

Owners aggrieved have right of appeal to Council

9. Any owner of a lot who shall consider him or herself aggrieved by the acts of the City Surveyor and Street and Lane Committee, shall have the right to appeal to Council for its decision.



Ordinance 29th August, 1852.

To make surveys of Springfield plantation, all city grades, grade pavements.

10. It shall be the duty of the City Surveyor to make for the city, all necessary surveys of the Springfield Plantation, and all city grades, and other duties required by the different committees of Council for public purposes, also the laying down of pavements.

Ordinance 29th December, 1853.

To superintend and examine public works, improvements, etc., lay out squares and parks, fix position of trees.

11. It shall be the duty of the City Surveyor, in addition to the duties now prescribed by existing ordinances, under the direction of the Mayor or the Committee on Streets and Lanes, to superintend and examine any public work or improvement in progress in the city, to lay out the public squares and parks, and fix the position of trees to be planted in the squares, parks or streets.

Ordinance 16th March, 1870.

Office of Deputy Surveyor created. His election.

12. That the office of Deputy City Surveyor be and is hereby created, and that said Deputy City Surveyor shall be charged with the duty of assisting the City Surveyor in all work allotted by said Surveyor to such Deputy. Such Deputy shall be elected by the City Council, and shall, unless removed for cause, hold his office until the first regular meeting of Council in January next, when, and annually thereafter, there shall be an election for one year. Said Deputy Surveyor shall give a bond with security, as in the case of the Surveyor, and shall, like other city officers, be subject to removal from office for inefficiency or for neglect of duty.

# CITY TREASURER.

## ORDINANCES.


1. City Treasurer's office in the Exchange. Fees.
2. Duty to collect rates for landing goods, etc., on Canal lots, also for goods shipped therefrom.
3. Duty to deposit in Bank selected by the Mayor.
4. Duty to take tax returns.
5. Manner of making returns.
6. Oath of person making return.
7. Treasurer to preserve returns and keep an alphabetical digest.
8. Within ten days after digest is ratified by Mayor, &c., the Treasurer shall insert the amount of taxes and give notice of the rate of ad valorem tax assessed and when his office will be open for receipt of taxes.
9. Treasurer to issue execution if taxes not paid by 1st of May, and deliver such executions to the Marshal, taking his receipt therefor, to be delivered to the Mayor. Fee, 50 cents on each execution.
10. Synopsis of other duties.
11. Election of Assistant Treasurer.
12. Assistant Treasurer subject to direction of Treasurer.


## ORDINANCES, AS AMENDED.

Ordinance 2d August, 1839.

City Treasurer's office in Exchange.

Hours, 9 to 2.

Duty to attend Council, etc.

Account for moneys, etc.

1. The City Treasurer shall also keep his office at the Exchange, and attend thereat daily (Sundays 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.

Furnish Finance Committee monthly balance sheet.

Fees.

He shall receive, for the use of the city, the following fees, to be paid by the person requiring the service, or liable for the same, viz: For every search, twenty-five cents; for every certificate or extract, thirty-five cents.

Ordinance 1st December, 1831.

Treasurer to collect rates for landing goods, etc,, on Canal lots, also for goods shipped therefrom

2. The Treasurer shall receive for the use of the city, the several rates hereinafter mentioned and referred to for the landing of produce and other goods, at the lots belonging to this corporation, situated on the canal at the western section of this city, for shipping of the same, and for storage thereof, to wit:

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

Persons shipping or landing wood, etc., to return same to City Treasurer.

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

Penalty.

Ordinance 19th February, 1857.

To deposit in the bank selected by the Mayor.

3. It shall be the duty of the City Treasurer to deposit all the money or other funds of the city which shall come to his hands, in such bank or banks of the city, as shall, from time to time, be designated or selected by the Mayor of said city.

Tax Ordinance 29th October, 1857.

To take tax returns on or before 1st Feb'y.

4. Each and every person, and each and every corporation subject to taxation in this city, or owning, or having possession or charge of property subject to taxation in this city, in his, her or their own right, or in the right of any other person or persons, as parent, guardian, executor, administrator, trustee, agent, or in any other manner whatsoever, shall make a return thereof to the City Treasurer, at the time or times required by ordinance, and the returns of corporations shall be made by some officer thereof.

Manner of making returns.

5. Each and every such return shall contain a full, true and particular account of all the property, real and personal, of every kind and nature whatsoever, except such property, real or personal, as may be exempt from taxation, and except such property, real or personal, as is required to be returned at some other time or in some other manner, which the said person or persons, or corporation, making such return, owned or had possession or charge of, on the first day of January in such year, or such other time or times as by any tax or other ordinance may be required, in his, her, or its or their own right, or in the right of any other person or persons, or corporations, as parent, guardian, executor, administrator, trustee, agent, or in any other manner whatsoever; and all such property, real and personal, shall be particularly set out in such returns, and all articles of property upon which any specific tax may be imposed, shall also be particularly set forth; and all property mentioned, as aforesaid, in said return, except real property, and property specifically taxed, shall be returned at the current or market value thereof, on the first day of January next preceding the time of such return, or such other time as may be required by ordinance.

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

Property to be returned at the current or market value on 1st Jan'ry.

6. The person making such return, either for him or herself, or as agent for any other person or persons, or for any corporation, shall be required on making the same, to take



and subscribe the following oath or affirmation, viz: "I (A. B.) do solemnly swear (or affirm) that the return I now give in is a full, true and particular account of all the property, real and personal, subject to taxation within and under the ordinances of the City of Savannah, except such as I have been required to return at some other time, which I owned, or had charge of, or possession of, on the first day of January of the present year, in my own right, or in the right of any other person or persons, or corporation, as parent, guardian, executor, administrator, trustee, agent, or in any other manner whatsoever; and that the property to which I have been required to affix a value in said return, is not worth more than the value I have therein affixed to it, to the best of my knowledge and belief. So help me God." And in all cases where a return of any property, profits, income, or calling, or occupation whatever, is required to be made, the person making such return, whether he or she make such return in his or her own name, or as agent of any other person or persons, or of any corporation, or as a presiding officer of any corporation, shall, in like manner, be required to swear to the truth of such return.

Oath of person making the return.

Treasurer to preserve returns and keep an alphabetical digest, etc.

7. It shall be the duty of the City Treasurer, to preserve all such returns, and to keep an alphabetical digest of all persons and property subject to taxation, arranged according to the classification prescribed, with the value thereof, where the value is required, whether such value be determined by assessors, as prescribed, or by the oath of the party returning the same, and with the name of the person returning the same; leaving a column in which shall be set down the amount of tax that each person shall be required to pay; and such digest shall include all specific taxes whatsoever, at whatever time such specific taxes may be required to be paid; and it shall be the duty of the said Treasurer to have the said digest completed on or before the first day of March in each year, and to return the same forthwith to the Mayor of said city.

Digest to be completed on 1st March, to be returned to Mayor.

Treasurer to insert amount of taxes, give notice, etc.

8. It shall be the duty of the said Treasurer, within ten days after the confirmation or ratification of such assessment by the said Mayor and Aldermen, to complete his digest by inserting therein the amount of taxes to be paid by each and every person or persons, and corporation; and immediately

upon the completion of the same, to give public notice, by advertisement in all the public gazettes of the city, of the time when his office will be open for the receipt of taxes.

To issue executions and deliver such executions to the Marshal.

9. It shall be the duty of the said Treasurer, immediately after failure by any person to pay his or her taxes, to issue executions against all persons, or corporations, who may have neglected or refused to pay their said taxes, for the amount of taxes due by him, her, or them, and he shall deliver all such executions to the Marshal of said city, taking his receipt for the same, in which said receipt shall be specified the name or names of the person or persons, or corporation, against whom the said execution shall be issued, and the date thereof, and the amount due on the same, and the Treasurer shall be entitled to receive the sum of fifty cents for every such execution, from the person or persons, or corporation, against whom the same shall be issued, and he shall also be entitled to receive the sum of fifty cents for every execution issued by him under the provisions of any ordinance, from the person or persons, or corporation, against whom the same shall be issued.

Fees on executions.

Treasurer's other duties.

10. SYNOPSIS OF TREASURER'S DUTIES NOT MENTIONED ABOVE.

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

Bond, $20,000. To give bond in the penal sum of $20,000 for the faithful performance of the duties of his office.

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

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



City Court. To receive from the Clerk of the City Court his quarterly return of city tax fees.

City Domain. To receive from purchasers of city lots, the twenty per cent. of valuation and increase money bid therefor, and give receipt therefor endorsed on the title; to collect from owners of city lots, their quarterly or other payments of ground rents.

Dogs. In taking tax returns, to administer the oath relative to dogs.

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

Jailer. Every two weeks to receive the returns and payments from the Jailer of all sums received by him as Jailer, and preserve the returns on file in his office.

Market stalls. To receive from the City Marshal a statement of the rents or sales (together with the moneys) of market stalls, and every

Market fees. week to receive from the Clerk of the Market all moneys which he may receive as such clerk.

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

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

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

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

Ordinance 10th August, 1864.

Election of Assistant Treasurer. 11. Council shall, at the first regular meeting of Council in January of each and every year, elect an Assistant Treasurer, who shall give a bond with two approved securities in the

penal sum of ten thousand dollars, conditioned for the faithful performance of his duties, and shall receive for his services at the rate of eighteen hundred dollars per annum.

Assistant Treasurer subject to direction of Treasurer.

12. Said Assistant Treasurer shall be subject to the direction of the Treasurer, and competent to perform any of the duties of the office to which he may be assigned by the Treasurer, and shall be amenable to Council in the same manner as the Treasurer.

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## ARTICLE XVIII.

# COAL AND WOOD.

### ORDINANCES.

1. Coal to be sold by weight—2240 pounds for a ton.
2. Duty of Police Officers to inform against offenders.
3. Coal to be sold by weight except that measured by government, and cargo sales to retailers.
4. Duties of each weigher.
5. Wood to be sold from rack or wagon, and same to be stamped by weigher of coal.
6. Penalty $30, or any less sum.
7. Wagons to have badges.
8. Wood rack on wagon to be so arranged as to show true measurement, or not to be stamped. Stamp good for one year.
9. Coal or wood wagon, or wood rack if altered, to have a new stamp.

### ORDINANCES, AS AMENDED.

Ordinance 6th March, 1856.

Coal to be sold by weight—2240 lbs. for a ton.

1. That from and after the first day of May, 1856, all coal shall be sold by weight, and that 2240 lbs. shall be demanded for a ton, and that any seller of coal failing to have the same sold in accordance with this article, shall be fined the sum of thirty dollars for each offence.

Penalty $30.

Police officers to inform against all offenders.

2. It shall be the duty of all police officers to inform against all offenders of this article, and that all fines collected shall be divided between the city and the informer.



Ordinance 30th December, 1858.

Coal to be sold by weight, except, etc.

3. That his Honor the Mayor cause to be selected a suitable site on which to erect a platform and put up scales and other necessary appurtenances, for the weighing of all coal sold in the city, except such as is sold from ships or vessels arriving from foreign ports and sold by government measure, and such other coal as is sold by the cargo to retailers; which said platform and scales shall be put up at the expense of the city.

Coal weigher, duties, fees, etc.

4. That the City Council shall elect a Weigher of Coal, to hold his office for one year, who shall give bond in the sum of one thousand dollars, with good security, and be sworn to the faithful discharge of his duties, as set out in this article, and also shall weigh all coal sold by retail to consumers in the city, on the said platform and scales; for which service the said Weigher shall receive sixteen cents for every ton so weighed, one-half to be paid by the seller, and the other half to be paid by the purchaser; and it shall be the duty of the Weigher in all cases to furnish to the buyer a statement, in writing, of each load weighed, as aforesaid; and that the Weigher may, on ascertaining the weight of any wagon employed in carrying coal, stamp on such wagon the true weight as the tare to be allowed on weighing coal in that wagon, and which shall be good for one year, and for which the owner of the wagon shall pay said Weigher fifty cents.

Platform scales.

Wagon weighed and stamped.

Wood to be sold from rack or wagon, and same to be stamped by weigher of coal.

5. That each seller of wood in the city, shall supply himself with a wood rack or wagon, on which shall be stamped the city mark, the same to be impressed by the Weigher of Coal; and no person shall be permitted to sell wood in said city, except from such wood rack or wagon, on which shall be clearly marked the quantity of wood to be contained therein, whether by the cord, half, or quarter cord; and the owner of every such rack or wagon shall pay to the Weigher of Coal, for every such stamp or impression, the sum of fifty cents.

Penalty $30.

6. That every seller of coal or wood, who shall vend or sell the same, without having first had such coal weighed or such wood measured, as aforesaid, shall, for every such offence, forfeit and pay to the city the sum of thirty dollars or any less sum, and the Weigher of Coal shall be subject to the same penalty for every refusal, when called on to perform any of the duties hereinbefore required of him.

Wagons to have badges.

7. That the owner of every wood wagon contemplated by this article, shall be compelled to take out a badge, as in the case of other wagons, and pay for such badge the sum of eight dollars and fifty-six cents, if drawn by one horse, and fifteen dollars and fifty-six cents if drawn by two horses, to the Clerk of Council, under the same penalty as in other cases of refusal to take out a badge.

Ordinance 2d August, 1860.

Arrangement of wood rack or wagon.

8. Every wagon or wood rack shall be so divided or set off into compartments, or otherwise so constructed, as to show, by easy measurement, the precise lawful length, width and height of every cord, half and quarter cord of wood offered for sale; and that no wagon or wood rack shall be stamped by the Weigher of Coal, unless so divided or set off; and such stamp shall be good only for one year from the time of stamping.

Stamp good for one year.

If altered to have a new stamp.

9. That when any coal wagon shall be so repaired or added to as to change its weight, the owner or employer of the same shall immediately have the same re-stamped—such re-stamping to be good only for one year from its date; and the like provision as to re-stamping shall apply to every wood wagon or rack, where the repairs or alterations of the same shall diminish the capacity of any of the compartments; and it shall always be in the discretion of the purchaser of coal or wood, to have such re-weighing of the coal wagon, and re-measurement of the wood wagon or rack, unless the same be re-stamped immediately after such repairs or alterations.



# ARTICLE XIX.

## COTTON, RICE, ETC.

### STATUTES, IRWIN'S CODE.

1. Ownership of Cotton not changed until paid for.
2. Penalty for failing to pay for cotton, etc.
3. Penalty for failing to pay accepted draft or bill of exchange
4. Not to be convicted—when.
5. Acceptance prima facie evidence.
6. Copartners when liable.
7. Oath of Weigher.
8. Oath when taken to be filed in Ordinary's office.
9. Tare on Rice.
10. Tare in other cases.
11. No deduction for turn of scales.
12. Corporate authorities may make further provisions for weighing.

### ORDINANCES.

1. One of the weighers of cotton, etc., to be located in Market square.
2. Cotton, etc., to be weighed on application.
3. No applicants. Cotton, Rice and Lumber pay no city tax.
4. Cotton or other merchandise not be landed at any of the public wharves, or remain in any street, etc., longer than six hours, or when wet exposed in the streets, etc., or when injurious to health. Free passage of citizens not to be interrupted by Cotton, etc.

### STATUTES, IRWIN'S CODE.

Ownership of cotton, etc., not changed until paid for.

1. §1589. Cotton, corn, rice, or other products sold by planters and commission merchants on cash sale, shall not be considered as the property of the buyer, or the ownership given up, until the same shall be fully paid for, although it may have been delivered into the possession of the buyer.

Penalty for failing to pay for cotton, etc.

2. §1590. Any person engaged in the business of buying such commodities, either on his own account or for others, who shall buy such on sale from a planter or commission merchant for cash, and shall fail or refuse to pay for the same, and shall make way with or dispose of the same before he

shall have paid therefor, shall be deemed guilty of fraud and embezzlement, and shall be liable, on conviction, to be imprisoned in the penitentiary for a term not less than one year, nor more than five years, at the discretion of the court.

Penalty for failing to pay accepted draft or bill of exchange.

3. §1591. [If any person shall accept in writing any bill of exchange or draft, drawn upon him, in the body of which bill or draft shall be specified the amount for which it is drawn, and the time when it is payable, and that it is drawn against certain bales of cotton, enumerating them and referring to their marks on the margin, and that the same were sent to the drawee of said bill or draft, subject to the payment of said bill or draft to the payee or his order, to whom the title to said cotton was conveyed, and after such acceptance, shall fail or refuse to pay to such payee or his order, when the bill or draft shall fall due, the full amount of the proceeds of the sale of said cotton, if sold by such acceptor, or shall fail or refuse to deliver to the payee or his order, the bales of cotton specified in said bill or draft when demanded, after non-payment of said bill or draft, then such acceptor shall be guilty of a high misdemeanor, and, on conviction, shall be punished by confinement in the penitentiary for not less than one, nor more than five years, at the discretion of the court.]

Not to be convicted—when.

4. §1592. [No person shall be convicted under the provisions of the preceding section, if he can show that the cotton received by him was destroyed by accident, or that he was fraudulently or forcibly deprived of the possession thereof, or of the value of the same after it was sold.]

Acceptance prima facie evidence.

5. §1593. [The acceptance in writing of the bills of exchange or drafts, specified in section 1591, shall be held as *prima facie* evidence of the value of the receipt by the acceptor of the cotton specified therein, and *prima facie* evidence of the value being the amount specified in the bill or draft.]

Copartners—when liable.

6. §1594. [If such bill or draft shall be drawn on, and accepted by a mercantile co-partnership in the name of the firm, each of the co-partners shall be held *prima facie* liable to all the provisions of the three preceding sections.]

Oath of one weighing cotton and rice.

7. §1595. It shall not be lawful for any salesman, or other person, in any of the cities, towns, or villages of this State, or at any rail road station or depot, to weigh any bale, bag, or



package of cotton, tierce or half tierce of rice, or any other article of produce disposed of by weight, without first taking and subscribing an oath before some person authorized by law to administer it, that he will justly, impartially and without deduction, weigh all such produce and all other articles of produce disposed of by weight that may be shown to him for that purpose, and tender a true account thereof to the party or parties concerned, if so required. The weigher may, nevertheless, make such deductions for wet weather, or other cause which may be reasonable, when the seller or his agent shall thereto consent, and for such tare as may by law be allowed; but no tare shall ever be allowed on bales of unmanufactured cotton, except the usual deduction of two pounds from the weight of every bag of cotton having knobs or tugs thereon.

Oath when taken to be filed in Ordinary's office.

8. §1596. Such oath, when taken, must be filed in the Clerk's office of the Inferior Court [now Ordinary], and a minute made thereof; and if any person weighs such produce without having taken and filed such oath, he, and the factor or person who may employ him, are liable each twenty dollars for every bag of cotton, five dollars for every tierce of rice, twenty-five cents for every bushel of corn, and one-third the value of any other product so weighed—one-half to go to the informer, the other half to the educational fund of the county.

Tare on rice.

9. §1597. The tare to be allowed on rice shall be the actual tare as nearly as can be determined, except in cases of the sale of a single tierce, half tierce, or barrel, when a tare of ten per centum shall be allowed, unless otherwise agreed on between the buyer and seller.

Tare in other cases.

10. §1598. In other cases where tare is usually allowed, the actual tare as nearly as the same can be ascertained, shall be allowed, except where the seller and purchaser may expressly agree upon a different rule.

No deduction for turn of scales.

11. §1599. It shall not be lawful for any purchaser or weigher to make any deduction from the weight of any article for or on account of the draft or turn of the scales or steelyard, under a penalty, for every such offence, of five hundred dollars, to be recovered in any court having jurisdiction, one-half to go to the informer by whom the suit may be brought, and the other half to the use of the county where the offence may be committed.

Corporate authorities may make further regulations for weighing, etc.

12. §1600. 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 Inferior Courts [now Ordinaries] of the respective counties shall have the same power, to be exercised outside the jurisdictions of said incorporated cities and towns; but until altered by such authorities or courts, fees for weighing shall be such as are now fixed by law.

## ORDINANCES, AS AMENDED.

Ordinance 15th March, 1857.

One of the weighers of cotton, etc., to be located in Market square etc.

1. One of the weighers of cotton, rice, tobacco, and other goods, appointed under and by virtue of this article, shall be located in Market square, and the others at convenient places, whose duty it shall be, upon application for that purpose made to them, to weigh all such cotton, rice, tobacco, and other articles presented, for which they shall severally be entitled to

Fees.

the following fees, to be paid by the person selling the same: for each bale of cotton, 6¼ cents, including labor at the scales; for each tierce of rice, 6¼ cents; for each hhd. tobacco, 6¼ cents; and for other goods agreeably to rates prescribed in the usual rules of the Chamber of Commerce.

Cotton, etc., to be weighed on application.

2. All cotton, rice, or tobacco may, at the direction of the purchaser, seller or shipper, be weighed by any one of the weighers appointed by virtue of this article, whose duty it shall be, on application being made to him, to weigh said articles.

Cotton, rice and lumber pay no city tax

3. Cotton, rice and lumber pay no city tax, except on gross sales by commission merchants—one tenth of one per centum.

Landing of cotton, etc.

4. Cotton or other merchandise cannot be landed at, laid upon, or shipped from any or either of the public docks, wharves, or landing places within the city; nor can the same be laid, or suffered to remain in any square, street, lane, or alley, longer than six hours; nor can the same, when damaged by rain or water, be exposed while in its wet condition in any public place, without the permission of the Mayor or acting Mayor; nor can the same, when so wet, be exposed in any of the lanes; nor can hides or other merchandise, which may be



injurious to health, or disgusting to the smell of the citizens, be so exposed; nor cotton not packed in bags. Nor can any person "obstruct, block up, or in any manner interrupt with cotton or other merchandise, the free passage of any citizens, on foot or horseback, or in a carriage, through any of the public squares, streets, or places whatever," under penalty of "a fine not exceeding one hundred dollars for each and every offence."

Free passage of streets not to be interrupted.

Penalty $100.

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# ARTICLE XX.

# CRUELTY TO ANIMALS.

## ORDINANCES.

1. Overloading any animal—working any lame beast—cruelly beating any beast, any person convicted shall be fined not exceeding $30.

2. Load for four horses 10,000 lbs. for paved roads; 4480 lbs. off; others in proportion to number of horses.

## ORDINANCE, AS AMENDED.

Ordinance 20th December, 1849.

Overloading any animal, working any lame beast, cruelly beating any beast.

1. It shall not be lawful for any person or persons to overload any animal or animals of burden used within the city, for the transportation of persons, goods, wares and merchandise, nor to use, work or employ, in any manner, any bruised, maimed, or lame beast of burden, nor to cruelly beat, bruise, ill use or in any manner torture any beast of burden, and if any person shall be convicted of violating any of the provisions of this section, he or she shall be fined in a sum not exceeding thirty dollars.

Fine $30.

Load for four horses.

2. No four horse wagon, dray, cart, truck, or other vehicle, shall be permitted to be loaded with more than ten thousand pounds weight, passing over any paved road, nor more than four thousand four hundred and eighty pounds when off the

Others in proportion as to number of horses. Penalty $5.

same, and all others to be regulated by the same rule, in proportion to the number of horses used, under a penalty of five dollars, to be recovered by information before the Mayor, or acting Mayor presiding at the Police Court; one half to the informer, the other half to the city.

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## ARTICLE XXI.

## DISORDERLY CONDUCT.

### ORDINANCES.

1. Disorderly, improper, or riotous conduct, or keeping disorderly house, fine $100 or thirty days imprisonment, or both.
2. Disorderly conduct at fire—sent to guard house or jail until fire is extinguished, and then may be discharged on recognizance to appear before Police Court.
3. Disorderly conduct in house or enclosure forbidden. Penalty, $100 or imprisonment, or both.
4. Duty of officer or private of Police force to request admission—if admission refused, the person having control deemed the offender.

### ORDINANCES, AS AMENDED.

Ordinance 2d June, 1854.

Disorderly, improper or riotous conduct, or keeping disorderly house.

1. Any person who shall, in the night or day, disturb the peace and quiet of the city in any manner whatsoever, or shall be guilty of any riotous, disorderly, or improper conduct, 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 dollars, or be imprisoned not exceeding thirty days, or both, at the discretion of the Mayor, or person or persons presiding at the Police Court; each day's keeping of a disorderly house to be considered a separate offence.

Disorderly conduct at fire

2. Any person who shall, at a fire, disturb the peace and quiet of the city, or disobey the orders of the Mayor or Chief



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 Mayor, 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 or other acting Engineer. Recognizance.

Ordinance 16th February, 1870.

Disorderly conduct in house or enclosure forbidden.

3. That hereafter 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 dollars, or be imprisoned not more than thirty days, or both, at the discretion of the said Police Court. Penalty $100 or imprisonment, or both.

Duty of any officer or private of police force to request admission, if admission refused the person having control deemed the offender.

4. That 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 in the 3d section of this article mentioned and prescribed.

# ARTICLE XXII.

## DISORDERLY DRIVING OR RIDING.

### ORDINANCE.

1. Fast riding or driving—loaded vehicles not faster than a walk—unloaded vehicles moderate trot, corners, narrow streets, wharves in a walk.
2. Not lawful for vehicles to be driven so near each other as to prevent the free passage of persons crossing the streets.

### ORDINANCE, AS AMENDED.

Ordinance 6th June, 1839.

Fast riding, fast driving, etc.

1. 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 wide streets: *Provided, nevertheless,* that the drivers thereof shall not be allowed to turn corners, or proceed through narrow streets, or on wharves, in any other manner than in a walk; and any person violating any of the provisions of this section, or the owner or owners of such vehicle, shall, on conviction, be fined in a sum not exceeding one hundred dollars, or thirty days imprisonment.

Not lawful for vehicles to be driven so near each other as to prevent the free passage of persons crossing the streets.

2. It shall not be lawful for vehicles to be driven so near each other as that there shall not be opening sufficient between for the free passage of persons crossing the streets. For violation of this section, fine not exceeding thirty dollars, or imprisonment not exceeding ten days.



# ARTICLE XXIII.

## DOCKS AND WHARVES.

### STATUTES.

1. Water line of Wharf Lots established.
2. Canal street established.
3. Canal street a public street.
4. Owners and occupiers of wharves in Savannah allowed to charge for wharfage.
5. Line of Wharf head at the entrance of channel of the Savannah river granted by the State to the City of Savannah.

### ORDINANCES.

1. Fires not to be made on Docks, Wharves, nor vessels to be careened and fire used thereat.
2. Pitch, tar, turpentine, not to be stored on any wharf, except at certain places hereinafter designated.
3. Penalty.
4. Not more than four gallons of pitch, tar, etc., to be boiled on wharves.
5. Wharf lot fronts, how built.
6. Depositing boards, lumber, firewood, etc., on public docks or wharves, or landing at or shipping therefrom any cotton, rice or other merchandise, etc., penalty $100.
7. Making boats or water crafts fast to wharves or docks, or landing oysters, etc., thereat.
8. Parapet walls. Erect and repair bannister not less than 3 feet high.
9. Penalty $100.
10. Speed of steamboats in passing wharves 5 miles per hour. Fine $30.
11. Savannah Steam Rice Mill Co. to control wharf leased.
12. No wooden building or shed under bluff or on wharf. Penalty $50.
13. Grant to Usina & Jones for a dock for repairing of damaged vessels, of portion of Hutchinson's Island. Conditions of grant.
14. Ordinance not to go into effect until conditions complied with.
15. On failure of Usina & Jones to carry out the terms and conditions, they forfeit lease and all work and material put up and done in and about said dock.

# STATUTES.

## WHARVES.

State Law, assented to 21st December, 1833. Pam. 326.

Water line of wharf lots established.

1. That the water line of wharf lots in the City of Savannah shall be, and the same is hereby permanently established as the same is set forth in the report of the Commissioners, which report is in the words and figures following, to wit:

Report of commissioners

STATE OF GEORGIA,
*City of Savannah.*

WHEREAS, by an act of the Legislature of the State of Georgia, passed on the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and thirty-two, entitled "An Act to make permanent the water line for certain wharves in the City of Savannah, to lay out a street between Indian street and the said water line, and to appoint commissioners for carrying the same into effect," it was enacted that commissioners be appointed for the performance of certain duties, in manner and form, as will more particularly appear by reference to the said act. And whereas, in pursuance of the said act, the following commissioners have been appointed, to wit: Samuel B. Parkman, Richard R. Cuyler, Joseph W. Jackson and James Hunter, appointed by the Honorable the Mayor and Aldermen of the City of Savannah and the hamlets thereof; Peter Mitchel, Richard F. Williams and Francis Sorrel, appointed by the Commissioners of Pilotage for the bar and river Savannah; George Anderson, William Taylor and George Jones, appointed at a meeting of the owners and proprietors of wharf lots in the City of Savannah, commencing with the Steamboat Company's wharves, and including all wharf proprietors and owners eastwardly of the city, held at the Exchange, on the twenty-second day of January, one thousand eight hundred and thirty-three, after due notice of the said meeting having been published in the gazette called "The Georgian," and Robert W. Pooler, Gazaway B. Lamar and John Davidson, appointed at a meeting of the wharf proprietors and owners westwardly of the said Steamboat Company's wharves in the said city, held at the Exchange, on the sixteenth day of January, one thousand eight hundred and thirty-three, after due notice of said meeting having been published in the gazette called "The Georgian." *Now be it known*, That the said commissioners, after divers meetings by them held, and after consulting, advising and deliberating upon the subject matter committed to them by the aforesaid act, have determined upon, established, and report and hereby make known, that the water line of the harbor of Savannah shall be as follows, to wit: At the west, the said line shall commence at the following point, to wit: That point on a place known by the name of Vale Royal point, whence a line drawn from the northwest corner of Goodwin's wharf, shall form a tangent to the said place at its most northeastern point at high water mark; from the said described point, the said water line shall proceed eastwardly in a straight direction, to the eastern corner of the public dock at the foot of West Broad street, as it now stands built up, and thence along the line of the wharf heads as they now exist, to the east side of Telfair's upper wharf, known in the plan of Savannah as wharf lot number fourteen, west of Bull street; thence in a straight line to the west of Barnard street dock, thence along the line of wharf heads as they now exist, to the lower corner of the Savannah Steam Rice Mill wharf, thence to continue to the upper corner of the wharf head at present occupied by Frederick Willink, being the eastern side of Reynolds street dock, and thence along the said last mentioned wharf head, as it now stands, upon the course south seventy degrees east, until it strikes the marsh on the south side of the river Savannah, where it shall terminate.

Canal street established.

2. And the said commissioners have determined upon, and report and make known, that they have established a street between Indian street and the above described water line, to be called Canal street, which street shall have for its northern boundary, or boundary next to the river, a line commencing eastwardly at a point ten feet south by west of the southwest corner of the Steamboat Company's wharf, known in the plan of Savannah as wharf lot number ten, west of Bull street, thence the said line shall proceed westwardly in a straight direction, by forming a tangent to the southeast corner of Blake's Steam Rice Mill, which is situate on the wharf lot known in the plan of Savannah by the number five Yama-

craw, to the canal, and the south side of the said street be formed by a line thirty feet apart from and parallel to the said described northern line of the said street. And the said commissioners further report, that as the above mentioned landmarks of the water line are subject to dilapidation and decay, from the action of the tides and otherwise, they have caused to be drafted a diagram of the same, (which diagram also shows the said street,) having for its title these words, to wit: "A map of the water line of the harbor of Savannah and of Canal street, made in pursuance of an act of the Legislature, passed on the 24th day of December, 1832, and entitled 'An act to make permanent the water line for certain wharves in the City of Savannah, to lay out a street between Indian street and the said water line, and to appoint commissioners for carrying the same into effect', drafted to conform with the report of the said commissioners, and dated the 14th day of March, 1833, and which report is recorded and on file in the office of the Clerk of the Superior Court of Chatham County, and in the office of the Secretary of State," and which diagram thus described, represents the distances in horizontal measurement, of various points of the said water line, from various points on the lines of the Bay and Indian street, which last mentioned lines are adopted as permanent bases, and indices from whence the several points of the said water line may be ascertained. And to guard against injuries to arise from the loss or destruction of the said diagram, the said commissioners report the following measured distances from the lines of the Bay and Indian street, to the said water line, by which the latter, as now established, may at any time hereafter be ascertained, to wit: From the line of Bay street extended 1249 feet eastwardly, a line drawn at right angles 200 feet; from the line of Bay street extended eastwardly, a line drawn along the east side of Reynolds street 291 feet; from the east end of the line of Bay street down the west side of East Broad street 368 feet 6 inches; and the following measurements from the base line of Bay street to the said water line, to wit: From a point 335 feet west of the west side of East Broad street 449 feet; from a point 423 feet west of the west side of East Broad street 454 feet; from a point 493 feet west of the west side of East Broad street 462 feet; from a

Diagram.

Report recorded in Clerk's office of Inferior Court.

Measured distances from the lines of the Bay and Indian street to the water line of the harbor of Savannah.



point 693 feet west of the west side of East Broad street 464 feet; from a point 793 feet west of the west side of East Broad street 455 feet; down the east side of Lincoln street dock 407 feet 6 inches; down the west side of Lincoln street 393 feet; from a point 153 feet west of the west side of Lincoln street 384 feet; down the east side of Abercorn street 360 feet 6 inches; down the west side of Abercorn street 359 feet; from a point 101 feet 4 inches west of the west side of Abercorn street 356 feet, to the head of the wharf on lot number four, east of Bull street; and 362 feet to the head of the wharf on lot number five, east of Bull street; down the east side of Drayton street 351 feet 6 inches; down the west side of Drayton street 349 feet; down the east side of Bull street 361 feet 6 inches; down the west side of Bull street 367 feet 6 inches; from a point 85 feet west of the west side of Bull street 369 feet 6 inches; from a point 140 feet east of the west side of Bull street 366 feet 6 inches; down the east side of Whitaker street 364 feet 6 inches; down the west side of Whitaker street 367 feet 6 inches; down the east side of Barnard street 406 feet 6 inches; down the west side of Barnard street 422 feet; and from a point 77 feet west of the west side of Jefferson street 528 feet; from the line of Bay street extended 33 feet westwardly, a line drawn at right angles to the eastern corner of West Broad street dock, as it now stands built up, 671 feet 6 inches; from the line of Bay street extended, to the west side of West Broad street, and thence down the west side of West Broad street 184 feet 6 inches, thence a line drawn 20 feet from and parallel to the south side of Indian street 1,512 feet, and thence a line at right angles to the point of intersection in the river with the said water line 803 feet 8 inches.

Done and certified, this 14th day of March, in the year of our Lord one thousand eight hundred and thirty-three, and in the one hundred and first year of the settlement of Savannah.

SAMUEL BRECK PARKMAN,
R. R. CUYLER,
JOSEPH W. JACKSON,
JAMES HUNTER.

PETER MITCHEL,
R. F. WILLIAMS,
FRANCIS SORREL.

GEORGE ANDERSON,
WM. TAYLOR,
GEORGE JONES.

R. W. POOLER,
GAZ. B. LAMAR,
JOHN DAVIDSON.

Canal street a public street.

3. That the street called Canal street, as laid out by the said commissioners, shall be and the same is hereby declared to be a public street, subject to the control and regulation of the Honorable the Mayor and Aldermen of the City of Savannah and the hamlets thereof, in the same manner as the other public streets, squares and lanes in said city.

## WHARFAGE, STORAGE, AND DOCKAGE RATES.

State Law, approved 22d December, 1829. (Cobb's Dig., p. 39.)

Owners and occupiers of wharves in Savannah allowed to charge for the wharfage, etc.

4. The several owners or occupiers of wharves in Savannah shall be allowed to charge, demand, and receive the several rates hereinafter mentioned, for the wharfage or dockage of vessels lying at the wharves for the landing of produce and other goods, and for the shipping of the same, and for the storage thereof, and no more; that is to say:

Rates of dockage, wharfage and storage.

| | $ cts. |
|---|---|
| Anvils, each | 3 |
| Anchors, five hundred pounds, and under twelve hundred pounds | 12 |
| Anchors, twelve hundred pounds | 18 |
| Anchors, upwards of twelve hundred pounds | 25 |
| Butts and casks, two hundred gallons and upwards | 25 |
| Barrels ale, apples | 3 |
| Barrels alcohol | 5 |
| Barrels beef, beer, bread, bacon | 3 |
| Barrels coffee, corn, cider | 3 |
| Barrels empty | 1 |
| Barrels fish, flour | 3 |
| Barrels gunpowder, one hundred pounds and upwards, | 5 |
| Barrels gunpowder, under one hundred pounds | 4 |
| Barrels gin | 5 |
| Barrels hams, herrings, or indigo | 3 |
| Barrels lime | 4 |
| Barrels molasses | 5 |
| Barrels nuts, or onions | 3 |
| Barrels oil | 5 |
| Barrels potatoes, pitch, plaster paris, porter, pork, pimento, pepper | 3 |
| Barrels rice, same in half barrels | 4 |



| | $ cts. |
|---|---|
| Barrels rosin | 3 |
| Barrels rum and other spirituous liquors | 5 |
| Barrels salt, sugar, turpentine, tar | 3 |
| Barrels vinegar, wine, whiskey | 5 |
| Barrels, halves and half quarter casks of liquors | 3 |
| Barrels, halves, of provision, ale, beer, cider, etc | 2 |
| Bolts bagging, canvass, duck, osnaburgs, (or per piece) | 2 |
| Boxes dry goods, upwards four feet square | 6 |
| Boxes dry goods, under four feet square | 4 |
| Boxes axes, candles, chocolate, cheese, cordials, dates, figs, glass of fifty feet, herrings, indigo, prunes, raisins, starch, segars, tin plate | 2 |
| Boxes lemons and oranges | 3 |
| Boxes sugar | 5 |
| Boxes tobacco | 3 |
| Bales cotton | 5 |
| Bales bagging, canvass, carpeting, blankets, and other dry goods | 5 |
| Bales deer skins | 5 |
| Bales hay | 6 |
| Bales empty bottles | 5 |
| Baskets, nets | 2 |
| Baskets oil, wine, cordial, &c | 2 |
| Bacon, per thousand pounds | 37½ |
| Bark, (tanners') per cord | 37½ |
| Bellows, (house) | 2 |
| Bellows, (blacksmith's) | 6 |
| Brick and tile per thousand | 25 |
| Bundles brooms, band-boxes, collars, hames, pans, scythes, spades, shovels, trees, vines, vises, &c | 3 |
| Bags almonds, coffee, cocoanuts, pepper, pimento, ginger | 3 |
| Bags grain | 1 |
| Bags shot | ½ |
| Ballast, per ton | 25 |
| Bale rope, per coil | 3 |
| Cultivators | 6¼ |
| Cornshellers | 6¼ |

| | $ cts. |
|---|---|
| Cambooses | 20 |
| Cheese, per hundred pounds, in bulk | 2 |
| Carriages of four wheels | 1 00 |
| Carriages of two wheels | 50 |
| Chairs (sitting) | 1 |
| Carboys vitriol | 3 |
| Cannon carriages | 3 |
| Cordage, per coil | 3 |
| Cannon of six hundred pounds and under | 25 |
| Cannon over six hundred pounds | 50 |
| Cables (chain) per ton | 25 |
| Coal, per ton | 35 |
| Crates crockery, onions, &c | 10 |
| Cabbages, per hundred | 12½ |
| Casks crockery, coffee | 8 |
| Casks cheese | 4 |
| Casks porter, six dozen and upwards | 8 |
| Cattle, bulls, oxen, cows | 25 |
| Demijohns, liquor | 2 |
| Demijohns, empty | 1 |
| Furniture, tables, bureaus, &c | 6 |
| Fish, dry, per hundred pounds | 2 |
| Furnaces, portable | 2 |
| Grain in bulk, barley, corn, peas, wheat, and other kinds, per hundred bushels | 25 |
| Hams, each | ½ |
| Hogsheads liquors, molasses, oil, &c., eighty gallons and upwards | 10 |
| Hogsheads, sixty gallons and upwards | 8 |
| Hogsheads sugar, one thousand pounds and over | 12½ |
| Hogsheads sugar, under one thousand pounds | 8 |
| Hogsheads coffee, seven hundred pounds and over | 10 |
| Hogsheads coffee, under seven hundred pounds | 8 |
| Hogsheads dry goods | 12½ |
| Hampers bottles | 6 |
| Hampers potatoes | 2 |
| Horses, mules, jackasses, &c | 37½ |
| Iron, bar and pig, per ton | 25 |



| | $ cts. |
|---|---|
| Iron, hollow ware, and other castings, each under forty pounds weight | 1 |
| Iron, hollow ware, over forty pounds weight, per one hundred pounds | 2½ |
| Iron grates, stoves, &c | 6 |
| Iron pots, kettles, and ovens with covers, dogs per pair, wagon boxes, per set, to be considered as one piece | 1½ |
| Jugs, jars, and other clay and stone ware | ½ |
| Jugs pickles, grapes, raisins, &c | 1 |
| Kegs nails, tobacco | 3 |
| Kegs, fifty pounds and under | 2 |
| Kegs, over fifty pounds | 3 |
| Kegs liquor, twenty gallons and under | 2 |
| Kegs powder, per twenty-five pounds | 2 |
| Kegs biscuit, crackers, lard, &c | 1 |
| Kegs paints, and others, same size | 1 |
| Kegs shot, lead, &c., per hundred pounds | 1 |
| Lumber, timber, boards and other sawed lumber, per thousand superficial feet | 30 |
| Lumber, mahogany, per thousand superficial feet | 40 |
| Lumber, pipe and hogshead staves, per thousand | 30 |
| Lumber, barrel staves, per thousand | 20 |
| Lumber, heading for pipes and hogsheads | 50 |
| Lumber, heading for barrels | 25 |
| Lumber, shingles | 12½ |
| Lumber, reeds and hoops, per thousand | 25 |
| Lumber, laths | 12½ |
| Lumber, lightwood, cedar posts and other logs, each | ½ |
| Nests tubs | 3 |
| Onions, per one hundred ropes | 12½ |
| Oranges, per thousand | 12½ |
| Pipes liquor, one hundred gallons and upwards | 12½ |
| Pipes liquor, of sixty gallons and upwards | 8 |
| Pipes liquor, halves, under sixty gallons | 6 |
| Pipes liquor, quarters, under forty gallons | 5 |
| Pipes liquor, eighths, under twenty gallons | 3 |
| Ploughs and cultivators | 6¼ |
| Pineapples, per hundred | 6 |
| Potatoes, per hundred bushels | 25 |

| | $ cts. |
|---|---|
| Paper, bundle of two reams | 5 |
| Paper, printing | 2 |
| Paper, wrapping, one ream, large size | 2 |
| Paper, wrapping, small, per ream | 1 |
| Paper, writing, per ream | 1 |
| Quarter casks, under forty gallons and over twenty | 5 |
| Salt in bulk, per hundred bushels | 25 |
| Salt in bags, per bushel | ½ |
| Stones, ballast and paving, per ton | 25 |
| Stones, mill, large, each | 25 |
| Stones, mill, small, each | 12½ |
| Stones, grind | 1½ |
| Stones, quern | 6 |
| Stones, marble, per ton | 50 |
| Sheep, each | 6¼ |
| Sofas, each | 12½ |
| Settees, each | 10 |
| Stills, two hundred gallons and over | 25 |
| Stills, under two hundred gallons | 12½ |
| Sugar boilers, large size | 12½ |
| Sugar boilers, small size | 6¼ |
| Tobacco in hogsheads | 20 |
| Tobacco in kegs and boxes | 3 |
| Tierces goods, sixty gallons and under | 8 |
| Tierces goods, forty gallons and under | 5 |
| Tierces rice, and halves | 4 |
| Trunks goods | 4 |
| Trunks, empty | 3 |
| Tea chests, fifty pounds and upwards | 5 |
| Tea chests, under fifty pounds | 3 |
| Tea chests, under twenty pounds | 2 |
| Wagons, large two horse | 50 |
| Wagons, small one horse | 25 |
| Wheelbarrows, each | 6¼ |
| Every other article in proportion to the foregoing rates. | |
| Goods lying on wharf more than two nights after two working days, to be subject to storage rates. | |
| Storage. Storage on cotton, per week, for the first and last week, and for each intervening week | 8 5 |



| | |
|---|---|
| Rice, per week | 6 |
| Tobacco, per hogshead | 20 |
| Every other article, the same as its wharfage. | |
| Dockage of vessels, per day, under one hundred tons, employed. Dockage. | 50 |
| Dockage of vessels under one hundred tons, when idle, | 1 00 |
| Dockage of vessels over one hundred tons, employed | 75 |
| Dockage of vessels, when idle | 1 50 |

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### WHARF HEADS.

State Law, assented to 22d December, 1857.

5. All the rights and interest in the State of Georgia in and to the line of wharf head recently erected at the entrance of the channel of the Savannah river, between Hutchinson and Fig Islands, by the General Government, are hereby transferred, granted and set over to the Mayor and Aldermen of the City of Savannah, any law to the contrary notwithstanding. Line of wharf head granted to the City of Savannah.

## ORDINANCES, AS AMENDED.

Ordinance 1st November, 1791.

1. No owners or occupiers of wharves, wharf lots, or public docks within the City of Savannah, shall suffer any fire to be made thereon; and that no person or persons whoever shall careen any vessel and use fire thereat, except at some wharf or place to the eastward of Andrew McCreadie's, or to the westward of Levi Sheftall's wharf. Fires not to be made on docks wharves, nor vessels to be careened and fire used thereat.

2. It shall not be lawful to or for any person or persons to store or lodge any pitch, tar, or turpentine on any wharf, or in any house, outhouse, store, or building whatever within this city, except at the several places hereinafter mentioned, limited and appointed for that purpose. All pitch, tar and turpentine, which shall or may at any time or times hereafter be brought to or landed in this city, shall and may be stored and lodged on any wharf lot situated and being to the westward of the wharf lot belonging to Mr. Mordecai Sheftall, at Yamacraw, whereon the tobacco inspection warehouses are built, and also on any wharf lot, or in any house, outhouse, store or building on any wharf lot situate and being to the eastward of Pitch, tar, turpentine not to be stored on any wharf except at certain places.

the wharf lot at present the property of Mr. Andrew McCreadie, and which lies to the eastward of the city, and at no other place or places whatsoever.

Penalty $30, etc.

3. If any person or persons shall in any wise offend against this article, or shall neglect or refuse to comply with the same, he, she, or they so offending, shall, for the first offence, forfeit and pay a sum not exceeding thirty dollars; and for every offence thereafter a sum not exceeding one hundred dollars, one half to the informer or person prosecuting for the same, and the other half to the use of the city.

Ordinance 8th December, 1806.

Not more than 4 gallons of pitch, tar, etc. to be boiled on wharves.

4. It shall not be lawful for any person or persons to boil, burn, or set fire to, or cause to be boiled, burned, or set fire to, any pitch, tar, turpentine, rosin, or oil, in any quantity over four gallons, above the lower line of James Wallace's wharf to the east, nor below the upper line of Bolton's Yamacraw wharf to the west.

Ordinance 19th August, 1839.

Wharf lot fronts, how built.

5. The fronts of all the wharf lots within the limits of the city east of West Broad street, shall consist of only double solid heads, and that the space between the two solid heads, shall be filled up with stone or wood, and that it shall be unlawful to erect any platform, stage or improvement in front of said wharf lots, other than double solid heads, to be built of solid logs or ranging timber, and filled up with stone or wood. And that any front or head, erected or set up in any manner, or of any materials different from those prescribed by this section, shall be taken down and removed by order of the City Council, and the expense of taking down and removing the same, shall be chargeable on the wharf, and recoverable by distress and sale of said wharf and improvements, in the usual manner; and any person offending against the provisions of this section, may be fined in a sum not exceeding one hundred dollars for each week such improper front or head shall remain.

Removal.

Penalty $100 a week.

Depositing boards, lumber, fire wood, etc. on public docks or wharves, etc.

6. 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 dollars for each and every offence, and the said articles may be seized and retained until the fine imposed be paid.

Proviso as to planters.

Penalty $100.

Making boats, etc., fast to wharves or docks, or landing oysters, etc., thereat.

7. It shall not be lawful for any person to make fast any boat or other water craft, or to land oysters, clams or other shell fish at any of the wharves or public docks in this city, other than at the public dock adjoining Wayne's wharf, and at the public dock fronting East Broad street.

Parapet walls.

8. All persons owning or erecting any parapet wall bordering on or ranging with any street leading to the river Savannah, or any of its wharves, or running at right angles, or in any manner diverging from said streets, shall at their expense erect, and at all times keep in good repair, a good and sufficient 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.

Erect and repair banister not less than 3 feet high.

Penalty $100.

9. All offenders against any of the provisions of this article, not otherwise specially provided for, shall be fined in the sum of one hundred dollars, and all encroachments on the public property, not specially enumerated herein, may be removed in the usual manner. And all penalties and fines (when not otherwise specially provided for herein,) shall be enforced and collected in the manner pre scribed by the existing charter and laws relating to the City of Savannah; and all fines when

collected shall be paid, one half into the city treasury, for the use of the city, and the other half to the informer.

Ordinance 28th November, 1844.

Speed of steamboats in passing wharves.

Fine $30.

10. No steamboat shall, while passing the line of wharves in the city, exceed in speed five miles per hour. Every steamboat so violating, the owner or owners thereof shall be subject to a fine not exceeding thirty dollars for each and every offence.

Ordinance 20th May, 1852.

Savannah Steam Rice Mill Company to control wharf leased.

11. The Savannah Steam Rice Mill Company shall, at all times hereafter, have privilege of occupying the river front of the wharf by vessels containing rice; any law, usage, or ordinance to the contrary notwithstanding.

Ordinance 30th October, 1856.

No wooden building or shed under bluff or on wharf.

12. It shall not be lawful for any person to erect any wooden building or shed under the bluff, or on any wharf lot between the eastern limits of the city and the Savannah and Ogechee Canal. Penalty not exceeding fifty dollars per day for each and every day such structure of wood shall remain up.

Ordinance 4th August, 1869.

Grant to Usina & Jones for a dock for repairing of damaged vessels of portion of Hutchinson Island. Conditions of grant.

13. The City of Savannah do grant unto Michael P. Usina and Marion Jones, of said city, for twenty-five years from the first day of March last, for a dock for the repairing of damaged vessels, and other similar purposes, all that piece or parcel of land, situate, lying, and being on Hutchinson's Island, opposite the said City of Savannah, commencing at the point on said island where the piling extending from the west end of Fig Island ends, running thence, at low water mark, west six hundred feet; thence north to the river dam; thence east along said dam six hundred feet, and thence south, to the place of beginning, on the following terms and conditions, that is to say: That the said parties or their representatives will pay into the city treasury of Savannah, annually, the sum of one dollar, that is to say, on or within twenty days after the first day of January, annually, during the continuance of this grant; further, that the said Usina and Jones will, within thirty days after the passing of this ordinance, give to the City of Savannah good and sufficient guaranty and security



for the faithful performance and execution of the work of completing the dock in every respect—the work to be begun within thirty days after the passing of this ordinance, if not already begun, and to be finished by the first day of March, in the year eighteen hundred and seventy-one; and the dock to be of a size sufficient to hold the largest size vessels that may come or be brought to Savannah, and to be furnished with the best modern improvements, apparatus, and appliances for carrying on the repairs of vessels, and doing all such other work as may be performed therein; the charges for docking not to exceed those current in the cities of Charleston, Wilmington (North Carolina), and in case of dispute as to such charges, the matter to be decided promptly by experts mutually chosen; and if in case said Usina and Jones, or their representatives, shall fail promptly to select an expert or experts on their side, then the Mayor of Savannah shall promptly and finally decide the matter. At the expiration of twenty-five years as aforesaid, the terms of the agreement and contract in this ordinance mentioned, shall be subject to revision, and the whole may be renewed on terms to be agreed on by the said City of Savannah and the said Usina and Jones, or their representatives.

Ordinance not to go into effect until conditions complied with.

14. That this ordinance shall not go into effect until the said guaranty shall have been entered into, with security aforesaid, to be approved by the Mayor of Savannah and the Chairman of the Committee on Docks and Wharves, and in and by which guaranty the said Usina and Jones, their and every one of their heirs, executors and administrators, shall be bound for the true and just fulfilment thereof; and it is also hereby expressly understood, and shall be so expressed in said guaranty, that the said Usina and Jones shall not assign or attempt to assign any right hereby granted to them, or by said guaranty to be specified, to any person or persons whatsoever, without the express consent of the City Council of Savannah, on pain of forfeiture of every such right.

On failure of Usina & Jones to carry out the terms and conditions, they forfeit lease and all work and material put up and done in and about said dock.

15. That if the said Usina and Jones, their heirs, executors and administrators, fail to carry out the terms and conditions, or any one of them, in this ordinance expressed, and in said guaranty to be mentioned, then in addition to the forfeiture or forfeitures hereinbefore mentioned or implied, they,

the said Usina and Jones, and their representatives aforesaid, shall forfeit to said corporation of Savannah, as well this lease as all the work and material put up and done in and about said dock, and said work and material, including all buildings, shall at once become the property of said city; and the provisions of this section shall be embraced in said written guaranty, as part thereof, and as one of the express conditions on which the said Usina and Jones and their representatives shall have the benefit of this ordinance.

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## ARTICLE XXIV.

## DOGS.

### ORDINANCES.

1. No dog to go at large without muzzle and collar with owner's name.
2. No dog to go within thirty feet of market in market hours.
3. Mayor may issue proclamation to kill dogs not accompanying owners or muzzled.
4. Penalty, how recovered.
5. Tax one dollar and fifty cents on each dog, and any person failing to make return liable to double tax.
6. Oath of persons making returns.
7. Every dog brought into the city after 1st January, tax, $1.50, and Marshal to report when no tax return is made.

### ORDINANCES, AS AMENDED.

Ordinance 11th April, 1839.

No dog to go at large without muzzle and collar, etc.

1. No dog shall be permitted to go at large within the said city, unless ~~he has~~ around his neck a collar, with the owner's name plainly expressed or engraved thereon; and if any dog is or shall be discovered going at large without being so muzzled, and without a collar, as aforesaid, the owner of such dog shall forfeit and pay a sum not exceeding five dollars for each and every such offence; and if any person be bitten or injured by any dog running at large, or without the enclosure of the

Fine $5.

Fine $30 if any person be bitten.

shi be muzzled in such manner as to prevent him from biting and also have



owner thereof, the owner of such dog, or the individual in whose enclosure such dog is usually kept, shall be fined in a sum not exceeding thirty dollars.

No dog to go within 30 feet of market in market hours.

2. No dog shall be permitted to be brought or come within thirty 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.

Fine $30.

Mayor, &c., may issue proclamation to kill dogs not accompanying owners, or muzzled.

3. The Mayor, or in his absence the acting Mayor, may, at any time in his discretion, issue his order in writing, to the Marshal, or City Constables, or any member or members of the Police Force, requiring them to kill and destroy, for such time as the order shall specify, any dog or dogs not accompanied by the owner thereof, or muzzled, as aforesaid, which may or shall be discovered or found in any square, street, lane or other open place within the limits of the city; and for a disobedience or neglect of such order, the said Marshal, or City Constables, or member or members of the Police Force shall be fined in a sum not exceeding thirty dollars, and for the second offence shall be fined in a like sum, and may be dismissed from office, and any person resisting and interfering with the said Marshal, or City Constables, or member or members of the Police Force in the proper discharge of their said duty, according to the provisions of this section, shall be fined in a sum not exceeding thirty dollars for each and every offence.

Neglect of order, Marshal fined $30.

Any one resisting Marshal fined $30.

Penalties, how recovered.

4. The penalties enacted by this article shall be recovered by the same process that the violation of the other articles are recovered.

Tax ordinances for 1871, and Ordinance 16th November, 1843.

Dog Tax.

Penalty.

5. On every dog, the annual tax of one dollar and fifty cents, including the price of a badge for each. And all dogs found running at large without such badge, shall be impounded, and if not reclaimed within forty-eight hours shall be disposed of. And it shall be the duty of the Treasurer to put every person on oath as to the number of dogs on his or her premises, and on the payment of the said tax, the owner or keeper of such dog or dogs shall be entitled to receive from the City Treasurer a license for such dog to run at large for one year: *Provided*, a collar shall be constantly worn by such

Duty of Treasurer.

License for one year.

Collar with owner's name.

dog, having the name of the owner legibly stamped or engraved thereon: *And provided, also,* that if at any time it shall be deemed unsafe to permit dogs to go at large, it shall

Proclamation for dogs not to go at large.

be the duty of the Mayor to issue a proclamation forbidding the same; and any dog found going at large, after such notice, and until such proclamation shall be revoked, shall be

Dog killed.

killed, and the owner or keeper thereof shall moreover be liable to a fine of ten dollars; and any dog found in any lot, or going at large contrary to this article, may be lawfully killed. Any person keeping any dog contrary to this article shall

Fine $10, &c.

be liable to a fine of ten dollars for every such offence, and for failing to make return of every dog liable to taxation, the

If no return double tax.

owner or keeper thereof shall be liable to double tax as in other cases.

Oath.

6. The following oath, in addition to the oath now prescribed by law, shall be taken by all persons making a return of taxable property in the city, viz: "And I, A. B., do further swear that there is no dog kept by me on my premises, (to which shall be added the following, where a dog or dogs have been returned,) except such as have been duly returned. So help me God."

Every dog brought into city after first January, tax $1 50.

Penalty $10.

7. Every dog brought into the city, shall immediately be reported to the City Treasurer, and a tax paid or license taken out for the remainder of the year, under a penalty of ten dollars on the owner or keeper of said dog, or the person on whose premises the said dog may be found, and any dog, at any time found in the city, shall be deemed and taken to be kept therein, and liable to tax aforesaid, and it shall be the duty of the

Duty of Marshal, etc.

City Marshal, City Constables, and Police Force to ascertain all such persons as have failed to make the return required by this article; and the Marshal or person giving the information shall be entitled to one half the penalty therein mentioned.



# ARTICLE XXV.

# DRAINAGE.

## STATUTE.

1. System of Drainage authorized. Damages to be assessed. Canal to be kept in order.
2. Obstructions to be removed.

## ORDINANCES.

1. Keeper of Drains.
2. Keeper to employ laborers when necessary.
3. Not lawful to put up building or improvement except upon grade ascertained by City Surveyor. Penalty $30 to $100.
4. Duty of City Surveyor to submit, etc.
5. Not lawful to put up any building on street, etc., until grade is ascertained and fixed.
6. Not lawful to make connection with sewer without permission of Council.
7. Conditions upon which permission may be granted.
8. Fees of City Surveyor.
9. Connection without permission, fine $100 per day.
10. Occupier of premises bound to keep connection in repair.
11. This ordinance not to conflict with State law.

## STATUTE.

State Law, approved 13th December, 1858.*

System of drainage authorized.

1. That the Mayor and Aldermen of the City of Savannah and their successors in office, are empowered and authorized to institute a system of drainage for the same, through any of the lands adjacent to the city into the Savannah river:

Damages to be assessed.

*Provided, however,* that the city shall pay such damages for land taken and right of way obstructed, as shall be assessed in the manner pointed out by the act of December 14th, 1835,

* Is this Statute repealed by sections 4756 and 4751 of Revised Code of Georgia? See Article First of this Code—title "City Charter."—*Compilers.*

amendatory of the charter of the Central Rail Road and Banking Company of Georgia, defining the method of assessing like damages: *And provided, also,* that when the said Mayor and Aldermen shall take and use any private canal, or portion of canal, as a part of such system, the said city shall be compelled to keep the same opened, and in such order as to protect the proprietors of adjacent lands: *And provided further,* that the contents of privies and water closets shall not be conducted or emptied into said drains or sewers.

Canal to be kept in order, etc.

Obstructions to be removed, etc.

2. That should said drain or sewers deposit obstructions or form a bar at its entrance into the river, it shall be the duty of the Mayor and Aldermen of Savannah aforesaid, to remove the same, upon ten days notice from the proprietors of adjacent wharf property, and also to indemnify the owners of adjacent wharf property for any damage sustained by the same.

## ORDINANCES, AS AMENDED.

Ordinance 1st April, 1868.

Keeper of drains.

1. That there shall be appointed a person whose duty it shall be to keep open, clean, and clear of obstructions the drains of the City of Savannah, situate and lying outside its taxable limits. Such person shall be known as Keeper of Drains.

Keeper to employ laborers when necessary.

2. That whenever, through accident or unavoidable cause, such Keeper of Drains shall not himself be able to do the work of keeping the drains open and clear, it shall be his duty to superintend and work such gangs of laborers as may be put under his charge to aid in such work. Such person shall be appointed monthly by the Chairman of the Dry Culture Committee, subject to the approval of the Mayor, and shall be paid fifty dollars a month for his services.

Ordinance 7th March, 1866.

Not lawful to put up building or improvement except upon grade ascertained by City Surveyor. Penalty $30 to $100.

3. It shall not hereafter be lawful for any person to erect or cause to be erected or put up, any building or improvement of any kind, within the corporate limits of the City of Savannah, except upon a grade to be approved by the Mayor or acting Mayor, after examination and under the direction of the City Surveyor, and any person offending against this section, shall, on conviction before the Police Court, be fined in



a sum not less than thirty nor more than one hundred dollars, besides which it shall be the duty of the Mayor or acting Mayor, forthwith to have such erection, building or improvement pulled down at the cost and charge of the person or persons putting up or causing the same to be put up.

Duty of City Surveyor to submit, etc.

4. To prevent obstructions of the proper drainage of the city, it shall be the duty of the City Surveyor to submit forthwith to the Mayor or acting Mayor, the plan of any piece or parcel of land within the corporate limits, which such Surveyor may be called or employed to lay off by the person or persons owning such land, and that for every failure or default in the premises by such Surveyor within forty-eight hours after such plan shall have been matured, he shall, on conviction before the Police Court, be fined in a sum not exceeding one hundred dollars, and may, besides, be dismissed from office.

Not lawful to put up buildings on streets, etc., until grade is ascertained and fixed.

5. It shall not hereafter be lawful for any person to put up any building or improvement on any public street, lane or way of said city, until or before the proper grade of such street, lane or way shall have been ascertained and fixed by the City Surveyor, 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 and otherwise dealt with, in the manner prescribed for offenders against the third section of this article: *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 City Surveyor.

Ordinance 21st August, 1867.

Not lawful to make connection with sewer without permission of Council.

6. It shall not be lawful for any person to tap or make connection with any sewer in the City of Savannah, for any purpose whatsoever, except by permission of Council, and upon complying with the following terms and conditions:

Conditions upon which permission may be granted.

7. *First.* Whenever a connection is made with any such sewer, it must be done under the personal supervision of the City Surveyor, or other competent person deputed by him,

and the person or persons at whose instance the connection may be made, shall be liable for any damage resulting therefrom.

*Second.* Permission to connect with such sewer or sewers, shall be confined to waste water from bath rooms and water closets, but in no case shall a privy sink be allowed such connection.

*Third.* The city shall receive for every such connection for a hotel or boarding house, the sum of twenty-five dollars, and for a private house, ten dollars, besides which the entire expense attending the making of such connection must be borne by the person or persons at whose instance the connection may be made.

Fees of City Surveyor, &c.

8. The fees of the City Surveyor, or other person by him deputed to supervise such work, shall be three dollars a day, for every day said Surveyor, or other person by him deputed, shall be engaged in such duty; such fees to be paid into the city treasury.

Connection without permission, fine $100 per day, etc.

9. If any person shall presume to make connection with any such sewer, except upon the terms and conditions aforesaid, such person so offending, shall, on conviction before the Police Court, be subject to a fine of not more than one hundred dollars a day, for every day such connection shall exist; besides which it shall be the duty of the Marshal, on the command of the Mayor, to stop such connection, at the expense and cost of the offender.

Occupier of premises bound to keep connection in good order.

10. The occupier or occupiers of premises from which such connection may be made with a sewer, shall be bound, at his, her or their own expense, to keep such connection in good order, under a penalty of not more than ten dollars for every day's default, besides which such connection not in good order, may be stopped, at the expense and cost of the offender.

This article not to conflict with State law

11. Nothing in this article contained shall be so construed as to conflict with the proviso of the act of the General Assembly, assented to on the 13th December, 1858, in regard to the conducting or emptying of the contents of privies and water closets into drains or sewers running through lands adjacent to the city.



# ARTICLE XXVI.

## DRY CULTURE.

### ORDINANCES.


1. Mayor to execute Dry Culture Contracts with proprietors of low lands.
2. Contracts to be delivered to Clerk of Council.
3. Survey of land, quality, and number of acres.
4. Seventy thousand dollars appropriated, payable in certificates or scrip.
5. Form of certificate.
6. The faith of the city and public property pledged.
7. Ground rents.
8. Ten thousand dollars paid annually.
9. Fifteen thousand dollars appropriated.
10. Duties of Dry Culture Committee.
11. Duties of Dry Culture Inspector.
12. Salary of Inspector.
13. Owner of low lands to drain; on failure to do so, Marshal may drain at owner's expense.
14. Inspector to report when drains require repairing, and Marshal shall notify owner and repair drains if owner neglects. Penalty on owner $5 per acre.
15. Money expended by Marshal recovered from owner.
16. Rice culture prohibited.
17. Penalty $100 per day.
18. Owners and tenants both liable.
19. Fines, how recovered.
20. Duty of Mayor to serve notice on owner to appear before Council.
21. On failure to appear or to show cause, Marshal to destroy rice.
22. Expense to be assessed on owner.
23. Action for violating Dry Culture Contract.
24. Springfield plantation, natural drainage.
25. Mayor to summon before Council any person impeding drainage.
26. Expense of removing impediments, &c., of drainage, collected by warrant of distress or action for damages.
27. Persons who had planted rice in ignorance of ordinance, to be relieved on payment of $25.
28. Duty of Mayor to enforce rigidly the ordinance of 29th May, 1848.
29. Rice planted in either dry or wet culture, to be cut down without resort to Council.

## ORDINANCES, AS AMENDED.

Ordinance 24th March, 1817.

Mayor to execute Dry Culture Contracts with proprietors of low lands.

1. The Mayor is authorized forthwith to sign and execute such contracts with the proprietors of the low lands in front and on the eastern and western extremities of this city as he, in conjunction with the Commissioners hereinafter appointed, shall approve; the condition of said contracts to be a perpetual change of the present wet to a dry culture, under such penalties and with such reservations as to occasional irrigations and overflowings of the land, as said Mayor and Commissioners may agree to and designate.

Contracts to be delivered to Clerk of Council.

2. As soon as the said contracts shall have been entered into and duly executed by the Mayor, with the advice and consent of the Commissioners associated with him, each of said contracts shall be delivered to the Clerk of Council, to be by him kept among the records of the Corporation, after the same shall have been recorded by the Clerk of the Superior Court of Chatham County.

Survey of land, quality, and number of acres.

3. Annexed to each contract there shall be an accurate and exact survey of the land upon which a dry culture is to take place, designating its quality and number of acres, which shall be referred to and specified in the contract.

$70,000 appropriated.

4. The sum of seventy thousand dollars be, and is hereby, appropriated for the purpose of complying with the payments which may be mentioned and contained in said contracts, and

How raised.

the said sum shall be raised and obtained in the following manner: The said sum shall be converted into stock to be

City Land Stock.

called "City Land Stock," and payable in certificates or scrip, signed by the Mayor and countersigned by the City Treasurer; each certificate shall have the following form:

Scrip.

5. "HEALTH AND PROSPERITY.

CITY LAND STOCK, }
SAVANNAH, March 31, 1817. }

The Corporation of the City of Savannah promise to pay the sum of dollars, due on contracts with the Mayor and Aldermen for a change of culture of low lands, with seven per cent. interest, payable semi-annually, from day of , the



principal to be extinguished by annual instalments within ten years, pursuant to the directions and provisions of an ordinance passed the 24th day of March, 1817."

The said sum of seventy thousand dollars shall be divided into certificates of one thousand, five hundred, and one hundred dollars each, and the Mayor is hereby authorized and directed to deliver to any member of said Board of Commissioners who may be appointed for that purpose by the Board, the certificates to the full amount of stock hereby created, to be by him deposited in any bank or banks of this city, and that such member of said board be, and he is hereby, also authorized to insert the name or names of payee or payees, and the date when interest is to commence, when a loan or loans shall become necessary.

City faith and property pledged.

6. The faith of the City of Savannah and the public property are hereby pledged as a security for the redemption of the aforesaid stock, to be effected within ten years as by the appropriation of the annual revenue and taxes of the city hereafter mentioned.

Ten years of taxes, &c.

Ground Rents.

7. In aid of the foregoing pledge for the purpose of paying the interest of said stock, and the gradual extinguishment of the principal, the rents of the city lots are hereby set apart and specifically appropriated.

When collected $10,000 annually paid over.

8. The annual surplus revenue of the city, together with said rents and other taxes shall be, when collected, paid over to the said Board of Commissioners by the City Treasurer to the amount of ten thousand dollars annually, to be by them so appropriated and applied as may within the time mentioned, honorably extinguish the interest and principal of the debt thus contracted by the Corporation of Savannah.

Ordinance 17th May, 1819.

$15,000 appropriated.

9. The further sum of fifteen thousand dollars be, and the same is hereby, appropriated for the purpose of complying with the payments which may be mentioned and contained in the contracts entered into between the City of Savannah and private individuals, for the change of culture on low lands in the neighborhood of Savannah.

Ordinance 24th May, 1822.

Dry Culture Committee duties.

10. A committee, composed of three members of the Board of Aldermen, shall be appointed by the Mayor immediately after the passing of this ordinance, and annually thereafter upon the election of a new Board of Aldermen, which shall be called the Dry Culture Committee, generally to superintend the examination of the rice lands in the vicinity of Savannah subject to the dry culture system, by contract, and particularly to report to Council each and every neglect of the contractors for the same to fulfill strictly their engagements with the city, and it shall also be the province of the said Committee of Dry Culture to recommend, from time to time, to Council such measures as to them may appear best calculated to give efficiency and utility to the dry culture system.

Ordinance 29th September, 1869.

Dry Culture Inspector to inspect once a month in May, June, July, August, September, and October, and report.

11. Hereafter the Dry Culture Inspector shall inspect the rice lands subject by contract to the dry culture system at least once a month during the months of May, June, July, August, September, and October, and at such other times as the Dry Culture Committee or the Mayor may direct; and further that it shall be the duty of said Inspector to report promptly to Council infractions of the State law and the ordinances of the city in relation to the cultivation of rice in and near the City of Savannah.

Compensation of Inspector.

12. The compensation of the Dry Culture Inspector shall be at the rate of fifty dollars per month, for every month in which he shall be engaged in the work of inspection as aforesaid.

Owner of low lands to drain, &c.

13. The owner or owners of low lands or grounds within the limits of the City of Savannah, at their proper expense, shall, before the first day of January next, drain the said low lands, and place the same in a dry state, and shall make, dig, cut, and open such ditches, drains, and canals, as shall be necessary for the draining the said lands, and keeping the same in a dry state, and shall make, throw up, and build such dams and mounds as shall be fit, able, and sufficient to resist and exclude from the said lands the waters from the inland swamps, streams, and ponds, and also the usual ebbing and flowing of the tides; and in case the owner or owners of any



On failure or neglect the Marshal to do so at owner's expense.

such low lands shall, on the day aforesaid, have failed or neglected to have drained the said lands, or shall have done the same ineffectually, or shall have failed or neglected to open, cut, dig, and make any canals, ditches, and drains, or to throw up, build, and make such mounds or dams as shall be sufficient to drain and keep the same in a dry state, and to resist and exclude from the said lands, the waters from the inland swamps, streams, and ponds, and also the usual ebbing and flowing of the tides, then and in such case it shall and may be lawful for the Marshal of the said city, and he is hereby empowered and required to cause the said low lands, or any part of them, to be drained in the manner herein contemplated, and to cause to be opened, cut and dug, such canals, ditches, and drains, as shall be necessary for the draining such low lands, and keeping the same in a dry state, and to cause to be thrown up and made such mounds and dams as will, in his opinion, be sufficient and able to resist and exclude from the said lands, the waters of the inland swamps, streams or ponds, and also the usual ebbing and flowing of the tides. And, if any person shall hinder, disturb, or molest the said Marshal, or the person or persons by him employed in the execution of his or their duties, such person or persons shall, on conviction, be fined in a sum not exceeding thirty dollars for each and every such hindrance, disturbance, or molestation.

Penalty for molesting, &c., Marshal, $30.

Dry Culture Inspector to inspect and report when requiring repair, &c.

14. It shall be the duty of the Inspector of Dry Culture from time to time, to visit and inspect the said low lands, and to report the situation of the same, and if at any time he shall report the same to be not well drained, or shall report the ditches and drains to the same to be foul or requiring repair, or the dams or mounds to be insufficient, then, and in such case it shall be the duty of the said Marshal, and he is hereby required to notify to the owner or owners of such lands the report of the Inspector, and to require him, her or them to remedy the evil complained of within fifteen days thereafter, and in case any such owner or owners of such lands shall fail or neglect to remedy the evils complained of within the time prescribed, then it shall be the duty of the Marshal to cause the same to be done in like manner as hereinbefore provided, and the said owner or owners shall be subject to a penalty of five dollars for each and every acre so reported to

Marshal to notify owner.

If owner does not remedy the evil in 15 days, Marshal to do so.

Penalty on the owner $5 per acre.

be not well drained, and which he, she, or they shall so fail or neglect to drain and put in proper order within the time prescribed, to be recovered in any court having competent jurisdiction thereof.

Money expended by Marshal, recovered from owner.

15. All sums of money expended by the Marshal in the execution of the duties required of him by this article, shall be recoverable by distress and sale of the goods and chattels of such offender or offenders, and may be recovered in any court having competent jurisdiction thereof.

Ordinance 26th January, 1826.

Rice Culture prohibited.

16. The cultivation or rearing of rice shall be, and is hereby, prohibited within the said extended limits of said city, or at any place within one mile beyond the present boundary of the same.

Penalty on person planting, &c., $100 per day.

17. Any person who shall plant, rear, or cultivate rice, or cause it to be planted, reared, or cultivated, in contravention of the provisions of this article, shall be subject, and is hereby made subject to a penalty of one hundred ($100) dollars for each and every day that he, she, or they shall so plant, rear, or cultivate rice, or cause it to be planted, reared, or cultivated, each and every day of such planting, rearing, and cultivating, being considered as, and is hereby declared to be, a separate and distinct offence.

Penalty on tenant or cultivator.

18. Whenever lands within the limits aforesaid, shall be planted or cultivated in rice, or attempted to be so planted or cultivated by any person or persons other than the owner or owners of such lands, that such owner or owners shall likewise be considered as offenders, within the intent and meaning of this article, and are hereby made subject, as well as the tenant or tenants, cultivator or cultivators of said lands, to the penalties hereinbefore recited.

Fines, how recovered.

19. All fines, forfeitures, and penalties incurred and imposed for a violation of the provisions of this article, shall be levied and collected by warrants of distress and sale of the offender's goods and chattels (if any to be found,) otherwise, of lands of such offenders, in manner and form established by law.



Ordinance 29th May, 1848.

Mayor, duty to serve notice on owner, &c.

20. It shall be the duty of the Mayor, whenever he shall receive information that rice is planted or cultivated upon any of the lands around the city, subject to dry culture contracts, to serve a notice upon the owner, tenant, or cultivator of the said land, or any person having the charge of the same, or his, her, or their agent, requiring the said person to desist from the said culture, and to destroy the said rice if growing, or to appear before Council at a time and place in such notice to be specified, not exceeding ten days from the date thereof, to show cause, if any they have, why the said growing rice should not be removed and destroyed as a nuisance.

If owner, tenant, &c., fail to appear.

21. If the said owner, tenant, cultivator or other person, shall not, upon the said notice, comply with the terms of the same, or shall fail to appear before Council, or if having appeared, no sufficient cause should be shown why the said rice should not be removed, and its culture abandoned; that in such case the said Mayor and Aldermen may direct the City Marshal forthwith to remove the said rice, and to destroy the same effectually, wherever it may be planted or growing on the said dry culture contract.

Expense to be assessed on owner.

22. The expense incurred by the city authorities in enforcing this article shall be assessed upon the owner of the land from which the nuisance shall be removed, and shall be collected by execution to be issued therefor, as in other cases of dues to the city.

Action for violating Dry Culture Contracts.

23. Nothing in this article shall be so construed as to prevent an action for, and recovery of damages for violation of the dry culture contracts between the owners of lands and the Corporation of Savannah.

Ordinance 29th August, 1850.

Springfield Tract, natural drainage.

24. That it shall not be lawful for any person or body corporate, by any embankment, dam or work to be erected, or which may have been heretofore erected across the natural channels of drainage of the said Springfield tract or any other tract, or in any other manner to impede the flow of water from the said tract through the drains which have been or may be constructed for the purpose of draining the said tract of land or through the natural channels and outlets thereof

to the Savannah river. And it shall be the duty of all persons or bodies corporate who may have lawfully acquired a right of way over said tract, or may have constructed embankments or dams across the said tract, to cause sufficient culverts to be built under the same, so that the drainage of said lands shall not be impeded.

Mayor to summon before Council any person impeding the drainage.

25. Whenever information shall be given to the Mayor of any impediment to the drainage of said lands, having been caused by any person or body corporate, it shall be the duty of the said Mayor to summons such person or corporation, or his or their agent, to appear before Council, and it shall be the duty of Council to investigate the said charge, and to pass such order for the removal of the said impediment to the drainage of the said lands, or for the construction of proper culverts, as the nature or exigency of the case may require, and for the protection of the health of the inhabitants of Savannah.

Duty of Council to investigate, &c.

Expense of removing impediments, &c., how collected.

26. When any person or body corporate shall impede the drainage of the tract of land aforesaid, or shall neglect or refuse, upon due notice, to remove their obstructions or to provide sufficient culverts through their embankments for the complete drainage of said lands, the expense of enforcing this article and of removing the said obstructions, and for providing sufficient culverts, shall be collected from such person or body corporate by warrant of distress or by an action on the case for damages.

Ordinance 1st September, 1869.

Persons who had planted rice in ignorance, &c., relieved on payment of $25.

27. That after the payment of a penalty of twenty-five dollars by such persons as had planted rice in ignorance of the ordinances, they are hereby relieved from the pains, penalties and forfeitures so incurred by them in the cultivation of rice in dry culture within the said forbidden limits, on condition, also, that the lands so cultivated be kept, during the remainder of the season, in the condition required by the dry culture contract and the ordinances of the city, and that this ordinance have no force or effect, except as to crops already planted and now growing within said forbidden limits.

Duty of Mayor to enforce rigidly ordinance of 29th May, 1848.

28. It shall hereafter be the duty of the Mayor, under the monthly report of the Inspector of Dry Culture, in the months of May, June, July, August, September and October, to enforce rigidly any violation of the ordinances of 29th May, 1848, and all other ordinances bearing upon the subject, in so far as it provides 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.

Rice planted in either dry or wet culture to be cut down without resort to Council.

29. The true intent and meaning of this ordinance being, that under the violation of the dry culture ordinances, rice planted in either dry or wet culture shall be immediately cut down by the order of the Mayor, without any resort to Council.



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## ARTICLE XXVII.

## EDUCATION.

### STATUTES.

1. Permanent Board of Education for Savannah.
2. Board of Education incorporated.
3. Control of buildings.
4. May demand and receive Educational fund, etc.
5. Name and style.
6. Declared to be a substitute.
7. Rights conferred by bill, how to be construed.

### ORDINANCES.

1. Mayor to appoint three Commissioners of the Massie School and Public School.
2. Commissioners to hold their offices until their successors are appointed.
3. Chatham Academy.
4. Forfeiture on failure to comply with conditions.

### STATUTES.

State Law 21st March, 1866.

Permanent Board of Education for Savannah.

1. That from and after the passing of this act, there shall be established in and for the City of Savannah, a permanent Board of Education, to be styled the "Board of Public Educa-

tion for the City of Savannah," whose design and purpose shall be the direction, management and superintendence of the public education of white children in the said city, between the ages of six and eighteen years.

Board of Education incorporated.

2. That 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.

Powers.

Control of buildings.

3. That 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 devesting or changing nevertheless the title of any of the said buildings or grounds, unless the same shall be distinctly conveyed to the said Board.



May demand and receive educational fund.

4. That 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 devest 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.

State Law 16th December, 1866.

Name and style.

5. That from and after the passage of this act, 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 to 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

Proviso.

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.

Declared to be a substitute.

6. That 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.

Rights conferred by bill—how construed

7. That 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.

## ORDINANCES, AS AMENDED.

Ordinance 16th May, 1866.

Mayor to appoint three commissioners of the Massie School and Public School.

1. That immediately after the passing of this ordinance, and at the first regular meeting of Council in January of each succeeding year, the Mayor shall appoint three Commissioners of the Massie School and the Public School, one of whom shall be the Mayor, when he is not a member of the "Board of Public Education for the City of Savannah and the County of Chatham;" and that said Commissioners may be selected from the Aldermen, or citizens, or both, as the Mayor may elect.

Commissioners to hold their office until their successors are appointed, etc.

2. That said Commissioners shall hold their offices until their successors are appointed, and shall unite with, and become part and parcel 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 21st, 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.

### CHATHAM ACADEMY.

Ordinance 22d December, 1859.

Lots 17, 18 and 19, Brown ward, &c., granted to Chatham Academy.

3. 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 the 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.

Proviso, for educating at least five pupils free of charge.

Forfeiture, on failure to comply with conditions.

4. That 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.

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NOTE.—The operations of Chatham Academy having been suspended during the war, and its means crippled, so as to prevent, in a measure, its accustomed share of work in public education, an arrangement has been made, by which, for the present, the use of the Academy building has been turned over to the above named Board of Education, thereby greatly facilitating the cause of public instruction.

# ARTICLE XXVIII.

## EXHIBITIONS.

### ORDINANCES.


1. No circus, concert, exhibition, music, show, theatrical representation, &c., without Mayor's permission.
2. Penalty $100 for performing or exhibiting without permission.
3. Duty of Mayor and Marshal.
4. Fines imposed shall be recovered by distrain and sale.
5. Tax on Savannah Theatre.
6. No ball or shouting within the limits of the city without written permission.
7. Exhibition prolonged beyond the time fixed by Mayor's permit, fine $25.
8. Policemen on duty on such occasions to be paid by Acting Manager.
9. In no case to be paid by city.
10. Mayor may shut up any place of public resort when in his judgment, the public tranquillity requires it.


### ORDINANCES, AS AMENDED.

Ordinance 14th February, 1799.

No circus, concert. exhibition, music, show, theatrical representation, &c., without Mayor's permission.

1. No person or persons whatsoever, shall within the limits of this city or of the jurisdiction of the corporation thereof, represent or exhibit in public, for money, gain or reward, any play, tragedy, comedy, farce, or interlude, pantomime, rope or wire dancing or walking, or other entertainment of the stage or parts therein, feats of acting in horsemanship or otherwise, wax work, curious animals, music, or other public show or entertainment whatsoever, without permission previously obtained from the 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

Application, &c., therefor.



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, before such permission shall be granted.

Payment therfor.

2. 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 article, publicly for money, gain or reward, without permission previously obtained as aforesaid, or if any person or persons, having obtained such permission, shall violate any condition or restriction under which the same may have been granted, he, she, or they so offending shall, for every such offence, forfeit and pay a fine not exceeding one hundred dollars each; to be applied, one moiety to the use of the city, and the other moiety to the use of the informer.

Penalty of $100 for performing or exhibiting, &c.

3. 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 warrant, directed to the City Marshal, 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 article, and if necessary may summon the police or citizens to assist him.

Duty of Mayor and Marshal.

Disperse audience, arrest and imprison performers.

4. The fines imposed in pursuance of this article shall be recovered by distress and sale of the offender's goods and chattels.

Ordinance 16th February, 1869.

Tax on Savannah Theatre $150.

5. That the several ordinances of said city, in relation to theatrical representations or exhibitions, be so amended as that such representations and exhibitions in the building known as the Savannah Theatre or Athenæum, shall not be subject to the taxes now required: *Provided,* the owners of said building shall pay the annual tax or sum of one hundred

and fifty dollars, and receive from the Mayor of the city a license of exhibitions for the year such tax may be paid.

Ordinance 24th January, 1866.

No ball or shouting within the limits of the city without written permission.

6. That 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 dollars fine 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.

Exhibition prolonged beyond the hour fixed by Mayor's permit, fine $25.

7. Every person giving a public ball or gathering, as aforenamed, who shall prolong the duration of the same beyond the hour fixed by the Mayor's permit, shall be subject to a fine of twenty-five dollars for each and every offence. The Mayor shall nominate and appoint a sufficient number of men to be policemen, and to form, under that denomination, a guard for theatres, public exhibitions, balls, and shoutings, in order there to receive and execute the orders and directions of the Mayor and officers of the police, as to what concerns the maintenance of good order in the aforesaid premises: *Provided*, that their number shall not exceed five men for each of such theatres, exhibitions, balls, or shoutings.

Policemen on duty on such occasions to be paid by acting manager.

8. The policemen on duty on such occasions shall be paid by the acting managers or other persons having direction of the said exhibition, at the rate of two dollars for each policeman thus employed; and every policeman on duty at a ball, gathering, or public exhibition shall be entitled to require from the person or persons giving said ball, gathering, or public exhibition the said compensation of two dollars.

In no case to be paid by city.

9. In no case shall the above mentioned service be at the expense of the city; and all persons are forbidden to oppose or disturb any of the aforesaid policemen in the legal execution of their office, or to utter against them invectives or opprobrious language in the discharge of their duty; and every person herein offending shall pay a fine of from ten to



fifty dollars, at the discretion of the Mayor, for every such offence.

Mayor may shut up any place of public resort when, in his judgment, the public peace requires it.

10. 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 tranquillity may, in his judgment, require it.

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# ARTICLE XXIX.

## FIRE.

### ORDINANCES.


1. Pitch, tar, &c., not to be set on fire, etc., except as to coopers, etc.
2. Penalty for erecting wooden buildings. Exceptions.
3. Not lawful to erect wooden buildings or sheds under the bluff, or on any wharf lot.
4. Elevating wooden buildings as high as ridge, etc.
5. Buildings for carrying on trades built and paved with brick, etc. and covered with incombustible material.
6. Penalty for removing wooden buildings without permission.
7. Wooden buildings, etc., encroaching, etc. No wooden buildings repaired without permission, etc.
8. Buildings and sheds to be covered with incombustible materials.
9. Removal of buildings on the same lot.
10. Mayor and Chief Engineer to move buildings they consider a nuisance.
11. Not lawful in one enclosure more than two hundred and fifty cords of wood; duty of Chief Engineer.
12. Lumber yards not more than 60,000 feet, or piled higher than 15 feet. Penalty.
13. Brick buildings over one story, walls twelve inches in lower and nine above, etc.
14. Buildings covered with incombustible material to be kept so. Penalty.
15. No removal of wooden buildings through the streets without permission, etc.
16. Officers of Fire Department and of Police to report neglects. Penalty.

17. Fire limits. Not lawful to erect any wooden building or shed under the bluff, or on any wharf between the eastern limits of the city and the Savannah and Ogechee Canal.
18. All ordinances in regard to the erection, etc., made applicable to fire limits.
19. Fire limits extended.
20. Wooden buildings may be erected within certain limits.
21. No petition to repair any wooden building within fire limits to be entertained, if such structure encroaches upon the line of any street.
22. Foundries not to be put up without permission.
23. Penalty.
24. How stoves shall be placed.

## ORDINANCES, AS AMENDED.

Ordinance 1st November, 1791.

Pitch, tar, &c., not to be set on fire, etc.

1. It shall not be lawful to or for any person or persons whomsoever, to boil, burn, or set on fire, or cause to be boiled, burned, or set on fire, any pitch, tar, turpentine, oil or other combustible matter whatsoever, 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, or blacksmiths, in pursuit of their several trades, and provided such persons shall make their fires in an enclosed building.

Except as to coopers, etc.

Ordinance 30th October, 1856.

Penalty for erecting wooden buildings, $50.

2. It shall not be lawful for any person to put up, build or erect any building or structure of wood, within the fire limits, under a penalty of not exceeding fifty dollars for each and every day such structure of wood shall remain up, except in cases hereinafter mentioned: *Provided,* that nothing herein contained shall prevent the erection of temporary places to protect building materials: *And provided, further,* that nothing in this article shall be so construed as to prevent the erection of wooden buildings not exceeding twenty feet in height, including the apex of the roof, in that part of the city known as Curry Town, bounded north by Jones street, and east by Montgomery street, prolonged to Gwinnett street, or the erection of open sheds within any of the city limits, so that such sheds be not more than one story, and be covered over with tin or other incombustible material.

Temporary places for building materials.

Exceptions.

Open sheds.



Wooden buildings or sheds under the bluff, etc.

3. In addition to the fire limits mentioned and defined in this article, it shall not be lawful for any person to erect any wooden building or shed under the bluff, or on any wharf lot between the eastern limit of the city and the Savannah and Ogechee Canal, under the penalty mentioned in the second section of this article.

Elevating wooden buildings as high as ridge.

4. Nothing contained in any part of this article shall be so construed as to prevent the owner of any wooden house from elevating any portion of the same as high as the ridge of the main building, provided the roof thereof is covered with tin, slate, or other incombustible material, and that the area covered by the original house be not increased; and that nothing in this article shall be so construed as to prevent the owner of any house from erecting porticos of any height or dimension, provided the roof be covered with tin or other incombustible material, and that such porticos do not encroach on any public street or lane: *And further,* that nothing contained in this article shall be so construed as to prevent the owner of any house from raising the same by adding thereto a brick or stone basement, provided the walls thereof are not less than a brick and a half or fourteen inches in thickness, and the roof of such house be covered with tin or other incombustible material, and the area covered by the original house be not increased.

Original area.

Porticos.

Raising house by adding brick basement, walls 14 inches, etc.

Buildings for carrying on trades built of brick and paved, etc.

5. It shall not be lawful for any person to put up and erect any house or building, for the purpose of carrying on and exercising the trade of a baker, brewer, distiller, sugar refiner, soap boiler, tallow chandler, chemist or cotton ginner, within the limits of the City of Savannah, unless the said house or building be built and paved with brick, or stone or tabby, and be covered with tin, slate, tiles, or some incombustible material, and that any person or persons who shall carry on or exercise either of the said trades in any building, which building shall not be built, paved and covered in the manner specified in this section, shall be subject to a fine of thirty dollars for each and every time such person or persons shall carry on or exercise either of the trades aforesaid.

Penalty $30.

Removal of wooden buildings without permission of Mayor and Aldermen, penalty $100.

6. No wooden building more than twenty feet high from the ground to the highest point of the roof, shall be removed from any one point within the fire limits as mentioned in this

article, to any other point within the same limits, or from any point without the said limits to any point within the same limits, without the permission of the Mayor and Aldermen for the time being, under a penalty of one hundred dollars on each and every person guilty of a violation of this section.

Wooden buildings, etc., encroaching.

7. No wooden house, building, shed, fence or structure of wood which encroaches upon any public street, lane, alley, or place within the limits of the City of Savannah, shall be considered as embraced within the provisions of the fourth section of this article, so long as such encroachments continue; that no wooden house, building, shed, or structure of wood, shall be repaired within the fire limits of said City of Savannah, unless permission therefor shall have been previously obtained from the City Council, on certificate in writing from the Chief Engineer, that such repairs will not amount to re-building of such house, building, shed or structure; and that whenever and wherever the repairs upon any wooden house, building, shed or structure shall exceed a moiety thereof, the same shall be held, deemed and considered a re-building under this article, and the Chief Engineer is hereby prohibited from granting the certificate mentioned in this section; and if any person shall violate any of the provisions of this section, he or she, on conviction before the Police Court, shall be fined in the sum of one hundred dollars per day, for each and every day such house, building, shed or structure shall remain repaired, altered, changed or improved in any way or manner whatever, contrary to the provisions of this section. And every mechanic, artificer, or other person, who shall be instrumental in the re-building, repairing, altering, changing, or improving in any way or manner whatever, any wooden house, building, shed or structure, contrary to the provisions of this section, shall, on conviction before the Police Court, be fined in the sum of one hundred dollars; one half of the fines imposed by this section to be payable to the informer, and the other half into the city treasury; it being understood that open sheds, mentioned in the second section, are not embraced in this section.

No wooden buildings repaired without permission of Council and certificate of Chief Engineer; if over a moiety no certificate.

Penalty $100 per day.

Mechanics, &c. engaged therein, penalty $100.

No open sheds.

Buildings and sheds to be covered with incombustible material.

8. Whenever any house, building, shed or structure hereafter to be built within the fire limits of the City of Savannah, shall be roofed or covered, it shall be roofed or covered with slate, tile, tin or other incombustible material, and that every



person violating the foregoing provision shall be fined in the sum of one hundred dollars; one half thereof to be payable to the informer, and the other half into the city treasury.

Penalty $100.

9. Any wooden building in the condition authorized by this article, may be removed from one part of a lot to any other part of the same lot, even though within the fire limits, provided the permission of Council be first had and obtained.

Removal of buildings on same lot.

10. It shall and may be lawful for the Mayor and Chief Engineer of the City of Savannah to cause any house, building, shed or structure, to be pulled down or removed whenever they shall consider the same a nuisance or dangerous, or in violation of the fire ordinances of the said city; the expense of such pulling down or removal to be paid out of the city treasury, except in cases of nuisance or of violation of the fire ordinances, when it shall be borne by the owner.

Mayor and Chief Engineer to remove buildings they consider a nuisance.

11. It shall not be lawful for any person or persons, or body corporate, to keep within any one enclosure in said city, more than two hundred and fifty cords of light or pine wood, and the Chief Engineer shall have authority to enter any enclosure and measure such wood; and on proof of more than the above quantity, the person or persons, or body corporate offending, shall be fined one hundred dollars for each day that the same may remain, such fine to be paid to the Savannah Fire Department for its use and benefit.

Not lawful in one enclosure more than 250 cords wood; duty of Chief Engineer; penalty $100 per day.

12. No lumber yard of any description, or open place for the stowing away of lumber beyond sixty thousand feet, shall be permitted within the present fire limits, as defined in the first section of this article, and on the north by the river; and that in no lumber yard or open place within the said limits, shall the lumber be piled higher than fifteen feet; and any person or persons violating any of the provisions of this section, shall be fined in the sum of one hundred dollars for every day's violation as aforesaid.

Lumber yards not more than 60,000 feet, or piled higher than 15 feet. Penalty $100 per day.

13. Every house or building which shall hereafter be erected in the City of Savannah, of brick, stone, tabby or tapia, of more than one story, shall have a thickness of wall in the lower story, of a brick and a half or not less than fourteen inches, and nine inches above the lower story; and every house or building of such description, and whether of one or more stories in height, shall be covered with slate, tile, tin, or other

Brick buildings over one story, wall 14 inches lower, and 9 above.

Buildings to be covered with incombustible material; gutters.

incombustible material, and the gutters thereof shall be secured against fire; and all additions which shall be made to the houses or buildings already erected, and all houses and buildings which shall be erected on old foundations, in part or in whole, shall be deemed and considered within the provisions, restrictions and regulations of this section; and every person offending against any of such provisions, shall, on conviction before the Police Court, be fined in a sum not exceeding one hundred dollars, and it shall moreover be lawful for the Mayor and Chief Engineer to cause any building or house built or constructed, in part or in whole, against the requirements of this section, to be pulled down at the expense of the owner thereof; except that such addition, if made of wood, shall be covered upon the external sides and ends thereof with some metal of sufficient thickness, put together without solder.

Additions to buildings same provisions; Penalty $100; and Chief Engineer to have buildings pulled down at owner's expense.

Exceptions as to additions.

Buildings covered with incombustible material to be kept so.

14. All houses or buildings within the said city, which have been, or hereafter shall be erected in the manner prescribed in this article within said fire limits, and which are now, or hereafter may be covered with slate, tile or other incombustible material, shall continue to be so covered with slate, tile or other incombustible material, and shall be kept secured against fire in manner hereinbefore prescribed; and if any person or persons, being owner or proprietor of such house or building, or having authority, or whose duty it shall be to repair the same, shall suffer such house or other building to remain, in whole or in part, uncovered with slate, tile or other incombustible material for the space of thirty days after he, she or they shall be notified by any of the city officers, or the Fire Department, he, she or they shall forfeit and pay for such offence, a sum not exceeding thirty dollars, and shall be subject to a like fine for every thirty days afterwards that such house or building shall remain so uncovered.

Penalty $30 for every 30 days, etc.

No removal of wooden buildings through the streets without permission of Mayor, etc.

15. It shall not be lawful to remove any house or building through the streets of Savannah, without the written permission of the Mayor of said city; and that any person or persons engaged in such removal, shall be fined in a sum not exceeding thirty dollars for every day such house or building may be left on, or passing through any street, lane, square or other public place in the City of Savannah; and that whenever, in the opinion of the Mayor and any two Aldermen, such house or building may be considered a nuisance, the Mayor and such Aldermen may, by written instructions, direct the Marshal of the city to remove such nuisance, in any manner they may direct.



Officers of Fire Department and Police to report neglects; offender fined $10 or dismissed.

16. It shall be the duty of the officers of the Fire Department and of the Police Force to report all neglects of the duties required in this article, and upon conviction before the Police Court of Savannah, the offender shall be fined in a sum not exceeding ten dollars, or be dismissed from service.

Ordinance 30th May, 1866. (See Section 19.)

Fire limits extended.

17. 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 Gwinnett street, thence from the northern side of Gwinnett street to its intersection with West Broad street on the west, and thence again to the river. And with the further provision that it shall not be lawful for any person to erect any wooden building or shed under the bluff or on any wharf between the eastern limits of the city and the Savannah and Ogechee Canal, under the penalty fixed by existing ordinances. And whereas, during the late war, and since that time, certain persons, for want of proper materials, or otherwise, put up erections or made repairs in violation of the fire ordinances of the city, for relief from which applications are being made to Council, for causes appealing strongly to the lenity of Council, such persons are therefore relieved and the penalties therefor remitted.

Not lawful to erect any wooden building or shed under the bluff or on any wharf between the eastern limits of the city and the Savannah and Ogechee Canal.

Certain persons relieved.

All ordinances in regard to the erection, etc., made applicable to fire limits extended, or as they may be hereafter extended

18. All ordinances in regard to the erection and repair of buildings or erections within the fire limits of said city, are hereby made applicable to the fire limits as extended, or as they may be hereafter extended, and that no composition roofing shall be allowed.

Ordinance 21st July, 1869.

Fire limits extended.

19. That the fire limits of the City of Savannah, within which wooden and other combustible structures may not be erected, be and the same are hereby extended to New Hous-

toun street on the south, and be bounded east by the western line of Price street, and west by the western line of Barnard street; and that all the ordinances of said city against the erection of combustible buildings within the present fire limits, be and they are hereby extended, and shall have operation over said extended limits.

Ordinance 12th April, 1871.

Wooden buildings may be erected within certain limits.

20. That the fire ordinances of said city be and are hereby amended as to permit the erection of wooden structures, to be covered with tin, in that portion of said city south of South Broad street and east of Price street, and south of Jones street and west of Montgomery to Gwinnett street.

Ordinance 3d April, 1867.

No petition to repair any wooden structure within fire limits to be entertained if such structure encroaches upon the line of any street.

21. That hereafter no wooden structure, building or fence within the fire limits of the City of Savannah, shall be repaired, where, or as long as such building, structure or fence shall encroach upon the line of any street, lane or other thoroughfare of said city; and no petition for permission to repair any wooden structure, building or fence within said fire limits shall be entertained by Council, unless it shall appear that such structure, building or fence does not encroach upon the line of any such street, lane or other thoroughfare. And that all ordinances and parts of ordinances, so far as they militate with this ordinance, are hereby repealed.

Ordinance 9th June, 1859.

Founderies not to be put up without permission.

22. That it shall not be lawful for any person to erect, put up or build, within the corporate limits of the City of Savannah, any foundery for the melting, smelting, casting or manufacture of iron or other metal, except by the permission of the said Mayor and Aldermen.

Penalty.

23. That if any person shall violate any of the provisions of this ordinance, 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 foundery shall be erected or used; one-half of the said fine to be payable to the informer, the other half into the city treasury.



## STOVES.

Ordinance 11th March, 1825.

How stoves shall be placed

24. It shall not be lawful to keep any stove in the City of Savannah, unless the same be placed and fixed upon a sheet of lead, iron, copper or some enclosed fire proof place, and the funnel of such stove be let through the light of the sash, and the vacant place around it be filled up with sheets of tin; or, if it be let through the side or end of any other part of a wooden house, then the hole through which it passes shall be at least one foot in diameter, and the space remaining shall be filled up with sheets of tin, so that the funnel aforesaid, be four inches equally distant from every part of the wood, and extended two feet from the house or eaves of any roof; and when the funnel is carried through any part of the house that is lined, then it shall be let through a tube of tin, which shall be at least three inches from the funnel, and the space between the tube and the wall shall be filled up with sheets of tin. And any stove or stoves erected or fixed in any manner other than is herein directed, shall be taken down at the expense of the owner, and the person or persons using such stove or stoves, shall be liable to a fine not exceeding thirty dollars for each and every such offence.

Funnel two feet from house.

Penalty $30, etc.

# ARTICLE XXX.

# FIRE DEPARTMENT.

## STATUTE.

1. Powers of Mayor and Aldermen.

## ORDINANCES.

1. Savannah Fire Department incorporated. Three officers to be elected on the first Friday in February, annually.
2. Until election of officers, the present organization shall continue. Council may remove any officer, but no officer shall be permanently removed until a hearing before Council.
3. Until otherwise ordered, the appointment of officers, etc., shall continue with the Savannah Fire Company.
4. The Mayor and the Committee on the Fire Department authorized to make rules and regulations.
5. Not lawful for any organization of firemen to be connected with the Fire Department without consent of Council.
6. Every engine, &c., to be considered the property of the city.
7. No steam engine or other apparatus shall be assigned to any private work without the written consent of the Chief Engineer and approval of the Mayor.
8. Every fire company shall have the right to elect its engineer under certain rules. Rules.
9. Every company shall be allowed $100 per month for ordinary expenses, and $10 additional to defray the expense of having horses to move engines in cases of alarm of fire.
10. Not lawful to put on a pressure of more than seventy pounds of steam unless ordered by Chief Engineer. Penalty $30.
11. Contests for superiority of engines forbidden. Penalty $20.
12. Lawful for any engine, &c., to take the most available route in going to a fire, but on returning shall not pass over any sidewalk, or through any square, or through the market.
13. Disagreements between a fire company and the chief officer or officers shall be referred to the Mayor, with right of appeal to Council.
14. Organization of Savannah Fire Department.
15. Election of officers.
16. Meetings.
17. Duties of Chief Engineer.
18. Duties of Assistant Engineers.
19. Election of Secretary.
20. Finance Committee.
21. Duties of members.
22. Quorum.
23. Alterations.
24. General regulations of Savannah Fire Department.
25. Hose companies put upon the same footing with fire companies.
26. Firemen's Hall.
27. Automatic Fire and Police Alarm established.
28. Fine for giving false alarms or for injuring in any way Fire Alarm Telegraph.
29. Alarms to be given under the rules and regulations of the Savannah Fire Department.
30. Members at fires, &c.
31. Engines, &c.
32. Command at fires.
33. Engines, buckets, &c., to be safely deposited in places provided for them.
34. Duty of Marshal at fires.
35. Mayor and Aldermen to assemble at fires.
36. Firemen to enter houses; search for powder, &c.
37. To examine chimneys, and if dangerous report to Council.
38. Chief Engineer to pull down or blow up house, &c.
39. Duty of Scavenger.
40. Who shall ride through streets.
41. Militia at fires.
42. Ladders and scuttles.



## STATUTE.

Revised Code of Georgia, 1867, ¿4785.

Powers of Mayor and Aldermen.

1. The Mayor and Aldermen shall have power to appoint such officers and agents, and make such rules and regulations for such appointments, and for the keeping up of an effective force for preventing and extinguishing fires in said city, as the said Mayor and Aldermen shall deem expedient; but nothing herein contained shall be construed to repeal the charter of any fire company now existing by law.

## ORDINANCES, AS AMENDED.

Ordinance 23d January, 1867.

Savannah Fire Department incorporated. Three officers to be elected on the first Friday in February, annually.

1. That the first two officers of the several incorporated and organized fire companies in the City of Savannah, whether incorporated by the Legislature or the court, and hereafter to be incorporated with the consent of the City Council, shall constitute a Board, to be known as the Savannah Fire Department, and which said Board shall be, and is hereby authorized to elect three officers of said Fire Department, who shall be designated, respectively, as [by ordinance of 4th August,

1869, Chief Engineer, First Assistant Engineer, and Second Assistant Engineer,] and who shall have precedence in the order in which said officers are named, that is to say: the Chief Engineer shall have supreme command at fires; in his absence, the First Assistant Engineer shall have such command, and in the absence of both, the Second Assistant Engineer shall command; said election shall take place on the first Friday of February, annually, at a place in said city, and between such hours on said day as may be agreed upon by a majority of said Board; or, in a case of disagreement of said Board, then the place and hours of election shall be fixed by the Mayor of said city. Within three days after such election, the same shall be notified to the Mayor, who shall communicate the same to the City Council at their next regular meeting, who shall confirm or reject such election, wholly or in part, as they may deem proper. In case of rejection, another election shall be had within three days after, by said Board; and all temporary vacancies in said offices of Chief and First and Second Assistant Engineers may be forthwith filled by the Mayor, subject to the approval or rejection of the City Council at their next regular meeting: *Provided, always,* that no person shall be eligible to the position of Chief Engineer, First Assistant Engineer, or Second Assistant Engineer, as aforesaid, who shall not, at the time of such election, be a member of some incorporated and organized fire company in Savannah.

Until the election of officers the present organization shall continue.

2. That until the election and confirmation as aforesaid of officers of the said Fire Department, the present organization of the Fire Department shall continue; and all officers of the said present or future Department shall continue in office until the election, confirmation and installation of their successors: *Provided, always,* that the City Council may, at any time, remove any officer of the said Fire Department hereby created, and order a new election to fill the vacancy created by such removal, and Council may, in any contingency deemed by them proper, put the engines and other apparatus belonging to the city, under such care, control and management as they may determine: *Provided,* that no officer of said Fire Department hereby created, shall be permanently removed until a hearing before Council of the charges against, or objection to such officer: *And provided, also,* that nothing in this

Council may remove any officer, but no officer shall be permanently removed without a hearing before Council



ordinance contained shall be construed as intending to interfere with the right of any incorporated and organized fire company to select its own officers for the management and direction of its own affairs.

Until otherwise ordered the appointment of officers shall continue with the Savannah Fire Company.

3. That until otherwise ordered by Council, the appointment of officers to command, and of operatives to work the engines and fire apparatus, now or hereafter under the control of the Savannah Fire Company, shall continue with the said Savannah Fire Company.

The Mayor and Committee on the Fire Department authorized to make rules and regulations.

4. That his Honor the Mayor and the Committee on the Fire Department are hereby authorized to make such further rules and regulations for the government of the Board of Firemen hereby created, as may be deemed proper; which rules and regulations, when adopted by Council, shall be valid and binding, until they are altered or rescinded by Council; but no rule or regulation shall be proposed which shall be in conflict with this article, and all ordinances heretofore passed by Council on the subject of the Fire Department, not repugnant to this article or repealed, are hereby expressly saved and declared of force.

Ordinance 4th March, 1868.

Not lawful for any organization of firemen to be connected with the Fire Department without the consent of Council.

5. That it shall not hereafter be lawful for any organization of firemen to have anything to do or to be connected with the Savannah Fire Department, independently of, and without the consent of the City Council, and Council shall hereafter use its best efforts to prevent the incorporation of any new fire company in the City of Savannah, but not to prevent the renewal of any existing charter of a fire company.

Every engine, &c., to be considered the property of the city, etc.

6. That hereafter every engine or other article or thing used for the extinguishment of fire, and put into the service of the city, shall, without respect to ownership, be considered the property of the city, so far as that the same shall never be withdrawn from service without thirty days previous notice to the City Council; and every such engine or other article or thing as aforesaid, shall be received into service as aforesaid, only on the foregoing express condition.

No steam engine or other apparatus shall be assigned to any private work without the written consent of the Chief Engineer and approval of the Mayor.

7. That no steam fire engine or other apparatus of any description, shall hereafter be assigned to any private work or enterprise, or used therein, or be removed, or carried or placed

beyond the proper station assigned to it, without the written consent of the Chief Engineer and approval of the Mayor.

Every fire company shall have the right to elect its engineer under certain rules.

8. That every fire company having control or management of a steam fire engine, shall have the right to elect its engineer, under the following rules: Such company shall notify the Chief Engineer of such election, and he shall at once appoint a committee of three engineers, who shall form an examining board; and if the engineer elected shall be found competent, the Chief Engineer shall approve the election and forthwith send the action of the examining board to Council for confirmation; and no person shall be allowed to become a candidate for engineer unless he shall produce certificates of proper qualifications from engineers well known to be competent judges of such qualifications.

Every company shall be allowed $100 per month for ordinary expenses and $10 additional to defray expense of having horses to move engines in cases of alarm of fire.

9. That each company managing a steam engine shall be allowed one hundred dollars per month for ordinary expenses, and ten dollars additional, to defray the expense of having horses to move engine in cases of alarm of fire.

Not lawful to put on a pressure of more than 70 pounds of steam unless ordered by Chief Engineer. Penalty $30.

10. That it shall not be lawful for any engineer of or attached to any steam fire engine to put on a pressure of more than seventy pounds of steam, unless ordered to do so by the Chief Engineer, under a penalty of thirty dollars for each and every violation of this prohibition; and it shall be the duty of each engineer to have his engine in proper working order after return from a fire, and before leaving the engine for his lodgings. All necessary repairs of engines or other fire apparatus shall, before being made, be reported immediately to the officers of such engines, who will notify the same to the Chief Engineer or inspecting officer of the Department, who will order the necessary repairs made, unless they be of magnitude, and then they shall only be made with the consent of the Mayor.

Contests for superiority of engines forbidden.

11. That contests for superiority of steam fire engines at fires are hereby expressly forbidden; nor shall any engine be put or used to its utmost capacity or test, without the consent of the Chief Engineer, who will see to the utility of having such tests made at the annual parade, when two hundred feet of best hose will be furnished, of the capacity of two hundred and fifty pounds to the inch, and which hose will be used for that purpose and no other. For every violation of



any provision of this section, a fine of twenty dollars may be imposed; besides which, in any case where damage may be done to private property by any fire engine or other apparatus, and for which the city may be liable, such damages shall be collected from the managers of such engine or apparatus.

Fine for violating this section $20, etc.

Lawful for any engine, etc., to take the most available route in going to a fire, but on returning shall not pass over sidewalk or through any square or through the market.

12. That it shall be lawful for any engine, hose cart, or hook and ladder truck to take the most available route in going to a fire; but, on returning, it shall not be lawful for such engine, cart or truck to be carried on or over any sidewalk, or through any square, or through the market, under a penalty of thirty dollars on the person or persons violating this section; and any damage done to a pavement or to private property, shall be borne and paid for by the managers of the fire companies by whose fault the damage may be done. [But in no case will said city pay any such damage, unless and until a survey of the private property so alleged to be damaged shall first have been held by the officers of said Fire Department or a committee thereof, and the award of such damages been properly assessed and reported to Council.]

Disagreements between a fire company and the chief officer or officers shall be referred to the Mayor, with right of appeal to Council.

13. That in case of any disagreement between a fire company and the chief officer or officers of the Fire Department, from alleged insubordination, neglect of duty or otherwise, the same shall, after the emergency is over, be referred to the Mayor for his arbitrament, with the right of either of the parties to make an appeal to the City Council, who shall finally decide the matter; and all ordinances or parts of ordinances, so far as they militate with this article, are hereby repealed.

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## CONSTITUTION OF THE SAVANNAH FIRE DEPARTMENT.

### APPROVED BY THE CITY COUNCIL.

Organization of Savannah Fire Department.

14. ARTICLE I. The first and second officers of each incorporated fire company of the City of Savannah, after having been regularly elected and confirmed by the City Council, shall constitute "The Board of Officers of the Savannah Fire Department."

Election of officers.

15. ARTICLE II. A Chief Engineer and First and Second Assistants shall be chosen by the Board upon written ballot,

on the first Friday in February of each and every year, at such time and place as may be agreed upon by the members at the regular meeting preceding such day. Candidates must be members of one of the companies represented, and attached to the Fire Department at least one year prior to their election.

No election shall be valid until confirmed by the City Council. When vacancies occur, an election to fill the unexpired term shall be held at the first regular meeting thereafter.

Meetings.

16. ARTICLE III. The regular meetings of the Board shall be held on the first Thursday of every month, at the hour of 8 o'clock, P. M., from April to October inclusive, and at 7½ o'clock, P. M., from November to March inclusive.

The Chief may order special meetings as often as he may deem necessary, and shall also call a meeting upon the written request of three members of the Board.

All regular, special or called meetings shall be held at the Firemen's Hall.

Duties of Chief Engineer.

17. ARTICLE IV. The Chief Engineer shall preside at all meetings of the Board, but shall not be entitled to vote upon any subject, except to decide in case of a tie.

Duties of Assistant Engineers.

18. ARTICLE V. The First and Second Assistant Engineers shall be ex-officio members of the Board, with power to vote and speak upon any business before the meeting.

In the absence of the Chief, the senior Assistant present shall discharge the duties of presiding officer.

Election of Secretary.

19. ARTICLE VI. The Board shall elect a Secretary annually, at the regular meeting in February, by ballot, but this officer shall have no vote upon any subject, unless he be selected from among the regular members.

Finance Committee.

20. ARTICLE VII. The Chief Engineer, when entered upon his duties, shall appoint a Finance Committee of three members, (to serve for the ensuing twelve months,) who shall examine and approve all accounts and vouchers, before the same can be passed for payment. They shall have access at all times to the books and accounts of the Secretary, and report semi-annually to the Board the condition of the same.

Company officers must present bills to the chairman of this committee, at least three days before the regular meetings of the Board.



Duty of members.

21. ARTICLE VIII. The Board shall decide all questions arising between the several companies of the Fire Department, determine and define the duties of Chief and Assistant Engineers, and establish such rules as may be deemed needful for promoting the harmony and efficiency of the Fire Department, and are not in conflict with the provisions of the City Council.

Quorum.

22. ARTICLE IX. A majority of the Board shall constitute a quorum for business, and a majority vote of the members present shall decide any question before the Board.

Alterations.

23. ARTICLE X. Neither these rules nor any of the by-laws or regulations made by this Board shall be altered, suspended abolished, unless by consent of two-thirds of the members present at a regular meeting, subsequent to that at which such alteration was proposed, and by and with the consent of the City Council.

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General regulations of Savannah Fire Department.

## 24. GENERAL REGULATIONS OF THE SAVANNAH FIRE DEPARTMENT.

APPROVED BY THE CITY COUNCIL.

I. THE CHIEF ENGINEER—Shall have control of the engines and apparatus at fires, limited only by rules of the Board.

He should take position so as to be readily distinguished, locate fire engines and other apparatus as they arrive, station his Assistants, and assign to each such portion of them as he may deem proper.

Orders shall, when practicable, be addressed to commanding officers of companies, but in case they are not at their posts, the Chief or Assistants may direct the pipeman, or any members of the companies.

The fire apparatus shall at all times be under the care of the Chief.

He shall approve all bills passed by the Board, and all communications to the City Council relating to the Department shall be forwarded through him.

II. THE ASSISTANT ENGINEERS—Shall, at fires, report to the Chief with promptness, take position as directed, and not

leave their posts until directed by the Chief. They will control such portion of the apparatus as may be assigned to them.

In the absence of the Chief, the senior Assistant Engineer present will discharge his duties, but neither Assistant shall assume general control until he shall have ascertained that his superior officer is not present.

The city being divided into two divisions, east and west, (Bull street being the dividing line,) one Assistant shall be assigned by the Chief as inspector of each division, who shall make monthly reports to the Chief of the condition of the apparatus within his division.

Repairs may be ordered by the Assistants to an amount not exceeding thirty dollars in any one case.

III. Officers of Companies—Shall report to the Chief at fires as they may arrive, and take the position assigned them. In case no general officer be present, the foreman in charge of the engine first on the ground shall assume general direction until the Chief or one of the Assistant Engineers shall arrive and relieve him.

First officers of companies, according to seniority, may be assigned to temporary duty as Assistant Engineers, should the Chief (or Assistant acting as such) require it.

All officers are required to wear uniform or a badge selected by the Board, when on duty.

IV. Company Officers—Are required to obey implicitly all orders of the officer in charge at fires, leaving disputed points to be adjusted by appeal to the Board subsequently.

This rule being essential to the efficiency of the Department, any violation of the same will be considered insubordination, and the violator thereof be subject to a fine.

V. The Chief nor Assistant Engineers—Shall leave the city for a longer period than twenty-four hours, without giving notice to the Secretary, who shall at once notify the general officers remaining.

Notice shall also be given in a like manner upon the return of an absent officer.

In the absence of the Secretary, the officer leaving or returning shall himself notify his associates.

VI. Annual Parade.—There shall be a general parade of the Fire Department, annually, on the first Monday of May,



for which the Board may arrange details at meetings previous to the occasion.

VII. The Uniform—Of the Department officers shall consist of the regulation white fire cap, with white fronts, and designation of officers in white letters upon a black ground.

A double breasted (steel-mixed cloth) coat, the skirts lined with red flannel, large lappels upon the skirt, bound with black silk braid; the silver-plated regulation button on breast and skirt, three smaller buttons of the same pattern on each sleeve.

A white leather belt, with silver clasps, with the letters S. F. D. upon it.

VIII. Annual Inspection.—The Chief Engineer shall, annually, designate a certain day in December, (giving notice thereof to officers of companies,) for a particular inspection of all engines and other apparatus.

He shall prepare a detailed report, showing the number and condition of the same; the effective force of the Department; the services rendered during the year; the number of fires and estimated damage thereby, together with such other information as he may deem of general interest.

This report shall be submitted in writing to the January meetings of the Board, entered upon the Minutes, and a copy furnished the City Council for publication.

IX. Charges for Misconduct—May be preferred by the Chief or Assistant Engineers against any company or any individual member, so may one company prefer charges against another company, or against the Chief or Assistant Engineers.

In all cases this shall be done officially in writing, and if the charges are sustained to the satisfaction of the Board, at a regular meeting, or one called specially for the purpose, such penalty shall be enforced upon the offending party as a majority of the Board may decide upon.

Any engine, hose or truck company, running on any pavement when returning from a fire, shall pay a fine, to be fixed at the discretion of the Board.

X. Fire on Board Vessels.—When any fire shall occur on board of any vessel lying at or near any of the wharves of the city, and the said fire shall, in the opinion of the Chief of the Fire Department or other person acting as Chief at said fire, have been sufficiently subdued to authorize the discharge

of the Fire Department, it shall be the duty of the captain or other person having charge of such vessel, upon a notification to that effect from the said Chief of the Fire Department, to haul off said vessel forthwith into the stream, and there remain until permission is obtained from the Harbor Master to haul in to the wharf again. And if the captain or other person having charge of such vessel, shall neglect or refuse to haul out forthwith, as aforesaid, then it shall be the duty of the said Chief of the Fire Department, or other person acting as such, to station alongside of said vessel fire engines, or so many of them, and for such period of time as he shall deem necessary, for the purpose of providing against any further outbreak or renewal of such fire. And the engine or engines so stationed, shall be under the control of the said Chief, and the expenses thereof shall be paid to the Fire Department by the captain or owners of such vessel.

XI. COPIES OF REGULATIONS—With diagram of the fire districts, shall be printed, framed, and supplied to the Chief and Assistant Engineers, and to each of the companies composing this Department, to be conspicuously displayed in their respective engine or hose houses.

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Hose companies put upon same footing with fire companies.

25. HOSE COMPANIES.

The City Council having heretofore put the Marshall Hose Company, the Screven Hose Company, the Russell Hose Company, and the Cleburne Hose Company, all of said city, upon the same footing with the incorporated fire companies of the city, in respect to the Savannah Fire Department: It is hereby ordained, that the said action of Council be and the same is hereby confirmed, and that the ordinances in relation to said Fire Department are hereby so amended as to authorize Council, by vote or resolution, to accept any other duly incorporated hose company or companies into the service of the city, on the same terms as regular fire companies, but on no better or more favorable terms; and that all such present and future hose companies be and shall be subject to all the terms and conditions of present and future ordinances in relation to said Fire Department.



FIREMEN'S HALL.

Ordinance 5th May, 1853.

Firemen's Hall.

26. A lot of land (see below), sixty feet in width and ninety feet in depth, situate at the southwest corner of Abercorn and South Broad streets, be and the same is hereby set apart for the purpose of having erected thereon a new engine house and firemen's hall, for the use of the [Savannah Fire Department, subject to the control and direction of the Mayor and Aldermen of the City of Savannah.]

Ordinance 3d November, 1853.

Lot No. 73 contains ninety feet in front and eighty-three and a half feet in depth, and is known as the Firemen's Hall Lot.

FIRE ALARM TELEGRAPH—FIRE ALARMS.

Ordinance 20th July, 1870.

Automatic Fire and Police Alarm established.

27. That the Fire Committee of Council, with the aid of his Honor the Mayor, be and they are hereby authorized to establish an automatic fire and police alarm telegraph, in aid of the Savannah Fire Department in their efforts to prevent and extinguish fire in the City of Savannah, with such poles, posts, boxes, wires and other instruments or apparatus as said Fire Committee and the Mayor may deem proper or necessary: *Provided, always,* that the cost of erecting and putting up such telegraph and completing the same shall not exceed the sum of ten thousand dollars, in bonds of the City of Savannah at par. Said telegraph, when completed, shall be put in charge of the Savannah Fire Department; subject, however, to the direction, disposition and control of the City Council, as said Council may from time to time determine.

Fine for giving false alarm, etc., $100, and imprisonment or both.

28. That any person or persons who shall wilfully give, or cause to be given, any false alarm of fire from said fire alarm telegraph box or boxes, or shall break, or cause to be broken, any fire alarm, signal box, or any pole, post, or wire connected with said police and fire alarm telegraph, or shall injure, or in any manner interfere with or interrupt the same, or any part thereof, or the working of the same, he, she or they shall, on conviction before the Police Court, be subject and liable to a fine of not more than one hundred dollars for every such of-

fence, and to imprisonment not exceeding thirty days, either or both, at the discretion of the officer presiding in said Police Court.

Alarms, how given.

29. All alarms of fire shall be given under the rules and regulations of the Savannah Fire Department, made or to be made by said Department, subject to the approval of the City Council.

Ordinance 11th March, 1825.

Members at fires.

30. The members of said fire department, on the alarm of any fire, shall assemble immediately at said fire with their engines and fire apparatus, under such regulations as the said department may choose to adopt. And the Chief Engineer and the other members of the said department shall, on such occasions of fire, wear some distinguishing badge, by which they shall be known, and the badge of the Chief Engineer shall differ from the badges of the other firemen, so that he may be known and distinguished from them.

Badge.

Charge of Engines, etc.

31. That the Fire Department of the City of Savannah shall be empowered to take charge of, and to have the care and management of all the engine houses, engines, buckets, fire hooks, fire hose, ladders, and other implements for extinguishing fires that now belong to or may hereafter be provided by the City of Savannah, subject to the control and direction of the Mayor and Aldermen of the City of Savannah.

Command at fires.

32. In case of fire, the Chief Engineer shall have supreme and absolute command of the firemen, of all persons connected with the Fire Department, and the entire apparatus that may be employed for the extinguishment of fires; and in the absence of the said Chief Engineer, the above supreme authority shall devolve according to existing arrangement for such emergency. And it shall be the duty of the said Chief Engineer to examine, or cause to be examined, twice or oftener, in every year, into the condition of the engine houses, engines, fire buckets and other fire implements belonging to the corporation, and make a statement of it to Council, and if any addition or repairs shall be required at any time, it shall be his duty to cause them to be done, and a report of the expenditures be communicated by him to Council at an early period after the work shall have been performed.

Chief Engineer to examine fire apparatus, etc., twice a year and report to Council.



$30 fine for detaining or secreting axes, etc.

33. The Department shall cause to be returned after the extinguishment of the fire, and securely deposited in such place or places as are provided for them, the engines, buckets, and other implements belonging to the corporation. And if any person or persons shall detain or secrete any axes, buckets, or other public articles, he, she or they shall forfeit and pay a sum not exceeding thirty dollars for each bucket, axe, or other article so secreted.

Duty of Marshal, etc., at fires.

34. In case of alarm by fire it shall be the duty of the City Marshal and such of the Police Force as may then be detailed, to assemble at said fire and report themselves to the Mayor, Chairman, or such Aldermen as may be present, and attend the fire during the continuance of said fire, and each and every of them shall obey all such orders and directions as may be given them by the Mayor, Chairman, or Aldermen present, for enforcing the provisions of this ordinance, and for the preservation of the public peace, and it shall be their duty to remove all idle suspected persons, or others that may not be actually and usefully employed in extinguishing the fire. And in case the City Marshal, or any Constable of the city shall be absent from any fire within said city, or shall come without his staff, or fail to report himself to the Mayor, Chairman or Aldermen present, or shall refuse or neglect to obey any order that may be given him as aforesaid, and cannot show a reasonable excuse to the City Council for such absence, disobedience, or failure, he shall be fined in a sum not exceeding thirty dollars.

Remove idle suspected persons.

Marshal fined $30 for neglect, etc.

Mayor and Aldermen to assemble at fires.

35. When any fire shall occur, it shall be the duty of the Mayor and Aldermen to assemble at the place of said fire, to enforce the provisions of this article, but not to interfere in any manner with the said firemen in the exercise of the functions herein assigned to them.

Firemen to enter houses, etc. search for gunpowder, combustible matters, etc.

36. It shall be lawful for the firemen, or any two of them, to enter into the houses, outhouses, stables and yards of every owner or tenant of the same in Savannah, whenever they shall see occasion, and inquire, search for, and examine if any quantities of gunpowder, hay, straw, fodder, pitch, tar, rosin, turpentine, hemp, oil, tallow, unpacked cotton, or other combustible matters are lodged in any such place within said city, which may be in danger of taking fire; and if the said fire-

men, or any two of them, shall find that there is apparent danger that fire may be communicated by such combustibles, they shall admonish the owner or tenant of such house or houses to remove the same, and in case such person or persons shall refuse or neglect to remove the same, immediately after such notice is given, the said firemen, or any two of them, are hereby empowered and directed to remove the same, and have the same lodged in some more secure place, at the charge and risk of the owner or tenant; and should the said firemen, or any two of them, be opposed in the removal of the said combustibles, it shall be their duty immediately to inform the Mayor or any three of the Aldermen, who shall cause the said combustibles or materials to be immediately removed, at the expense of the offender or offenders, by written orders given to the Marshal, or any Policeman, and such person or persons so offending against this section of this article, shall be fined in a sum not exceeding thirty dollars, by Council, and the same recovered as usual in other cases.

If opposed therein, to inform the Mayor, etc. offender fined $30.

Offender fined $30.

Examine chimneys.

If dangerous, to report to Council.

37. The said firemen shall have power to examine into the situation of any chimney or other fireplace in Savannah, and if they or any two of them shall think the same dangerous to the neighborhood, or that fire may be communicated thereby, they or any three of them are hereby empowered and required to order the same to be pulled down, altered, or removed, immediately, and in case the owner or tenant shall refuse or neglect to alter, remove, or pull down the same, it shall be the duty of the said firemen to make report to Council, who are hereby authorized to order the City Marshal to cause the same to be pulled down, altered, or removed, at the expense of the owner or tenant, and such offender shall be fined in a sum not exceeding thirty dollars for every such offence, refusal or neglect.

Offender fined $30.

Chief Engineer to pull down or blow up any house to prevent the spread of fires.

38. It may be lawful, at any fire, for the Chief Engineer, or in his absence the directing Engineer, calling to his advice and assistance the Mayor, or in his absence at least one Alderman, and he is hereby authorized and empowered to order and command any person or persons to pull down or blow up any house or houses, or other buildings which he may judge absolutely necessary to be pulled down or blown up for preventing the further spreading of the fire. And if any person or persons not so ordered and commanded by the Chief or other Engineer

To arrest persons injuring houses when not ordered.



as aforesaid, shall aid or assist in any manner to pull down or blow up, or shall proceed with such purpose to injure in any manner any house or houses during the progress of a fire, he or they shall be immediately arrested by any of the firemen, by the City Marshal, or any Policeman, and they are hereby commanded to arrest such person or persons, and to bring him or them before the Mayor or any of the Aldermen, who is and are hereby authorized to take from such person or persons so offending, a recognizance for his or their appearance before the next Police Court, to answer for said offence, and on conviction thereof, shall be fined in a sum not exceeding thirty dollars.

Fine $30.

Duty of Scavenger.

39. It shall be the duty of the City Scavenger, on the breaking out of any fire, to order his carts at the different places where the public buckets, fire hooks, ladders, and other implements for the extinguishment of fire are kept, and to assist in carrying the same to the fire or such place or places as may be directed by the firemen, and after the extinguishment of the fire, shall repair in like manner with his carts, and collect, under the orders of the firemen, all the buckets, hooks, ladders, ropes, and other implements that shall have been employed, and have them carried to such place or places as the said firemen may direct.

Who shall ride through the streets, etc., at fires.

40. It shall not be lawful for any person or persons whatsoever to ride in or through any part of a square, street or lane, in which the inhabitants shall be assembled for the purpose of extinguishing fire, except the Mayor, or one of said Engineers, or the commandant of the militia, with such officers as may be necessary in attendance on him, and it shall be lawful for him or them to do so in such cases only as may require that he should communicate with the Chief or Acting Engineer. And should any person or persons, not of the above description as herein excepted, attempt to ride in or through such parts of squares, streets or lanes, in which persons are assembled for the purpose of extinguishing the fire as aforesaid, such person or persons so offending, shall, on conviction thereof, be fined in a sum not exceeding thirty dollars.

Fine $30.

Militia at fires.

41. To prevent as much as may be, the great confusion which may arise from too many men under arms at the time of fire, it shall be the duty of the Mayor to request the com-

mander of the militia, for the time being, to fix the number of men necessary to be under arms in time of fire by a routine, once in every three months, who shall be posted in such position and such other disposition made of them, as may be most conducive to the safety of the city.

Ladders and scuttles.

42. Every owner of a wooden house or houses, brick or stone house or houses, covered with wood, occupied as a dwelling house or kitchen, or store house of more than one story, shall provide the same with a sufficient ladder, or have a scuttle ordoor cut through the roof of such house or houses, large enough for a man to pass through conveniently, under the penalty of a fine not exceeding thirty dollars.

Fine $30.

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## ARTICLE XXXI.

## FLOUR.

### STATUTES.

1. Inspector, by whom appointed.
2. Bolted flour shall be merchantable.
3. Flour barrels, how made, and what they shall contain.
4. Flour shall be submitted for inspection, when. Fees.
5. Fraudulently packing flour.
6. Inspector cannot purchase except for his own use.
7. Penalty for selling without inspection.
8. Inspector's oath.
9. Corn meal, corn and other grain to be inspected.
10. City Inspectors of Savannah.

### ORDINANCES.

1. Inspector of flour. Bond, etc.
2. Barrels of flour, how examined, etc.
3. Barrels, how made; how branded. Penalty.
4. Barrels 196 lbs. net, half barrels 98 lbs. net. Penalty.
5. Inspector's oath.
6. Inspectors not to purchase except for family use. Penalty.
7. Fines, how appropriated.
8. Inspector to inspect Indian corn, wheat, etc.



### STATUTES.

Irwin's Code.

Inspectors, by whom appointed.

1. §1560. The Inferior Courts [now Ordinaries] in the several counties of this State, shall have power to appoint, annually, one person of good repute to be Inspector of Flour in their respective counties, but the same power may be exercised exclusively in any corporate towns within their corporate limits; vacancies in such office of Inspector may be filled by the appointing power as soon as may be after the happening of any vacancy.

Bolted flour shall be merchantable.

2. §1561. All bolted wheat flour, and every cask thereof, brought to the places aforesaid, for sale, shall be made by the miller or manufacturer thereof, merchantable and of due fineness, and without mixture of coarse flour, or the flour of any other grain than wheat.

Flour barrels, how made and what they must contain.

3. §1562. All flour barrels packed for sale shall be well made, and of good material, twenty-seven inches in length, tightened with at least ten hoops, and sufficiently nailed, with the tare plainly marked on the head thereof, and every miller or bolter shall put into a barrel the full quantity of 196 lbs. of flour, and shall put into every half barrel the quantity of 98 lbs. of flour, and on failure thereof shall forfeit and pay the sum of four dollars for each barrel or bag, to be recovered by any informer before any Justice having jurisdiction thereof; one half thereof to go to the informer, and the other half to the county or corporation having the appointment of Inspector.

Flour shall be submitted for inspection, when.

4. §1563. All barrels, half barrels, and bags of flour brought to any place of inspection for sale, shall be submitted to the view and examination of the Inspector, who shall expeditiously inspect the same by boring into the barrel, half barrel, or bag, from head to head, or end to end, with an instrument of not more than three fourths of an inch in diameter, to be by him provided for that purpose, and if he shall judge the same well packed and merchantable, he shall plug the hole, and brand the barrel, half barrel, or bag with the name of the place at which he shall be Inspector, with a public brand or mark, to be by him provided for that purpose, and approved by the Inferior Court [now Ordinary], City Council, or corporation, as the case may be, and shall also

mark the degree of fineness which he shall determine the flour to be on inspection, which degrees shall be distinguished as follows: "Extra family," "superfine," "fine," "middling," "first," or "second," for which trouble the Inspector shall receive from the owner or consignee at the rate of five cents per barrel.

Fees for inspection.

Fraudulently packing flour,

5. §1564. If any person shall pack flour in an old barrel, which may have been marked and branded as aforesaid, and which shall still have the brand of the Inspector thereon, or shall otherwise fraudulently pack flour for sale, such person or persons shall forfeit and pay the sum of twenty dollars for every barrel so packed, to be recovered by any informer before any Justice of the Peace or other court having jurisdiction thereof; one half of such penalty to go to the informer, and the other half to the miller or manufacturer injured by such false packing.

Inspector cannot purchase except for his own use.

6. §1565. No Inspector shall be permitted, directly or indirectly, to purchase any flour by him condemned as unmerchantable, or any other flour whatever, other than for his own family use and consumption, under the penalty of thirty dollars for every barrel by him purchased, to be recovered by any informer before any Justice of the Peace, or other court having jurisdiction; one half of which shall belong to the informer, and the other half to the county or corporation having the appointment of the Inspector.

Penalty for selling without inspection

7. §1566. Any person who shall sell flour in or from any of the places where there is an Inspector, without an inspection as aforesaid, shall forfeit and pay the sum of ten dollars for each barrel, half barrel, or bag so sold, to be recovered by any informer before any Justice of the Peace or other court having jurisdiction; one half to go to the informer, and the other half to the Inspector.

Inspector's oath.

8. §1567. Every Inspector, before entering on the duties of his office, shall take and subscribe an oath or affirmation before the Clerk of the Council, or Clerk of the Inferior Court [now Ordinary], of which a minute shall be made, that he will faithfully perform the duties of his office, inspect all flour offered to him for inspection, and faithfully brand and mark the barrels or bags, as by law directed. Inspectors shall be liable to indictment for any neglect of duty, and upon conviction thereof, shall forfeit and pay a sum of not less than thirty dollars.



Corn meal, corn, and other grain to be inspected.

9. §1568. It shall be the duty of every Inspector of Flour to inspect Indian corn, and corn meal, wheat, and other grain in bags or in barrels, when requested by the owner or consignee to do so, and he shall brand only such as he may deem to be sound and merchantable, for which his compensation shall be three cents per bag or barrel, to be paid by the owner or consignee, as aforesaid.

State Law, approved 3d March, 1856.

City Inspectors of Savannah.

Laws in relation to inspection of flour, etc., transported there for shipment, repealed.

10. That all laws which have heretofore been passed making it the duty of the City Inspectors of the City of Savannah to inspect and tax inspection on flour made of wheat or other grain, whether in barrels or sacks, and transported to that port for shipment, and not offered for sale in that city, whether to be exported to foreign countries or to any other port in the United States, be and the same are so far repealed as they authorize such inspection.

## ORDINANCES, AS AMENDED.

Ordinance 14th October, 1847.

Inspector of flour; bond $1000.

1. The City Council shall, at the first regular meeting in January, annually, elect an Inspector of Flour, who shall give bond and security, to be approved by Council, in the sum of one thousand dollars, for the faithful discharge of the duties of his office, and whose duty it shall be to inspect in the manner herein provided, any flour brought to this market for sale or export, whether in barrels or in bags, which has not been previously inspected by some legally qualified Inspector. And all flour subject to inspection shall be conveniently arranged for the inspection, and if any person shall prevent or attempt to prevent the Inspector from exercising the duties assigned him by this article, he, she or they shall, on conviction before the Police Court, be fined in a sum of twenty dollars, for each and every such offence, and in case of sickness, resignation or removal of said Inspector, the Mayor shall appoint some competent person to discharge the duties of Inspector, until an election can be held.

Barrels of flour, how examined.

2. Every barrel of flour shall be examined by the Inspector in the following manner: he shall provide himself with an

instrument not exceeding five eighths of an inch in diameter, with which he shall penetrate through to the other head, and having obtained a sample, he shall plug the hole with a round piece of soft wood to prevent the entrance of water. Should the said Inspector judge the flour to be merchantable accordcording to the provisions of this article, he shall provide himself with brands, with letters three fourths of an inch in length, with which he shall brand each barrel according to quality, viz: middling, fine and superfine, or extra superfine, as the case may be, and the compensation for inspecting and branding each barrel or half barrel of flour, shall be five cents, and for inspecting and branding each bag of flour two and a half cents. And he shall brand the word Savannah on each barrel and the initial letters of his name. And any person or persons who shall sell in this market any flour which has not been previously inspected, shall, on conviction before the Police Court, be fined in a sum not less than five dollars for each and every offence.

Brand.

Barrels, how made.

3. All barrels containing flour brought for sale to this market, shall be well made of good seasoned materials, and tightened with ten hoops, secured by four nails in each chime hoop, and three nails to each upper bilge hoop, and of the following dimensions: the staves of whole barrels twenty-seven inches long, and the diameter of the head seventeen inches; the staves of half barrels twenty-two inches in length, and the diameter of the head thirteen inches. And all barrels truly taxed on the same head with the mill brands shall be deemed merchantable barrels, the brand or mark to be so distinctly put on as not to be easily erased, and the name or brand of the mill, where such flour has been manufactured, shall be placed on the head of each barrel, and the said Inspector is hereby directed not to brand any barrel of flour which has not been prepared agreeably to the requirements of this article, under a penalty of one dollar for each and every barrel otherwise branded, and the Inspector shall cause all barrels which are unmerchantable, but are susceptible of being so repaired as to be made merchantable, to be repaired at the expense of the owner or owners.

How branded.

Penalty $1 per barrel.

Barrel 196 lbs. net; half barrel 98 lbs. net.

4. Each barrel of flour shall contain one hundred and ninety-six pounds net of flour, and each half barrel shall contain ninety-eight pounds net of flour, and the said Inspector shall not brand any barrel or half barrel of flour, containing a less quantity of flour than is indicated by this article, under a penalty of one dollar for each and every violation or infraction.



Penalty $1.

Inspector's oath.

5. The said Inspector, on his appointment, shall make oath or affirmation before the Mayor of the city, that without fear, favor, or respect to persons, he will diligently, and to the best of his ability, knowledge, and skill, inspect all flour offered to him for inspection, and will brand the same according to the provisions of this article; and will, in all respects, faithfully discharge the duties of his office.

Inspector not to purchase except for family use. Penalty $10 per barrel.

6. No Inspector of Flour shall purchase directly or indirectly any flour, unless for the use of himself or family, under the penalty of ten dollars for each barrel or package purchased by him in violation of this article.

Fines, how appropriated.

7. All fines incurred under this article shall be appropriated thus: one half to the informer, and the other half to the city treasury.

Inspector to inspect Indian corn, wheat, etc.

8. It shall be the duty of the Inspector to inspect Indian corn and corn meal in bags or in barrels, when requested by the owner or consignee to do so, and he shall brand such only as he deems to be sound and merchantable, for which his compensation shall be three cents per bag or barrel, to be paid by the owner as aforesaid.

# ARTICLE XXXII.

## HORSES, MULES, ETC.

### ORDINANCES.

1. No horse, mule, etc., to go at large. If owner unknown to be impounded. If not claimed in ten days, to be sold on five days notice.
2. Diseased or offensive horse, mule, etc., to be removed by City Marshal at expense of owner.
3. Tax on horses and mules, $5, whether in the city on the 1st January or brought in afterwards. Penalty $30.

### ORDINANCES, AS AMENDED.

Ordinance 2d August, 1839.

No horse, mule, etc., to go at large.

Fine $5.

Animal to be impounded, etc.

If not claimed in ten days, to be sold on five days notice.

1. No horse, gelding, mare, colt, filly, mule, or jackass shall at any time be permitted to go at large within the limits of the city, and for a violation of this section the owner or owners of such animals shall be fined for each and every offence, and each and every such animal running or going at large, in a sum not exceeding five dollars. And the City Marshal or any Policeman shall take up the said animal, if the owner thereof is unknown, and impound the same until the said fine and costs are paid; and if said animal be not claimed in ten days, it shall be the duty of the City Marshal to sell the same at the pound, giving at least five days notice in one of the gazettes of the city, of the description of the animal and the time and place of sale, and he shall pay the net proceeds, after deducting the fine and costs, into the treasury of the city, subject to the order of Council, who may and shall cause it to be paid to the owner of such animal so sold, when required.

Diseased or offensive horse, mule, etc., to be removed by City Marshal, etc.

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

Fine $50 for resisting officer.



Ordinance 29th October, 1857.

Tax on horses and mules $5, whether in the city on 1st January or brought in afterwards.

Penalty for bringing a horse or mule in the city after January 1, and not paying the tax in ten days, $30.

3. Each and every person keeping or using any horse or mule in the city, shall pay therefor the annual tax of five dollars, whether such person be or be not the owner of such horse or mule, and whether such horse or mule be in the City of Savannah on the first day of January, or be brought into said city at any time during the year, to be kept or used therein. Each and every person who shall bring or cause to be brought into the City of Savannah, any horse or mule to be kept or used therein, after the first day of January, or at any time during the year, shall be subject to the said tax of five dollars, and shall pay said tax to the City Treasurer within ten days after such horse or mule is brought into the city; and if any person or persons shall neglect or fail to pay said tax within said ten days, such person or persons, on conviction thereof before the Mayor or acting Mayor, in the Police Court, shall be fined in a sum not exceeding thirty dollars; one half of such fine to go to the informer.

Ordinance 20th October, 1870.

Prices for maintaining animals in the City Pound.

4. That hereafter 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; any thing in any ordinance of the city to the contrary in any wise notwithstanding.

# ARTICLE XXXIII.

## GAS BILLS.

### ORDINANCE.

1. Gas bills payable immediately, so as to save five per cent.

### ORDINANCE.

Ordinance 25th November, 1858.

Gas bills payable immediately, so as to save 5 per cent

1. Whenever the bills for lighting with gas the public buildings and the police barracks of the City of Savannah, are presented to the Clerk of Council, it shall be his duty forthwith to send the same to the Chairman of the Committee on Accounts for examination; and upon the same being signed as correct by such Chairman, and handed to the City Treasurer, then it shall be the duty of the City Treasurer to pay the same, in such manner as will save to the City of Savannah the discount of five per cent. allowed by the Savannah Gas Light Company on all bills paid within five days after presentation.



# ARTICLE XXXIV.

## GREEN GROCERIES.

### ORDINANCE.

1. Green grocery may be established in each ward of the city. Conditions.
2. Market Committee to have general superintendence and the power to fix the times and terms of paying fees due the city.

### ORDINANCE, AS AMENDED.

Ordinance 27th November, 1867.

1. There may be established one green grocery in each ward of said city, on the following terms and conditions, that is to say: any person offering to establish a green grocery in the ward in which he or she may reside, shall present his or her application to the Market Committee, stating the proposed location of such green grocery, with the names of the securities of such applicant, the application to be endorsed by at least three nearest residents and three freeholders in such ward; whereupon the said committee and the Mayor may select one green grocer from among the applicants for such ward, which person so selected shall, before entering upon the employment or business of green grocery, give a bond to the city in the sum of $500, with two approved sureties, conditioned to keep such green grocery clean and in good order, and that he or she will not expose for sale any ox, cow, heifer or grown neat cattle, without taking to the Clerk of the Market the head and hide of such animal, with the ears and horns attached, to be registered as now required by existing ordinance, unless said meat be brought from abroad; and that said green grocer will not violate any State law or city ordinance. In case of the violation of any such law or ordinance, said bond may not only be put in suit, but the license granted to such green grocer may be revoked by the Mayor. Before opening

Green grocery may be established in each ward of the city.

such green grocery the applicant shall take out a license, for which he shall pay into the city treasury the sum of fifty dollars, which license shall be good for one year, but may be renewed from year to year, at the same price, in the discretion of the Mayor, besides which, such green grocer shall pay the usual fees of persons doing the like business in the public market. On obtaining such license, the green grocer shall be authorized to sell in the ward for which he or she is licensed, fresh meat and vegetables, and such other articles and things as are usually sold in said market; but nothing in this article contained shall be construed to authorize such green grocer to sell on other or more favorable terms, as to fees, than persons selling at or in the public market.

Market Committee to have general superintendence, etc,

2. That 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.

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## ARTICLE XXXV.

## GUNPOWDER.

### STATUTES.

1. Deposits of gunpowder.
2. Gunpowder must be marked.
3. Penalty for transporting gunpowder contrary to law.
4. Regulations for keeping gunpowder.

### ORDINANCES.

1. Firing off guns, pistols, etc.
2. Election of Keeper of Powder Magazine.
3. Duty of Superintendent of gunpowder.
4. Gunpowder not to be carried through the streets without covering.
5. Duty of masters of vessels. Powder receiver, etc.
6. Keeper of Powder Magazine to wear woolen socks.
7. Penalty.
8. Gunpowder over 56 pounds, not to be shipped from wharves on board of vessels.
9. Keeper of Powder Magazine. His fees. Penalty for neglect of duty.
10. Gunpowder in transitu.
11. Penalty for violation of this article, $100.
12. No shop keeper to have more than 25 pounds powder in store at any one time. Penalty, $100.



### STATUTES, IRWIN'S CODE.

Deposits of gunpowder.

1. §1192. Gunpowder shall not be deposited in any arsenal contrary to any ordinance or by-law of the city where it is situated.

Gunpowder must be marked.

2. §1469. All owners, agents, or others who have any gunpowder, more than five pounds, transported upon water, rail road, or otherwise, shall have the word *gunpowder* marked upon each package so transported, in large letters.

Penalty for transporting gunpowder contrary to law.

3. §1470. Gunpowder transported in violation of said provision, shall be liable to seizure and forfeiture by any officer who may execute a criminal warrant, under warrant for that purpose, issued by any officer who may issue such first named warrants; one half of the same to go to the informer, the other half to the military fund of the State, after public sale, by order of the officer issuing the warrant, or one of like power.

Regulations for keeping gunpowder.

4. §1471. The several incorporated towns or cities of this State, within their corporate limits, and the Justices of the Inferior Court [now 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.

### ORDINANCES, AS AMENDED.

Ordinance 15th December, 1817.

Firing off guns, pistols, etc.

1. It shall be the duty of the Marshal of the city to inform against all and every person found within the limits of said city, discharging or attempting to discharge any guns, pistols or other firearms, crackers, or any other combustible preparation, and that the person so informed against be fined in a sum not exceeding thirty dollars.

Fine $30.

Keeper of Powder Magazine elected

2. At the first regular meeting of Council in each and every January, annually, there shall be chosen by ballot a Superintendent of Gunpowder, to serve for one year, who shall enter into bond with two or more sufficient securities, in the sum of two thousand dollars, for the faithful performance of the duties hereinafter prescribed.

Bond $2,000.

Duty; hours 6 A. M. to 12 M.

3. It shall be the duty of the Superintendent of Gunpowder to attend every day (Sunday excepted,) from the hours of

six in the morning until twelve o'clock, at the place or places designated for the receiving and delivery of gunpowder, and in case of non-attendance, unless good and sufficient excuse be made to the Mayor and Aldermen, at a regular meeting of Council, for each and every information so laid he shall be fined in a sum not exceeding thirty dollars.

Neglect of duty, fine $30

Ordinance 11th March, 1825.

Gunpowder not to be carried through the streets without a covering; fine $30

4. 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 brought through the squares, streets, lanes, or wharves of the city, and every person or persons so offending, shall forfeit and pay a sum not exceeding thirty dollars.

Duty of masters of vessels.

5. The master or commander of any 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 article, shall be liable to a fine not exceeding thirty dollars.

Powder receiver.

Harbor master

Neglect of master of vessel fine $30.

Ordinance 8th March, 1835.

Keeper of powder magazine and others to wear woolen socks.

6. The Superintendent of Gunpowder shall hereafter cause to be prepared, at his own proper cost, four pair 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 there.

Penalty $10,

7. The said Superintendent 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 Council, be fined in the sum of ten dollars for each offence.

Gunpowder over 56 pounds not to be shipped from wharves on board of vessels.

8. No gunpowder shall be shipped on board of any vessel, boat or flat, whilst lying at any of the wharves of the city, in



any quantity exceeding fifty-six pounds, but that every 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 Council, be fined in a sum not exceeding thirty dollars for each offence, and not exceeding thirty dollars for each hour such ship or vessel shall remain after the time limited.

Fine $30, etc

## FEES OF KEEPER.

Ordinance 2d August, 1839.

Keeper of the powder magazine.

Fees.

9. 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 offence, and the like penalty and removal from office for the second offence.

For neglect fined $100 and removal.

Ordinance 29th March, 1849.

Gunpowder in transitu.

10. All gunpowder arriving at this port to be forwarded to the interior by rail road or river, may be transported directly from the vessel bringing it to the cars of the rail road 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 rail road depot, or to the landing of the boat for which it is destined. And when gunpowder shall be transported to a rail road depot, destined to the interior, it shall at once be placed in a car or cars, which shall be moved to a place with-

Tarpaulin marked "powder."

in the depot, where it shall be distant at least one hundred yards from any depot building, and shall, by the next following freight train, be sent from the city. In default of this, it shall be placed in the magazine of the rail road company, to be removed at its earliest convenience. In the case of river transportation, it shall not be allowed to remain on the wharf or in any store, but be at once put on board a boat, which shall be immediately hauled into the stream, above the city, as is now by law provided. In default of any boat being in readiness for it, then said gunpowder shall be placed in the magazine of the city, as is now provided, subject to the usual fees.

City magazine.

Penalty $100.

11. Each and every violation of this article shall be punished by a fine not exceeding one hundred dollars, to be levied on the party in fault.

Ordinance 9th May, 1850.

No shopkeeper, etc., to have more than 25 pounds powder in store at any one time.

12. No merchant, factor, retailer, or dealer in powder, or any person or persons whosoever in this city, shall retail, keep, or have in their possession at any time, a greater quanitty of gunpowder than twenty-five pounds weight; and on information given to the Mayor or any one of the Aldermen, or any fireman, or the same coming by any means to their knowledge, of a greater quantity of powder than twenty-five pounds weight, in the possession of, or within the enclosure or enclosures of any person or persons whomsoever at any one time, the Mayor, or any Alderman, or fireman, is hereby required to report the same to the City Council; whereon, proof being made, the offender shall be fined in a sum not exceeding one hundred dollars for each and every pound over and above twenty-five pounds weight, the one half thereof to go to the informer, the other half to the city.

Fine $100, etc.



# ARTICLE XXXVI.

## HOGS, GOATS, CATTLE, SHEEP.

### ORDINANCES.

1. Fine of $2 00 upon each goat found at large. Goats to be impounded, and if not claimed in 30 days, to be sold, &c.

2. Hogs at large to be killed, and no hogs to be kept in the city.

### ORDINANCES, AS AMENDED.

Ordinance 25th June, 1857.

Fine of $2 upon each goat found at large; goats to be impounded and sold, &c.

1. It shall not be lawful for any goat or goats to be or go at large within the limits of this city, and the owner or owners of every such goat or goats so found at large shall forfeit the sum of two dollars for each and every time such animal or animals shall be found at large, to be collected in the following manner: It shall be the duty of the police of said city to take every such goat or goats, so found at large, and impound the same until the said sum and the costs of impounding shall be paid; and if such goat or goats be not claimed by the owner or owners thereof within three days, it shall be the duty of the City Marshal to sell the same at the pound, having first given at least three days notice in one of the public gazettes of the city of the time of such sale, and he shall pay the net proceeds of such sale, after deducting the costs aforesaid, into the city treasury, subject to the order of Council, who may and shall direct the same, after deducting the forfeiture aforesaid, to be paid to the owner or owners of such animal or animals when requested; and in every such case the officer impounding such goat shall be entitled to one half of such forfeiture.

Ordinance 2d August, 1839.

Hogs at large to be killed, &c

2. It shall and may be lawful for any person to seize and take, or kill any hog or hogs found at large in the City of

11. Retailers to pay back time and fines.
12. Fines, how enforced.
13. License ordinance extended to city limits.
14. No screen for bars or doors of retailers of liquors.
15. Penalty for violating license ordinances of the city.
16. Sabbath ordinance extended to extended jurisdictional limits.
17. Person holding license to retail, authorized to sell not exceeding ten gallons to one person or partnership.
18. Sailor boarding houses.
19. Upon taking out license exempt from having the usual sign.
20. Penalty, how levied and enforced.
21. Council to establish rate for license at first meeting in December each year.
22. No druggist to sell liquor except on prescription of regular physician, unless he has taken out retail license.
23. No apothecary shall sell liquor on Sunday except as medicine, with or without license.

## STATUTES.

License to retail spirituous liquors, how obtained.

1. §1432. Persons before obtaining license to retail spirituous liquors, must apply to the Justices of the Inferior Court [now Ordinary] of the county in which they desire to retail, who have power to grant or refuse such application. When such application is granted and entered on the minutes, the applicant shall execute a bond, with sufficient security, in the sum of five hundred dollars, payable to such Justices [now Ordinaries] conditioned to keep an orderly house and to abide faithfully by the oath to be taken by him, which bond shall be taken and approved by the Clerk of the Inferior Court [now Ordinary], filed in his office, and recorded in the book kept for that purpose. Any person aggrieved may bring suit on such bond. Licenses granted in any other way are void. They shall, also, at the same time, before said clerk, take and subscribe the following oath:

Oath.

"I swear that I will not, during the next succeeding twelve months, sell, barter, give, or furnish any quantity of spirituous or intoxicating liquor to any minor, without the consent of his or her parent or guardian, or employer, and that I will not allow any other person to do so for me, with my knowledge or consent. So help me God."

Oath of venders of liquors less than one gallon.

2. §1433. By the first day in June in each year, and annually thereafter, venders of any quantity of spirituous liquors less than one gallon, shall take and subscribe the foregoing oath, and upon neglecting to do so, they are subject to all the penalties of retailers without license.



Sale of liquors confined to one place.

3. §1434. Such licenses do not authorize the persons to whom issued to retail at more than one place in the county, which place must be stated in the license. Different licenses are necessary for different places.

Corporate towns may grant license, when.

4. §1435. Said provisions do not apply to any corporation, town or city, which by charter have power to grant licenses, provided the fees for licenses are at least as much in said city as are required by law in the county.

Retailer shall not sell to one who is drunk.

5. §1436. A retailer of spirituous liquors shall not sell or furnish liquors, in any quantity, to any person who is at the time intoxicated or drunk; and for violating this provision, he shall not only be liable to all the penalties for retailing without a license, but he shall not recover by law for any spirituous liquors furnished to such person during the current year.

Who is a retailer.

6. §1437. The sale of such liquors in quantities less than one quart, makes the seller a retailer.

## ORDINANCES, AS AMENDED.

Ordinance 12th October, 1826.

All persons, owning etc., shops, subject to ordinances in relation to those subjects.

1. All shops, stores and bar rooms within the extended jurisdictional limits of the City of Savannah as now existing or as it may hereafter be extended, and all persons owning, keeping, superintending, or visiting the said shops, stores, or bar rooms, shall be, and are hereby made subject to the existing ordinances in relation to those subjects, except such as shall be repealed by virtue of this article.

To take out a liquor license.

2. Every person who shall hereafter keep within the City of Savannah, or its extended limits, any store, bar room, tavern, inn, hotel, ordinary, oyster house or cellar, confectionery, eating house, punch, porter, ale or beer houses, for the sale of liquors, or otherwise sell or dispose of malt, vinous, or spirituous liquors, cider, beer, punch, or other strong drink, under any name whatever, in any quantity other than the original package, cask, or vessel, as imported, shall first obtain a license for the same, as is hereinafter prescribed.

Savannah, and to appropriate the same to his or her own use, so that the same be carried forthwith, after being seized,

No hog to be kept in the city.

without the limits of the city; and it shall not be lawful for any person to retain or keep hogs within the corporate limits of the City of Savannah; and each and every person so

Fine $30, &c.

offending, shall be fined in a sum not exceeding thirty dollars for each and every such offence.

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## ARTICLE XXXVII.

## JUNK SHOPS, COTTON PICKERIES.

### ORDINANCE.

1. No Junk Shop or Cotton Pickery to kept open unless the tax of $300 for the year be first paid. License. Conditions.

### ORDINANCE, AS AMENDED.

Tax ordinance 22d December, 1870.

Regulations of Junk Shops.

1. No junk shop or cotton pickery shall be used or kept open, unless the owner or owners of such junk shop or cotton

Cotton Pickeries.

pickery shall have previously paid into the City Treasury a tax of three hundred dollars thereon for the year, and shall

License.

have taken out a license from the office of the Clerk of

Conditions.

Council, in which license it shall be distinctly expressed that such junk shop or cotton pickery shall always be subject to the visitation of the police of the city; a duplicate of which license, signed by such owner or owners, and expressive of his, her, or their assent to such condition, shall be retained by the Clerk of Council: on refusal of such owner or owners, at any time, to submit to such visitation, such junk shop or cotton pickery shall immediately be closed by the Mayor. And it is hereby declared and ordained, that every such junk shop license shall be subject to the further condition that the

Revocation of license.

same shall be subject to revocation by the Mayor, if, on examination before him, in the Police Court, he shall be satisfied and shall so pronounce that any city property, or any part of any machinery, or any appliance of any railroad company, or gas-light company, or of the water-works of Savannah, or of the Savannah Fire Department, is found in any such junk shop; and such condition shall be expressed in the license of every such junk shop dealer; and any person dealing in junk, or carrying on a cotton pickery, and failing to take out such license, shall be subject to the penalty hereinafter prescribed, in regard to failing to take out other licenses and badges.

[For penalty, see Tax ordinance of 22d December, 1870.]



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## ARTICLE XXXVIII.

## LICENSES TO RETAIL SPIRITUOUS LIQUORS.

### STATUTES.

1. Licenses to retail spirituous liquors, how obtained.
2. Oath of venders of liquors less than one gallon.
3. Sale of liquors confined to one place.
4. Corporate towns may grant licenses, when.
5. Retailer shall not sell to one who is drunk.
6. Who is a retailer.

### ORDINANCES.

1. All persons owning, etc., shops subject to ordinances in relation to these subjects.
2. Persons keeping any store, bar room, etc., to take out license.
3. Price of retail license. Conditions. Price of wholesale license.
4. Duty of Clerk of Council. Persons violating conditions of license liable to fine not less than $100.
5. Form of license.
6. Mayor authorized to grant license. Bond, etc.
7. Treasurer's duty.
8. License transferable to place, not to person.
9. Penalty for selling in smaller quantities than original package.
10. Retailers by the glass to have signs.

11. Retailers to pay back time and fines.
12. Fines, how enforced.
13. License ordinance extended to city limits.
14. No screen for bars or doors of retailers of liquors.
15. Penalty for violating license ordinances of the city.
16. Sabbath ordinance extended to extended jurisdictional limits.
17. Person holding license to retail, authorized to sell not exceeding ten gallons to one person or partnership.
18. Sailor boarding houses.
19. Upon taking out license exempt from having the usual sign.
20. Penalty, how levied and enforced.
21. Council to establish rate for license at first meeting in December each year.
22. No druggist to sell liquor except on prescription of regular physician, unless he has taken out retail license.
23. No apothecary shall sell liquor on Sunday except as medicine, with or without license.

## STATUTES.

License to retail spirituous liquors, how obtained.

1. §1432. Persons before obtaining license to retail spirituous liquors, must apply to the Justices of the Inferior Court [now Ordinary] of the county in which they desire to retail, who have power to grant or refuse such application. When such application is granted and entered on the minutes, the applicant shall execute a bond, with sufficient security, in the sum of five hundred dollars, payable to such Justices [now Ordinaries] conditioned to keep an orderly house and to abide faithfully by the oath to be taken by him, which bond shall be taken and approved by the Clerk of the Inferior Court [now Ordinary], filed in his office, and recorded in the book kept for that purpose. Any person aggrieved may bring suit on such bond. Licenses granted in any other way are void. They shall, also, at the same time, before said clerk, take and subscribe the following oath:

Oath.

"I swear that I will not, during the next succeeding twelve months, sell, barter, give, or furnish any quantity of spirituous or intoxicating liquor to any minor, without the consent of his or her parent or guardian, or employer, and that I will not allow any other person to do so for me, with my knowledge or consent. So help me God."

Oath of venders of liquors less than one gallon.

2. §1433. By the first day in June in each year, and annually thereafter, venders of any quantity of spirituous liquors less than one gallon, shall take and subscribe the foregoing oath, and upon neglecting to do so, they are subject to all the penalties of retailers without license.



Sale of liquors confined to one place.

3. §1434. Such licenses do not authorize the persons to whom issued to retail at more than one place in the county, which place must be stated in the license. Different licenses are necessary for different places.

Corporate towns may grant license, when.

4. §1435. Said provisions do not apply to any corporation, town or city, which by charter have power to grant licenses, provided the fees for licenses are at least as much in said city as are required by law in the county.

Retailer shall not sell to one who is drunk.

5. §1436. A retailer of spirituous liquors shall not sell or furnish liquors, in any quantity, to any person who is at the time intoxicated or drunk; and for violating this provision, he shall not only be liable to all the penalties for retailing without a license, but he shall not recover by law for any spirituous liquors furnished to such person during the current year.

Who is a retailer.

6. §1437. The sale of such liquors in quantities less than one quart, makes the seller a retailer.

## ORDINANCES, AS AMENDED.

Ordinance 12th October, 1826.

All persons, owning etc., shops, subject to ordinances in relation to those subjects.

1. All shops, stores and bar rooms within the extended jurisdictional limits of the City of Savannah as now existing or as it may hereafter be extended, and all persons owning, keeping, superintending, or visiting the said shops, stores, or bar rooms, shall be, and are hereby made subject to the existing ordinances in relation to those subjects, except such as shall be repealed by virtue of this article.

To take out a liquor license.

2. Every person who shall hereafter keep within the City of Savannah, or its extended limits, any store, bar room, tavern, inn, hotel, ordinary, oyster house or cellar, confectionery, eating house, punch, porter, ale or beer houses, for the sale of liquors, or otherwise sell or dispose of malt, vinous, or spirituous liquors, cider, beer, punch, or other strong drink, under any name whatever, in any quantity other than the original package, cask, or vessel, as imported, shall first obtain a license for the same, as is hereinafter prescribed.

Ordinance 22d December, 1870.

Liquor licenses.

3. That on and after the first day of January next, the price of a license to retail malt, vinous, or spirituous liquors for one year, shall be one hundred and twenty-five dollars, and

Retail.

Conditions.

the applicant shall be required to submit as securities two responsible freeholders of this city, as a prerequisite to the issue of said license; and for a wholesale liquor license the price

Wholesale.

shall be one hundred and twenty-five dollars; and no sale

No sales under a quart except in original package.

shall be made under a quart by any wholesale dealer, except in an original package, and no license for the sale of malt, vinous or spirituous liquors shall cover any other business whatever than the sale of malt, vinous or spirituous liquors, and shall

One place for sale of liquors only allowed under license.

apply to but one place for the sale of said liquors, whether under one roof or otherwise, under a penalty of not more than one hundred dollars. And no bar room shall be licensed which has not an entrance to it separate and distinct from the

Bar rooms, entrance to.

entrance to the dwelling; and the license shall be forfeited for a second violation of any State law or city ordinance; and

Forfeiture of license.

in case of forfeiture, the license shall not be renewed for the space of two years, except by the permission of Council.

Duty of Clerk of Council.

4. It shall be the duty of the Clerk of Council to publish, quarterly, an alphabetical list of all persons licensed to sell liquors as aforesaid. And any dealer in liquors as afore-

Penalty for ailing or re-using to take out license.

said, failing or refusing to take out a license to sell liquors as aforesaid, shall be liable to a penalty of not more than one hundred dollars for every day any such person may sell without a license, or to imprisonment for thirty days, or both.

Ordinance 12th October, 1826.

Penalty $100.

That every person obtaining a license to retail spirituous liquors, or a peddler's license, who shall transgress the terms, violate the conditions, or infringe the provisions of such license, as defined in this or any other article, shall, upon conviction before Council, forfeit and pay for each offence, a sum not exceeding one hundred dollars, and shall, for a third offence, forfeit such license, and shall not be entitled to obtain another until the expiration of two years thereafter.

Porm of license.

5. The form of the license shall be as follows:

This is to certify that has given bond and security, according to the ordinances of the city, in the sum



of for his faithful compliance with the laws of the State and the ordinances of the city, which are now or may hereafter be of force, respecting shops, stores, bar rooms, taverns, retailers of spirituous liquors, so far as the same relate to the City of Savannah. Therefore, the said is hereby authorized to keep a liquor store, to retail not less than a quart, or a retail shop, as the case may be, in the house where he now resides in street, ward, and in no other place whatsoever in the City of Savannah, from the day of , in the year of our Lord one thousand eight hundred and until next ensuing, and no longer. Given under my hand and the seal of the city, the day and year first above mentioned.

Mayor authorized to grant license.

6. The Mayor is hereby authorized to grant the license upon the applicant's paying the sum required therefor, and

Bond twice amount of license.

giving two or more approved securities, in the sum of twice the amount of the license, conditioned for the due observance of the ordinances of the city and the laws of the State—and every license shall continue in force until the first day of January next ensuing thereafter, and no longer.

Treasurer's duty.

7. It shall be the duty of the City Treasurer to make a fair and just entry in a book to be kept by him for that purpose, of the names and places of abode of all such persons as shall have obtained licenses, the names of their securities, the class of licenses granted, and of the sum received for the same.

License transferable to place not to person.

8. No license shall authorize the holder to sell liquors or exercise authority under it in more places than one, nor at any other place than the one designated in such license, without first giving notice to the Clerk of Council of his or her

Clerk of Council's duty.

removal, whereupon the Clerk shall obtain from the Mayor, or in his absence from the Chairman, a certificate on the back of such license, specifying the place of removal.

Penalty for selling in smaller quantities, &c., than original packages.

9. If any person or persons without a license, shall sell at any time any malt, vinous or spirituous liquors in any quantity or parcel other than as imported in the original packages, casks or vessels, and deliver the same in smaller quantities or at different periods of time, with intent to evade the provisions of this article, such person or persons, upon conviction

before Council, shall forfeit and pay for each offence a sum not exceeding thirty dollars.

Retailers by the glass or less than a quart to have signs.

10. Any person obtaining a license for retailing, shall have plainly and distinctly painted in letters not less than three inches in length, over the door, on the outside of the house or shop wherein the liquors are sold, and fronting the street, lane or square, the name of the person so licensed, together with the words "licensed to retail spirituous liquors," and every person violating this section shall be fined for each week succeeding the first ten days after obtaining the license, in a sum not exceeding thirty dollars.

Penalty $30.

Retailers to pay back time and fines.

11. That it shall not be lawful for the Mayor to grant any license to any person who may have retailed liquor without a license, until the applicant shall have paid into the treasury, in addition to the fine imposed on such person, an amount for the time he so retailed without a license, at the rate per annum as required.

Fines how enforced.

12. All fines, forfeitures and penalties imposed by virtue hereof, shall be levied and recovered by warrants of distress and sale as prescribed in the twelfth section of the amended charter of the city, one half to the use of the city, and the other to the informer, and in case of neither lands, goods or chattels being found of such offender or offenders, he, she or they shall, at the discretion of Council, be imprisoned in the common jail of the county, provided that no imprisonment shall exceed ten days and nights.

License ordinances extended to extended city limits.

13. All and singular the provisions of the ordinances of the city in relation to the granting of licenses to retail spirituous liquors, be and the same are hereby declared to be in full force within the extended jurisdictional limits of the city, as now existing or as they may hereafter be extended.

Ordinance 28th September, 1854.

No screens for bars or doors of retailers of liquor.

14. It shall not be lawful for any retailer of spirituous liquors to have before their doors or bars, any screen or other obstruction, which may prevent persons from being exposed to view while trading for or drinking liquor on the premises, under a penalty of thirty dollars on conviction before the Police Court, one half of such penalty to be paid to the informer, the other half into the city treasury.



Ordinance 3d May, 1855.

Penalty $100 for violating license ordinances, how enforced.

15. If any person or persons shall be convicted before Council or the Police Court of violating any of the provisions of the license ordinances of this city, he, she or they shall be subject to a penalty of one hundred dollars, to be enforced by an execution directed to the Marshal of said city, or any policeman thereof, who shall, under and by virtue thereof, proceed to levy upon the goods and chattels, and if none to be found, on the lands and tenements of the offender, and after advertising the same for fifteen days, shall sell the same for the payment of the said fine and all costs and expenses, or by a mittimus directed to the Marshal of said city, or any policeman thereof, and to the Jailer of Chatham County, if, in the opinion of the presiding officer of said Court, such mittimus may be necessary to enforce the collection of said fine, costs and expenses.

Execution.

Mittimus.

Sabbath ordinances extended to extended jurisdictional limits.

16. That all and singular the provisions of the ordinances of the City of Savannah, in relation to the granting of licenses for retailing spirituous liquors and for enforcing the observance of the Sabbath or Lord's day, be and same are hereby declared to be in full force within the jurisdictional limits of the City of Savannah as now existing or as they may hereafter be extended.

Ordinance 8th January, 1868.

Person holding license to retail authorized to sell not exceeding ten gallons.

17. That a license to retail spirituous liquors shall authorize the person holding the same to sell in a quantity not to exceed ten gallons in any one package, and to any one person, and to any one person or co-partnership of persons not more than ten gallons on any one day.

## SAILOR BOARDING AND OTHER HOUSES.

Ordinance 11th December, 1857.

Sailor boarding houses keeping liquor and furnishing same to boarders and lodgers.

18. Each and every keeper or keepers of a hotel, inn, tavern, seamen or sailor boarding house, or other house or houses, where boarders or lodgers are kept within the limits of the City of Savannah, where malt, vinous or spirituous liquors are kept and furnished by such keeper or keepers to such boarders and lodgers, or any of them, and where no liquor license has been paid for, or granted to such keeper or

keepers, shall take out a license from the Clerk of Council therefor, and pay therefor the sum of one hundred dollars, exclusive of the usual license fees.

License $100 and fees.

Upon taking out license, exempt from having the usual sign.

19. Upon taking out of the license aforesaid, such hotel, inn, tavern, seamen or sailor boarding house, or other house or houses where boarders or lodgers are kept, shall be exempt from the provisions and liabilities of the tenth section of an ordinance passed October 12, 1826, entitled "An ordinance to amend an ordinance regulating shops, stores and bar-rooms, and for granting licenses for retailing spirituous liquors, or for vending goods, wares, and merchandise, in the streets, lanes, alleys, and squares within the City of Savannah and its extended limits."

Penalty $100.

20. That if any person or persons shall be convicted before Council or the Police Court of violating any of the provisions of this article, he, she, or they shall be subject to a penalty of one hundred dollars, to be enforced by an execution directed to the Marshal of said city, or any lawful constable thereof, who shall, under and by virtue thereof, proceed to levy upon the goods and chattels, and if none to be found, on the lands and tenements of the offender or offenders, and after advertising the same for fifteen days, shall sell the same for the payment of the said fine and all costs and expenses, or by a mittimus directed to the Marshal of said city or any lawful constable thereof, and to the Jailer of Chatham County, if, in the opinion of the presiding officer of said Court or Council, such mittimus may be necessary to enforce the collection of said fine, costs and expenses.

How levied and enforced.

Ordinance 16th December, 1863.

Council to establish rate for licenses at first meeting in December each year.

21. Council shall, at its first regular meeting in December of each year or as soon as practicable thereafter, establish a rate for licenses, which rate shall be for the year commencing on the first day of January next ensuing, and end on the 31st day of December following; and all licenses issued during the year shall pay the same sum as though taken out at the commencement, unless Council shall, by resolution, make a *pro rata* reduction in cases where it shall appear to them equitable and just, and where they may have been petitioned to that effect.



Ordinance 5th December, 1860.

No druggist to sell liquor except on prescription of regular physician, unless he has taken out retail license.

22. No apothecary, druggist, or vender of medicine shall hereafter, within the corporate extended or jurisdictional limits of said city, sell to any person any alcoholic, spirituous, vinous, or fermented liquor in any quantity less than the original package, cask or vessel, as imported, except on the prescription of some regular physician, unless such person so selling shall first obtain a license as in the case of other retailers of spirituous liquors, in default whereof such apothecary, druggist, or vender of medicines, shall, upon conviction before the Police Court, forfeit and pay for each and every offence the sum of one hundred dollars.

No apothecary shall sell liquor on Sunday except as medicine.

23. No apothecary, druggist, or vender of medicine shall, on any pretence whatever, sell to any person within the aforesaid limits on Sunday or Lord's day, with or without a license, any alcoholic, spirituous, vinous, or fermented liquor in any quantity, except as medicine on the prescription of some regular physician, and any person offending against the provisions of this section shall, on conviction before the Police Court, forfeit and pay for every offence the sum of thirty dollars.

# ARTICLE XXXIX.

## LIGHT-HOUSE.

### STATUTES.

1. An area of 20 feet square on the Bay granted to the United States for the erection of a Light-House.
2. Said grant to be void if the land granted be diverted from the purposes for which it is granted.

### ORDINANCES.

1. Area of 20 feet square near intersection of East Broad and Bay streets conveyed to United States Government.
2. Land granted more particularly described.
3. Mayor to execute conveyance.
4. Recital of the act of the 22d December, 1857.
5. Recital of the act of 1st March, 1856.
6. Assent of Mayor and Aldermen.

### STATUTES.

State Law, assented to 22d December, 1857.

An area of 20 feet square on the Bay granted to the United States for the erection of a light-house.

1. That for the purpose of securing the erection of a light-house, the State of Georgia hereby grants to the United States of America, a certain area of twenty feet square within the limits of the City of Savannah, which area of twenty feet square, or the centre of the same, is sixty-seven feet and one inch on a perpendicular line drawn from the western line of East Broad street, extended, at a point on said extended line one hundred and nineteen feet and seven inches from the southern line of Bay street; or such other area of twenty feet square as may be agreed upon by the Mayor and Aldermen of the City of Savannah and the United States Government:

Proviso.

*Provided*, that this grant shall not be adjudged to be perfected without the assent and concurrence of the Mayor and Aldermen of the City of Savannah and the Hamlets thereof.

Reversion.

2. That should said area of land so granted as aforesaid be diverted in the future from the purposes for which it is granted, then and in that event, said area of land shall revert



to its present ownership, and the grant hereby made shall become utterly void.

### ORDINANCE.

Ordinance 30th October, 1856.

Area of 20 feet square near intersection of East Broad and Bay streets conveyed to the United States Government.

1. WHEREAS, The General Assembly of Georgia, at its late session, did, by an act approved on the first day of March last, surrender and cede jurisdiction to the said the United States over a certain area of twenty feet square within the limits of the City of Savannah, which area of twenty feet square, or the centre of the same, is sixty-seven feet and one inch on a perpendicular line drawn from the western line of East Broad street, extended, at a point on said extended line, one hundred and nineteen feet and seven inches from the southern line of Bay street, or such other area of twenty feet square as might be agreed upon by the Mayor and Aldermen of the City of Savannah and the United States Government, for the erection by said government of a light-house in said city, for the protection of commerce:

*And whereas*, The said the Government of the United States requires, as a condition to the erection of such light-house, that the said the Mayor and Aldermen convey to the said the United States the area of land aforesaid in fee simple, and it being important to the interests of commerce that such light-house be erected—therefore,

Perpendicular line of 67 feet and one inch, &c., being drawn westwardly from the western line of East Broad street.

2. The said area of land, twenty feet square, be and the same is hereby granted to the United States of America in fee simple, the perpendicular line of sixty-seven feet and one inch to the centre of said area being drawn westwardly from the western line of East Broad street, extended, at the point mentioned in the preamble to this article, and in the said act of the General Assembly.

Mayor to execute conveyance.

3. His Honor the Mayor shall cause a suitable deed of conveyance of the said area to be made and executed and delivered to the said the Government of the United States, or its legally constituted agent.

Recital of act of 22d December, 1857.

4. WHEREAS, The General Assembly of the State of Georgia did, by an act duly passed and assented to on the twenty-second day of December, in the year of our Lord eighteen hundred and fifty-seven, grant to the United States of Amer-

ica a certain area of twenty feet square, within the limits of the City of Savannah, which area of twenty feet square, or the centre of the same, is sixty-seven feet and one inch on a perpendicular line, drawn from the western line of East Broad street, extended, at a point on said extended line, one hundred and nineteen feet and seven inches from the southern line of Bay street, or such other area of twenty feet square as may be agreed upon by the Mayor and Aldermen of the City of Savannah and the United States Government: *Provided*, that said grant should not be adjudged to be perfect without the assent and concurrence of the Mayor and Aldermen of the City of Savannah; and on the further condition that should said area of land so granted be diverted in the future from the purposes for which it is granted, to wit: the erection of a light-house in said City of Savannah for the protection of commerce; then, and in that event, said area of land shall revert to its present ownership, and the said grant become utterly void; as will more at large appear, reference being had to said act of said General Assembly:

Recital of act of 1st March, 1856.

5. *And whereas*, By a previous act of the General Assembly of said State, approved on the first day of March, in the year of our Lord eighteen hundred and fifty-six, the said General Assembly did cede jurisdiction to the United States over the said above defined area, or such other area of twenty feet square as might be agreed upon by the Mayor and Aldermen of the City of Savannah and the United States Government: Now, in order to carry into effect the said acts of the General Assembly of Georgia:

Assent of Mayor and Aldermen.

6. That the said Mayor and Aldermen of the City of Savannah do hereby assent and concur in the said grant of said above defined area of twenty feet square, and the said cession of jurisdiction over the same, on the terms and conditions mentioned and expressed in said first above recited act; and that his Honor the Mayor cause to be prepared and executed any instrument or instruments in writing necessary to effect the purposes of this ordinance.



# ARTICLE XL.

## LOTTERIES AND RAFFLES.

### ORDINANCE.

1. Lottery Tickets, Raffles, Gift Enterprises, etc., tax $300.

### ORDINANCE.

Ordinance 29th October, 1857.

Lottery tickets, raffles, etc. tax $300.

1. Each and every person who shall carry on the business of vending books, jewelry, or other articles by raffle or lottery, or of selling lottery tickets within said city, by selling, disposing of, delivering, ordering or receiving for another for any consideration whatever, any lottery ticket, or part or share of a lottery ticket, or by offering to carry on such business by advertising, exhibiting a sign or otherwise, shall pay the City Treasurer, annually, the sum of three hundred dollars, and each and every person who shall commence to carry on such business, by doing or offering to do any one of the acts aforesaid, on and after the first day of January, annually, shall forthwith and annually thereafter, so long as he or she shall continue to carry on such business, pay to the said Treasurer the sum of three hundred dollars, and each and every person who shall violate or fail to comply with either of the foregoing provisions of this section, shall, upon conviction thereof before the Mayor in the Police Court, be fined in a sum not exceeding four hundred dollars for each and every such violation of, or failure to comply with the said provisions, one half of said fine to go to the informer.

Penalty $400.

# ARTICLE XLI.

# MARKET.

## STATUTES.

1. The citizens of Savannah authorized to erect at their own expense. on Ellis square, a public market. Said market vested in the corporation of the city free of expense.
2. The right forfeited unless said market be commenced and finished in a given time.
3. Selling unwholesome provisions.
4. Unwholesome bread or drink.

## ORDINANCES.

1. Public market held every day except Sunday.
2. Sellers refusing to pay market fees.
3. Clerk fined $30 if he neglects his duties, etc.
4. Butchers to divide small meat.
5. Butchers to take hide and head of animal, etc., to Clerk.
6. Offal not to be brought to or near the market, except, etc.
7. Butcher pens, etc.
8. Unwholesome meat.
9. No butter, vegetables, etc., to be brought to market not the growth or manufacture of this State or South Carolina.
10. No butcher, etc., to keep wagons near the market.
11. Duty of Market Committee and Clerk to examine scales.
12. False weights and measures.
13. Duty of City Marshal, etc., to attend market.
14. Weighing at other scales, etc., and having no scales.
15. No sleeping on market stalls.
16. Fines, how recovered.
17. All fines half to informer and half to city. Exception.
18. When no penalty affixed, fine thirty dollars.
19. Owners of stalls may carry their provisions through the city after market hours, but butchers can only sell from wagons having badges.
20. Fine for violation, $30.
21. No dogs in market; fine $30.
22. No smoking in market; fine $2.
23. Injuring, etc., market stalls.
24. No selling of beef, veal or mutton except at market. Exception as to vessels.
25. City Marshal to sell stalls on 1st Wednesday in December in each and every year. Price of stalls.
26. All stalls other than the above shall be let at such prices and on such terms as shall be fixed by the Chairman of the Market Committee.
27. No person buying a stall shall sub-let the same. Lease may be renewed at same price.
28. Butchers to give bond in the sum of one hundred dollars, conditioned to comply with the ordinances and laws of the State.
29. Dead poultry sold by weight.
30. Unlawful to sell or to offer to sell any meat, fish, etc., or any other article which may have been bought at or near the market for the purpose of re-sale.
31. Duty of Clerk of Market and City Police to report violations.
32. Charges and fees to be collected by Clerk of the Market for use of the city.
33. Duty of Clerk of the Market once a month to examine all scales and measures.
34. Ordinance in relation to the renting of stalls suspended, and the Mayor and Aldermen authorized to make temporary arrangements in relation to stalls in the temporary market.



## STATUTES.

State Law 21st December, 1820.

1. That from and immediately after the passing of this act, it shall and may be lawful for the citizens of Savannah to erect, or cause to be erected, at their own proper charge, expense and cost, on a spot of ground in said city called Ellis square, allotted and appropriated for the use and convenience of a public market by the aforesaid act of 7th April, 1763, now in force, a public market: *Provided*, that in the erection of said market, no more ground is occupied on said square than that upon which the former market was erected, and also that said market when so erected shall be vested in the corporation of said City of Savannah, free of any charge, cost, or expense, and that all rents, issues and profits thereof to be applied to the use of said city.

Citizens of Savannah authorized to erect public market on Ellis square.

Proviso.

Vested in the corporation of the city free of expense.

2. That the right herein granted to the citizens of Savannah shall be deemed and considered as forfeited, unless the said market shall be commenced by the first day of April next, and completed by the 20th day of December, 1821.

The right forfeited unless, etc.

Irwin's Code.

3. §4472. Any butcher or other person selling the flesh of a diseased animal, or other unwholesome provisions, shall be indicted, and on conviction, shall be [punished as prescribed in section 4245 of this Code].

Selling unwholesome provisions.

4. §4473. Any baker, brewer, distiller, merchant, grocer, or other person, selling unwholesome bread, drink, or perni-

Unwholesome bread or drink

cious and adulterated liquor, knowing them to be so, shall be indicted, and on conviction, shall be [punished as prescribed in section 4245 of this Code].

## ORDINANCES, AS AMENDED.

Ordinance 22d July, 1839.

Public market held every day except Sunday.

1. That a public market shall be held every day in the year (Sundays excepted), in Ellis square, at which place all kinds of butcher's meat, poultry, fruit, fish, vegetables and all other kind of provisions may be sold, under the regulations hereinafter contained.

Sellers refusing to pay market fees.

2. When any seller of meat or other articles of provisions charged by this article, shall refuse to pay the sum required under the same, the Clerk is hereby authorized to levy upon and retain such meat or other articles, until such charge be paid, or until one or more of the Market Committee order the release thereof. And if the said charge be not paid before the closing of the market, and the article or the articles remain in the possession of the Clerk, the same shall be disposed of as may be directed by the member of the Market Committee present, or in his or their absence, as the Clerk may see fit. And

$30 fine for opposing Clerk of the Market

if any person or persons shall oppose, obstruct, insult or abuse the Clerk of the Market in the execution of his office or duty, such person or persons shall be fined in a sum not exceeding thirty dollars.

$30 fine if Clerk neglects his duties

3. If the Clerk of the Market shall neglect any of the duties required of him by this article, he shall be liable to a fine not exceeding thirty dollars, and according to the nature of the charge brought against him, to removal from office by Council, as already provided.

Butchers to divide small meats.

4. The butchers shall, if required by any person or persons, with the approbation of the Market Committee, divide their small meat as follows: Every calf, heifer, hog, goat or lamb, the quarters thereof shall be divided into two parts, the loin from the leg, or the breast from the quarters, and the quarters of beef shall be cut up into pieces so as to suit the buyers. These regulations to commence at the opening of the market, and continue to the hour 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; and every person cutting up meat, shall wear a long white apron every day whilst at market.

And wear white aprons.

Butchers to take hide and head of animal, etc., to Clerk.

5. Every butcher or person killing an ox, cow, heifer, or grown neat cattle, and exposing the same for sale within the city, shall take the hide and head of each animal slaughtered, attached to each other and not severed, and the said head with the ears and horns on of every such animal, he shall carry to the market and show the Clerk, whose business it shall be to keep a book for that purpose, where he shall regularly enter the ear and horn marks (if any) of such animals, with the day of the month the same was brought to market, and the book shall be kept open at all times during market hours for the purpose of inspection of every person, under forfeiture of a sum not exceeding thirty dollars for every neglect of any butcher or other person bringing the same, and for the neglect of the Clerk in not taking the marks, or for his entering improper or false brands and marks, he shall suffer the like penalty.

Ear and horn marks, etc.

$30 fine on Clerk for neglect in taking marks, etc.

Offal, etc.

Exceptions.

Penalty $30.

6. It shall not be lawful for any person or persons whatsoever, to bring to or near either of the markets aforesaid, any of the offal, or inside of any bull, steer, cow, heifer, calf, sheep, or hog, except the haslet, clean tripe, and lard and tallow when melted, and rough tallow: *Provided*, the same is free from any unpleasant smell; and any person or persons so offending shall pay a fine not exceeding thirty dollars.

Butcher pens.

Penalty $100.

7. 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 offence. It shall not be lawful for any butcher, under the penalty of not more than one hundred dollars for every day's offence, 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.

Unwholesome meat, etc.

8. If any person or persons shall expose or offer for sale in the said market, or in any other place within this city, any blown, puffed up, or unwholesome meat, or provisions of any kind, it shall be the duty of any Alderman, or the Clerk of

the Market or City Marshal, on complaint being made to him or them, or upon the view of either of them, to examine into the same, and if the said meat or provisions shall appear to be unwholesome, the same shall be considered as a nuisance, and condemned and be immediately buried under ground, burnt, or otherwise destroyed, by order of the officers of the city so inspecting and condemning the same, and such person or persons so offending, shall be moreover fined in a sum not exceeding thirty dollars.

Penalty $30.

No butter, vegetables, etc.

9. No person or persons shall be allowed to bring to the market of this city, or expose to sale at said place, any butter, vegetables, or other similar articles of consumption, not the growth or manufacture of this State or South Carolina. Nor shall any person or persons whosoever, expose at said market and for sale, any codfish, mackerel, or salmon, unless by special license, which shall be granted on the petition of any person or persons applying for the same, he, she or they first paying into the treasury of the city the sum of fifteen dollars for such license, which shall last for the space of one year, and shall not be used by any other person but the one or those named in the said license. And every person or persons offending against this section shall, on the order of any of the Market Committee, Clerk of the Market or Marshal, immediately withdraw and remove such article or articles, and in case of neglect or refusal to withdraw or remove the same, such article or articles shall be seized and forfeited, and be disposed of as may be directed and ordered by any of the Market Committee, Clerk of the Market or Marshal.

No codfish, etc., unless by license.

Price of license, $15.

Seizure and forfeiture of articles.

No butcher, &c., to keep wagons, &c., near the market.

10. 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 the said market, or for a longer time than the Market Committee or Clerk of the Market may direct, and such butcher or other person shall be compelled to draw up his, her, or their wagon, cart, or vehicle, in such manner and in such places as any one of the Market Committee, or said Clerk, shall think most convenient for the sale of the articles so brought, nor shall any person or persons be allowed or permitted to feed with grain or forage any horse, mule, ass, or ox, or any other animal, at the said market, or within the limits prescribed by the said committee or Clerk. And it shall be the duty of the Clerk of the Market or the City Marshal, to enforce and carry into effect any order of the Market Committee respecting the rules and regulations prescribed in this section; and any person or persons offending against the same shall be fined in a sum not exceeding thirty dollars, and execution shall be issued immediately thereafter, and served and executed on the property of the offender or offenders, in his, her, or their possession or agency, and the cause of such complaint, by the Marshal, and sold at the market, on five days notice; and after paying the said fine and fifty cents costs, the surplus shall be paid over to the offender or offenders, or his, her, or their agent or agents.

Market Committee or Clerk to designate place of vehicles.



No feeding of animals, &c.

Penalty $30.

Property to be sold by Marshal, &c.

11. It shall be the duty of the Market Committee and Clerk of the Market, from time to time, and as often as they may think proper, to examine the scales of all persons buying or selling in the market, and prescribe the manner of suspending the same. And all persons neglecting or refusing to conform to such direction, shall be fined in a sum not exceeding thirty dollars. And all scales and weights not conforming to the legal standard, or properly marked, shall be seized by said Clerk, and be forfeited to said city.

Duty of Market Committee and Clerk to examine scales.

Penalty $30.

12. If any person or persons shall buy or sell in this city any article or commodity usually bought or sold by weight or measure, hereafter to be used, and not sanctioned by this article, or shall have in his, her, or their possession, any false weight or measure, every such person or persons so offending, shall be fined not exceeding the sum of thirty dollars, and his, her, or their name and description, after conviction, shall be published.

False weights and measures.

Fine $30.

13. It shall be the duty of the City Marshal or his deputy and one or more Constables, as may from week to week be required by the Marshal, to attend at the said market every day at sunrise, and continue his attendance at market until nine o'clock of the morning, and also on every Saturday afternoon until the closing of the market, for the purpose of aiding and assisting the Mayor or any Aldermen, Clerk of the Market, or Marshal, in the performance and execution of any

Duty of City Marshal, &c, to attend market, &c.

of the duties devolved on any or either of them under this article, or any other which may be passed in relation to the market, and in case of neglect or default of duty or attendance as aforesaid in such Marshal or Constable, he shall be fined in a sum not exceeding thirty dollars.

Fine $30.

Weighing at other scales, &c., and having no scales.

14. It shall not be lawful for any vender of meat to weigh the same at any other scales than those attached to his own stall, and all persons neglecting to have scales of their own, or weighing at any other scale than those affixed to their own stalls, or using other weights than those of the scales so affixed, shall be fined in a sum not exceeding thirty dollars.

Fine $30.

No sleeping, &c., on the market stalls.

15. It shall not be lawful for any person to sleep or lie down upon the public stalls in the market in the night or day time, and every person so found shall be taken up by the Marshal, Constables, or City Police, and upon the conviction thereof before the Mayor, fined by him in a sum not exceeding six dollars.

Fine $6.

Fines, how recovered.

16. All fines imposed on any person shall be recovered, unless otherwise directed by this article, as heretofore usually practiced.

All fines, half to informer and half to the city.

17. All fines accruing under this article shall be applied as follows, to wit: one moiety to the use of the informer, and the other moiety or half part to the use of the city, except where the ordinance may otherwise specially direct, and except in such cases where the Market Committee or either of them come to a knowledge of the offence by his or their own view; in such case fine or forfeiture shall accrue to the city only, and all fines shall be levied by distress and sale of the offender's goods and chattels by warrant, under the hand of the Mayor, with the seal of the city, and be directed to the Marshal of the city or any Constable.

Exception.

Fines, how levied and collected.

Fine of $30 in all cases where no penalty affixed.

18. Each and every person violating this article, the penalty for which has not hitherto been designated, shall be fined in a sum not exceeding thirty dollars.

Fifteenth section of the ordinance 22d July, 1839, as amended by ordinance 22d December, 1869.

Owners of stalls may carry their provisions through the city after market hours, but butchers can only sell from wagons, &c., having badge.

19. Persons owning 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 owning stalls in said market, such butchers are forbidden from selling such provisions 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, with the concurrence of the Mayor, may prescribe. And no person shall be authorized to sell vegetables through the streets during market hours.

Fine for violation, $30.

20. That for every violation of this ordinance the offender shall be liable, on conviction before the Police Court, to a fine not exceeding thirty dollars.

Ordinance 11th April, 1839.

No dogs in market. Fine $30.

21. That no dog shall be permitted to be brought or come within thirty feet of the market house during market hours, and any person bringing or suffering a dog or dogs to accompany him or her, contrary to the provisions of this section, shall be fined in a sum not exceeding thirty dollars.

Ordinance 24th October, 1839.

No smoking in the market. Penalty $2, &c.

22. It shall not be lawful for any person to smoke any segar or pipe in the public market place in the City of Savannah, under the penalty of two dollars for the first offence and not exceeding five dollars for each and every subsequent offence.

Ordinance 30th January, 1851.

Injuring, &c., market stalls.

Fine $50.

23. If any person shall cut, mutilate, break, deface, or injure the market building or any of the stalls or other appurtenances to the said market, such offenders shall be fined for such offence in a sum not exceeding fifty dollars, one half the fine to be paid to the informer.

Ordinance 17th November, 1853.

No selling of beef, veal, or mutton, except at market.

24. It shall not be lawful for any person or persons whatsoever to sell or expose for sale, or barter, any quantity of butcher's meat known as beef, veal, or mutton, at any place within the limits of the City of Savannah, except only at the public market thereof, under such regulations as are now in force for the government of the same. [See section 19 of this article.]

Fine $50.

For each and every violation of this article the offender shall be fined in a sum not exceeding fifty dollars, one half of the fine to go to the informer.

Exceptions a to vessels, &c.

Nothing in this article shall prevent the sale, on board steamships or other vessels, of beef, veal, or mutton, imported from other places, nor shall it be construed as repealing section 19 of this article, which permits persons having stalls in the market to carry their provisions through the streets after market hours.

Ordinance 27th November, 1867.

Stalls to be sold on the first Wednesday of December in every year. Price of stalls.

25. That hereafter, on the first Wednesday of December in each and every year, the following stalls in the public market not retained as hereinafter stated, shall be rented for one year at the following prices, to wit: Each beef stall at the annual sum of one hundred dollars; each small meat stall at the annual sum of seventy-five dollars; each vegetable stall at the annual sum of forty-five dollars; each coffee stall at the annual sum of eighty dollars; and each bread stall at the annual sum of fifty dollars; and that, hereafter, in reference to said stalls not retained for another year by authority of the Market Committee at the prices hereby fixed, respectively, there shall be no assessment as heretofore, and no renewal of lease, but each and every of said stalls shall annually be put up for lease for one year at the respective prices aforesaid; and in case of competition the person or persons bidding highest over the said rates shall be entitled to the lease for one year; and no bid under said respective sums shall be received, except in the discretion of the Market Committee: *Provided*, that no person shall hereafter rent more than two stalls; and that no person shall sub-let any stall without authority from the Chairman of the Market Committee; and any such sub-letting, without authority as aforesaid, shall work a forfeiture of the lease to the city.

All stalls other than the above shall be let at such prices and on such terms as shall be fixed by the Chairman of the Market Committee.

26. That all stalls other than the above shall be assessed and let at such prices and on such terms as shall be fixed by the Chairman of the Market Committee.

Ordinance 17th November, 1853.

No sub-letting; forfeiture of stall.

27. No person buying a stall shall transfer or sub-let the same without the consent of the Market Committee, under the penalty of forfeiting the stall to the city.



Yearling beef.

No beef older than a yearling shall be offered for sale on the small meat stalls.

Renewal of leases.

On the first Wednesday of each ensuing year the Market Committee may renew the lease of any occupant of a stall, at the rent paid the previous year, if applied to prior to the expiration of the year, and all stalls unrented shall be sold on said day at the terms above specified, and all rents and assessments of every kind shall be paid for in advance.

Clerk's duty as to fish.

The Clerk, with the consent of the Market Committee, shall regulate the fees to be paid for the sale of fish and shell fish.

Ordinance 28th November, 1866.

Butcher to give bond in the sum of $100, conditioned to comply with the ordinances and laws of the State.

28. That from and after the passing of this ordinance 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 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 butchers will faithfully comply with all 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 such butcher shall be deemed and declared vacant, and may be rented out to some other person: *Provided always*, that nothing contained in this ordinance 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.

Ordinance 29th March, 1860.

Dead poultry sold by weight

29. That 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 that, 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 that 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 offence to pay a fine of not more than five dollars.

Ordinance 5th June, 1861.

Unlawful to sell or to offer to sell any article which may have been bought at or near the market, for the purpose of re-sale.

30. That a fine of not more than thirty dollars 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, as provided in the ordinance passed the second day of January, 1840.

Duty of Clerk of the Market and City Police to report violations.

31. It shall be the special duty of the Clerk of the Market and of the City Police to report all violations of this article, 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 offence; and in case no such security be given, then said articles and commodities shall be forfeited to the city, on due proof before the Police Court.

Ordinance 27th December, 1865.

Market fees.

32. 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 shad, two 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, twenty-five cents; for every pair of wild English, black or canvass-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 venders of sausages, twenty-five cents for each day's marketing, and the same for the Saturday afternoon's market; for every coffee stand, twenty-five cents per day, and the same for the Saturday afternoon's market; for each saddle of venison sold from a stall or bench, ten cents: *Provided*, no article shall be sold in said market that is usually vended or sold at the stores in said city, except meal, grist, and bread, and such other articles (the product or growth of the country) which are brought directly to the market for sale.

Duty of Clerk of the Market once a month to examine all scales and measures.

33. And it shall be the duty of the Clerk of the Market, once a month, to examine all scales and measures, and the penalty for using or attempting to use any false scale or measure, or any spring scale (which is hereby forbidden), shall be a fine not exceeding thirty dollars, on conviction of the offender before the Police Court, and every such scale or measure shall be forfeited and destroyed. The Clerk of the Market shall, every Monday morning, after the close of the market, make a weekly return of the charges and fees received by him as Clerk, and pay the amount thereof into the city treasury; and that all ordinances and parts of ordinances, so far as they militate with this ordinance, be and the same are hereby repealed.

Ordinance 23d November, 1870.

Temporary market.

34. That the ordinances in relation to the renting of stalls in the public market in December next, be and they are hereby suspended, and the Mayor and Aldermen are hereby authorized to make temporary arrangements in relation to stalls in the present temporary market buildings, and any other temporary market buildings that may be erected, and in such times as said Market Committee may deem advisable.

## ARTICLE XLII.

# MEASURERS, INSPECTORS, AND WEIGHERS, WOOD, TIMBER, TURPENTINE, TOBACCO, GUANO, LIQUORS, HAY, ETC.

### STATUTES.


1. Inspectors may be appointed, etc.
2. Appointees only shall inspect. Oath and bond.
3. Inspection and measurement of lumber.
4. Inspector not to be clerk, etc.
5. Square timber, how measured.
6. Refuse timber.
7. Length of hook to dip rod.
8. Ranging timber, etc., when merchantable.
9. Length, etc., of shingles.
10. Pipe and other staves, when merchantable.
11. Illegal inspection, etc.
12. Cord of wood, contents; fees of inspector, how paid; power of corporate authorities.
13. Drifting timber, etc., penalty for disposing of.
14. Illegal purchase of same.
15. Pitch, tar, etc., to be inspected.
16. Quality, etc., of turpentine barrel.
17. Turpentine barrels, how marked.
18. Powers of corporate authorities.
19. Inspectors of liquors, etc., how appointed.
20. Their oath and duty.
21. Penalty for selling drugged liquors, etc.
22. Penalty for evading inspection.
23. Fees of liquor inspectors.
24. Penalty for manufacturing drugged liquors, etc.
25. Inspection monthly.
26. Penalty for selling without inspection.


### ORDINANCES.


1. No person to measure without a license.
2. Election of Measurers and Inspectors.
3. No Measurer or Inspector to be concerned in the sale.
4. License for measurers of wood, etc.
5. Penalty for neglect.
6. No person to sell lumber without inspection.
7. Person refusing to pay fees, etc.
8. Removing from city forfeits appointment.
9. Number of measurers and inspectors of lumber. Not to be interested in profits.
10. Fees.





11. License for Measurers and Inspectors of Lumber.
12. Fees, how paid.
13. Personal inspection.
14. Penalty.
15. Duty of measurers of corn, etc.
16. Manner of measuring.
17. Cargoes of corn, etc., to be measured.
18. Salt, corn, etc., when to be measured.
19. Weight of corn, rye, etc.
20. Weights required by Council to be used.
21. Fine for violation.
22. Firewood, when to be measured.
23. Fees of Weigher of Hay.
24. Two additional Weighers of Hay.


### STATUTES.

Irwin's Revised Code.

1. §1569. 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 subjects 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 Inferior Court [now 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: Inspectors may be appointed for any article usually inspected.

2. 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 offence, 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. Appointees only shall inspect. Oath and bond of inspectors.

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

Inspector shall not be clerk, etc., of lumber mill or buyer.

4. No lumber or timber inspector or measurer shall, during his term of office, be or become the clerk or agent of any lumber or timber buyer, or the clerk or agent of lumber mills, on pain of forfeiture of his office on conviction, and fine or imprisonment, at the discretion of any court having jurisdiction.

Square timber, how measured

5. All square timber shall be measured as follows: The length shall be counted from pin holes, 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 wainedge 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.

Refuse timber

6. 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.

Length of hook to dip rod.

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

Ranging timber, etc., when merchantable.

8. Ranging timber, scantling, and boards shall be deemed merchantable only when they shall have square edges and be 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.

Length and quality of heading and shingles.

9. 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.

Pipe, hogshead and barrel staves, when merchantable.

10. 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 fifty-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.

Illegal inspection or measurement or refusal.

11. If any inspector or measurer of timber shall fail, neglect, or refuse to measure timber as is now prescribed by law, the said inspector or measurer shall be guilty of misdemeanor, and on conviction, be subject to a fine of five hundred dollars and imprisonment in the common jail of the county for the term of three months.

What is a cord of firewood, etc.

12. 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.

Fees of inspector, by whom paid.

Power of corporate authorities, etc.

Penalty for disposing of drifting timber.

13. §1570. No raftman 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 every such offence, to be recovered in any court having jurisdiction of the same, one half of the penalty to go to the informer, and the other half to the use of the county wherein such offence may be committed, or the offender may be imprisoned not more than six months; 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 drifted timber or lumber.

Illegal purchase of drifted timber.

14. §1571. Any person detected in purchasing drifted timber or lumber as aforesaid, except from factors or timber cutters, shall be liable on conviction, to pay a fine of fifty dollars for every offence, or to be imprisoned for a term not exceeding six months.

Pitch, tar, etc, to be inspected before it is shipped.

15. §1572. 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.

Quality, etc., of turpentine barrel.

16. §1573. 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 inch 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.

Barrels of turpentine, how marked.

17. §1574. Each barrel of soft turpentine, after inspection, if found in conformity to the foregoing provisions, 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."

Powers of corporate authorities.

18. §1575. The corporate authorities of any seaport town may make such further regulations for inspectors 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.

## INSPECTION OF LIQUORS.

Inspectors of liquors, how appointed.

19. §1576. It shall be lawful for the several city and incorporated town authorities in this State, to elect or appoint an inspector of liquors, spirits and wines, and vinegar, within their respective jurisdictions, and the Inferior [Ordinary] Court of the several counties shall have the same authority of appointment within the several counties out of the jurisdiction of the city authorities.

Oath and duty

20. §1577. Such inspector, after being duly appointed as aforesaid, and sworn by the Clerk of the Council, or Clerk of the Inferior [Ordinary] Court, faithfully to discharge the duties of inspector, shall examine and inspect all liquors, spirits



and wines, or vinegar, kept by any person within the jurisdiction of such inspector, for sale in any quantities; and if upon such inspection, any such shall be found to contain any strychnine or other poisonous drug or drugs, or offensive matter injurious to health, by drinking or other use, such inspector shall immediately give notice to the owner, who shall immediately destroy the same in the presence of the inspector, or give bond and security to return the same to the person from whom he purchased without the limits of this State.

Penalty for selling drugged liquors.

21. §1578. Any person who shall sell, or offer to sell any liquor, wine, or spirits, or vinegar, knowing the same to be so drugged, or after notice as aforesaid shall be given, shall be indicted in the Superior Court of the county where such offence may be committed, and on conviction thereof, shall be fined, for the first offence, one hundred dollars; for the second offence, two hundred dollars; for the third offence, four hundred dollars, and for the fourth offence, one thousand dollars, and in each case be imprisoned until such fine be paid.

Penalty for evading inspection.

22. §1579. If any person shall refuse, or in any way prevent such inspector from making such examination and inspection, after a second demand made by such inspector, such person shall, upon indictment and conviction thereof, be fined and punished as in the immediately preceding section: *Provided*, the inspector shall make the second demand in the presence of a competent witness, and prove the same by said witness, on the trial.

Fees.

23. §1580. Such inspector shall receive, unless other rates are prescribed by the authorities appointing him, from the owner of said liquor, wine, or spirits, or vinegar, for every ten gallons so inspected, five cents; for twenty gallons, ten cents; for forty gallons, fifteen cents; for eighty gallons, twenty cents; for one hundred and sixty gallons, twenty-five cents; and at the same rates and proportion upward for any number of gallons so inspected; and he shall, if required, give a receipt and certificate therefor, and shall brand the barrels, kegs, or pipes when the means are provided by the owners therefor; and he shall also receive one half of all fine moneys arising under conviction, which shall by no means disqualify him from being a witness for the State in cases of prosecution under any of the foregoing sections.

Penalty for manufacturing drugged liquors.

24. §1581. If any person shall manufacture any drugged, poisonous or other deleterious and offensive liquors, wine or spirits, or vinegar, or adulterate any liquor, wine, or spirits, or vinegar, with poisonous material, such person so offending, shall be indicted in the Superior Court of the county where the offence may be committed, for a misdemeanor, and on conviction therefor, shall be fined and imprisoned in the common jail, at the discretion of the court.

Inspection monthly.

25. §1582. Such inspection shall be performed once a month, or whenever called on so to do by seller or buyer, When by the latter, he pays the fees.

Penalty for selling without inspection.

26. §1583. When an inspector is appointed in any city or town, and the notice given of such appointment, any vender of liquors, in any quantity, who shall offer the same for sale, before or without inspection, or a *bona fide* effort to have the same inspected, shall be guilty of a misdemeanor, and on conviction, shall be fined or imprisoned, or both, at the discretion of the court.

## ORDINANCES, AS AMENDED.

Ordinance 15th March, 1827.

No person to measure, &c., without a license; fine $30

1. No person or persons whatsoever, except those appointed by Council, shall measure salt, peas, corn, and other grains, when sold; inspect and measure boards, scantling, staves, shingles, ranging timber, cypress logs, oak, and other timber, cord and measure wood, or inspect or gauge liquors, under the penalty of the sum not exceeding thirty dollars for each offence.

Election of Measurers and Inspectors.

2. At the first regular meeting of Council in January of each year, 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 liquors; not exceeding six weighers of cotton, rice, tobacco, &c.; and not exceeding three measurers of salt, peas, corn, and other grain; each of whom, before entering upon the duties of his office, shall take and subscribe the following

Oath.

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."

3. No person so appointed a measurer of salt, peas, corn, and other grain, or of wood, or a measurer and inspector of lumber, staves, shingles, or other timber, shall be directly or indirectly concerned in the sale thereof, as principal or agent, and each inspector or measurer appointed by virtue thereof, shall enter into bond in the name of the Mayor and Alder- Bond $500. men 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.

4. That each measurer of wood shall receive a license, and Price of license. for the same pay to the City Treasurer the sum of five dollars for the use of the city, and to the City Treasurer, for his fees, Measurers of wood. fifty cents, and to the Clerk of Council, for his fees, the sum of one dollar. And each measurer of salt, peas, corn, and Measurers of salt, grain, &c. other grain, shall receive a license, and for the same pay the City Treasurer the sum of five dollars for the use of the city, and fifty cents for his fees, and one dollar for the fees of the Clerk of Council. And each weigher of cotton, rice, tobacco, Weighers of cotton, &c. and hay, shall receive a license, and for the same pay to the City Treasurer the sum of ten dollars for the use of the city, and fifty cents for his fees, and to the Clerk of Council one dollar for his fees. And each inspector and gauger of liquors Inspector and Gauger. shall pay to the City Treasurer the sum of fifteen dollars for the use of the city, and fifty cents for his fees, and to the Clerk of Council, one dollar for his fees. And each license License how signed. shall be signed by the Mayor and attested by the Clerk, with the seal of the city thereon.

5. Every and each measurer and inspector of lumber, Penalty for neglect, &c., $30. boards, scantling, staves, shingles, ranging timber, cypress logs, oak, and other timber, and every and each measurer and inspector of firewood, and inspector and gauger of liquors, measurers of salt, peas, corn, and other grain, weighers of cotton, rice, tobacco, and hay, who shall be convicted before the Police Court of a neglect or violation of his duties or the provisions of this article, shall be fined in a sum not exceeding thirty dollars for every and each offence, one half of the said fine for the use of the city, the other half to the informer,

Or dismissal. and if deemed necessary by the said Mayor and Aldermen, be dismissed from office.

No person to sell lumber, &c., without inspection, &c. 6. Any person who shall hereafter sell any lumber, ranging or other timber, staves or shingles, for exportation, or wood, or cargoes of salt, or part of cargoes, or quantities exceeding one hundred bushels, (except when measured by the officers of the customs,) cow-peas, or other grains, without being first inspected and measured by the proper officer appointed by Council, shall, upon conviction, be fined for such offence in a sum not exceeding thirty dollars.

Fine $30.

Persons refusing, &c., to pay the fees. 7. 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 authorized by this article, shall, upon conviction, be fined in a sum not exceeding thirty dollars for each offence, and the property shall in all cases be liable to the payment of the fees.

Fine $30.

Measurer, &c., removing from city, &c., forfeits his appointment. 8. 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.

How filled.

## MEASURERS AND INSPECTORS OF LUMBER.

Ordinance 23d March, 1843.

18 Measurers, &c., of lumber 9. The number of measurers and inspectors of lumber appointed by Council shall not exceed eighteen, and their

When elected, &c. appointment shall be made annually, on the first meeting of Council in January, or at any other time a vacancy shall occur. They shall produce satisfactory evidence of their moral character, fitness, and qualifications for the faithful

Not to be interested in profits, though they may be clerks, &c., for factors or sellers. discharge of their duties, not to be interested in the profits arising from the sale of lumber to be inspected and measured by them, though they may be employed as clerks by the factors or sellers, and each shall enter into bond in the name of

Bond $500. 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.



Fees. 10. 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; for inspecting and measuring ranging timber, twenty-five cents per thousand feet; for sawed lumber, fifty cents per thousand feet.

License. 11. Each measurer and inspector of lumber appointed in the manner aforesaid, and after complying with the requirements of this article, shall receive a license and shall pay for the same to the City Treasurer ten dollars for the city, and fifty cents for his own fees, together with the sum of one dollar to the Clerk of Council for his fees.

Fees, how paid 12. All fees shall be paid by the seller or factor, he charging half measurement and inspection to the buyer.

Ordinance 8th January, 1857.

Personal inspection, &c. 13. No measurer or inspector of lumber and timber shall inspect or measure any raft or other quantity of timber except by the personal inspection and measurement of such measurer and inspector, and any sworn inspector who may be called on to aid and assist him in such measurement and inspection, and so to be certified under the hand of such measurer and inspector in duplicate bills of inspection and measurement, to be made out by such measurer and inspector, one for the seller and the other for the purchaser.

How certified, &c.

Penalty not less than $20, nor more than $50. 14. Any measurer and inspector of lumber and timber who shall violate the provisions of the foregoing section, or shall inspect or measure timber, except by his own personal inspection and measurement, or who shall fail to certify such inspection and measurement as made personally by himself as aforesaid, or who shall fail to render such bills certified as aforesaid when requested by the parties, or either of them, shall, on conviction before the Police Court, pay a fine of not less than twenty dollars, and not to exceed fifty dollars, or be dismissed from office.

Or dismissal from office.

## MEASURERS OF CORN, SALT, ETC.

Ordinance 30th August, 1827.

Duty of Measurers of corn, salt, &c.

15. It shall be the duty of each and every City Measurer, before entering on the duties of his office, to provide himself with two or more good, substantial measures, of the following description, viz.: each measure shall be an iron bound oaken tub, with an iron bar across the top, and an iron rod or post united to the middle of said bar, and leading thence through the centre of the bottom of the tub, and secured in such a manner as to prevent the cross-bar from binding or becoming otherwise displaced, said measure to be of the capacity of one half a bushel agreeably to the city standard, and also be inspected and branded by the Clerk of the Market, as required by city ordinances. Each measurer shall likewise provide himself with one or more shovels or scoops of such size and capacity that three times the full of a scoop shall be sufficient to fill a half bushel tub.

Description of measures.

Shovels or scoops.

Manner of measuring.

16. The manner of measuring corn, peas, and other grain, and of salt, in the city, shall be as follows, viz.: The measure shall be placed on its bottom in a horizontal position, and the measurer shall fill or cause the same to be filled, by means of the above described scoop, and the contents made level and even with the top of the measure, by gently drawing a strickle across the same; and the measurer shall keep a correct account of the quantity so measured, and if any measurer shall use or cause to be used for the purpose of measuring any corn, peas, or other grain, or salt, any measure different from the one above described, or use the same in any other manner than the one above described, shall, on conviction thereof, be fined in a sum not exceeding thirty dollars for the first offence, and for a second offence shall be dismissed from office.

Fine $30.

Cargoes of corn, &c., to be measured, &c.

17. All cargoes or parts of cargoes of corn, peas, or other grain, and of salt (except when measured by the officers of the customs), shall, when sold from on board, and at all times from store, or elsewhere when required, be measured or caused to be measured by a city measurer, for which he shall be entitled to receive the following compensation, viz.: For any quantity not exceeding five hundred bushels, one cent and a quarter of a cent per bushel, and for all quantities exceeding

Fees of measurer.



five hundred bushels, one cent per bushel, to be paid by the seller, and no other measurement than that of a city measurer shall be deemed lawful, except when done by consent of parties. And any person or persons refusing or neglecting to comply with the provisions of this section of the ordinance, shall be liable to a penalty not exceeding thirty dollars.

Penalty $30.

Ordinance 11th October, 1827.

Salt, corn, &c., when to be measured.

18. That all salt (except when measured by the officers of the customs), corn, peas, and other grain, sold from on board of vessels in the port or City of Savannah, shall, in every case, be measured by one of the inspectors and measurers appointed by Council, and that the said articles when sold from store or elsewhere shall be measured at the requisition of the purchasers.

Ordinance 28th October, 1847.

Weight of corn, rye, barley, and oats, per bushel.

19. All corn, rye, barley, wheat, and oats bought and sold within the City of Savannah shall be bought and sold under the following regulations, viz.: Every bushel of corn shall weigh fifty-six pounds; every bushel of rye, fifty-six pounds; every bushel of barley, forty-eight pounds; every bushel of wheat, sixty pounds; and every bushel of oats, thirty-two pounds: *Provided*, that nothing herein contained shall be construed to make it unlawful for the purchaser and seller to agree for the sale of the foregoing particularly described commodities by measurement, as heretofore, instead of by weight.

Proviso.

Weights.

20. In the weighing of the above mentioned produce, the weights now used and required by Council shall be used by the seller or sellers.

Fine from $5 to $10.

21. Every person who shall sell corn, rye, barley, wheat, or oats contrary to the provisions of this article, shall, for each and every offence forfeit and pay a sum not less than five dollars and not exceeding ten dollars, one half to be paid into the city treasury, and the other half to the informer.

## MEASURERS OF WOOD.

Ordinance 31st January, 1833.

Firewood when to be measured, &c.

22. All firewood shall be regularly inspected and measured by the measurers of wood, whenever required by the purchaser or seller, and the said measurer shall be authorized to de-

Fees.

mand and receive twelve and a half cents per cord, one half of which amount to be paid by the seller of said wood, and the other half by the purchaser.

WEIGHERS OF HAY.

Ordinance 21st March, 1866.

Fees of weighers of hay, ten cents per bundle.

23. The fees of the weigher of hay shall hereafter be ten cents for every bundle of hay, instead of six and a quarter cents as formerly.

Two additional weighers of hay.

24. There shall be two additional weighers of hay, the first election for whom shall take place at the next regular meeting of Council, after the usual notice published by the Clerk of Council.

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# ARTICLE XLIII.

## NUISANCES.

### STATUTES.

1. Nuisances—public and private.
2. What is a nuisance.
3. May be removed, and how.
4. When in town or city.
5. Notice.
6. Grist or Saw Mill, etc.
7. By whom application may be made.
8. *Quære, etc.*

### ORDINANCES.

1. Curing hides within corporate limits.
2. Duty of Marshal to remove hides.
3. Appearing naked, etc.
4. Bathing in Savannah river, within certain limits.
5. Swimming or bathing in canal, within certain limits.
6. Fines, how collected.
7. Curing hides on lots on Mill st., etc., lawful; *but,*
8. Subject to inspection, etc.
9. Gutter or spout conveying filth, etc.



### STATUTES.

Irwin's Revised Code.

Public and private nuisances.

1. §2946. Nuisances are either public or private. A public nuisance is one which damages all persons who come within the sphere of its operations, though it may vary in its effects on individuals. A private nuisance is one limited in its injurious effects to one or a few individuals. Generally, a public nuisance gives no right of action to any individual, but must be abated by a process instituted in the name of the State. A private nuisance gives a right of action to the person injured.

What is a nuisance.

2. §2949. A nuisance is any thing that worketh hurt, inconvenience, or damage to another; and the fact that the act done may otherwise be lawful, does not keep it from being a nuisance. The inconvenience complained of must not be fanciful, or such as would affect only one fastidious taste, but it must be such as would affect any ordinary reasonable man.

May be removed, and how.

3. §4023. Any nuisance which tends to the immediate annoyance of the citizens in general, is manifestly injurious to the public health and safety, or tends greatly to corrupt the manners and morals of the people, may be abated and suppressed by the order of any two or more Justices of the Peace of the county, founded on the opinion of twelve freeholders of the same county, who shall be summoned, sworn, and impanneled, for that purpose; which order shall be directed to and served by the sheriff of the county, or his deputy.

When in town or city.

4. §4024. If the nuisance complained of exists in a town or city, under the government of a Mayor, Intendant, Aldermen, Wardens, or a Common Council, or Commissioners, such nuisance, by and with the advice of said Aldermen, Wardens, Council, or Commissioners, may be abated and removed by order of said Mayor, Intendant, or Commissioners; which order shall be directed to and executed by the sheriff or the marshal of said town or city, or their deputy.

Notice.

5. §4025. Reasonable notice shall be given to the parties interested of the time and place of the meeting of such justices and freeholders, or of such Mayor, Intendant, Aldermen, Wardens, Council, or Commissioners.

6. [§4026, in regard to nuisance by "grist or saw mill or other water machinery," etc., believed to be of little or no practical use here.]

By whom application may be made.

7. §4027. A public nuisance may be abated on the application of any citizen of the district;* and a private nuisance on the application of the party injured.

8. [§§4028 and 4029 seem to have no special application to the City of Savannah.]

## ORDINANCES, AS AMENDED.

Ordinance 2d August, 1839.

Not lawful to cure hides.

1. It shall not be lawful for any person to cure hides, whether by means of salt, exposure to the sun, or otherwise, within the corporate limits of the City of Savannah, and for each violation of this section the offender shall pay a fine not exceeding thirty dollars.

Fine $30.

Duty of Marshal to remove hides, etc.

2. It shall be the duty of the Marshal to require the removal of any hides, cured or not, which may be offensive, or in the opinion of the Health Officer, injurious to the health of the city, and should the owner, possessor, or claimant of such hides neglect or refuse to remove the same within six hours from the period of his or her being so required by the Marshal, the removal shall then be made by the Marshal or any member of the City Police, at the expense of the owner, possessor, or claimant, who shall, in addition thereto, for each and every such refusal or neglect, be fined in a sum not exceeding fifty dollars.

Fine on owner $50.

$50 fine for appearing naked, etc., in the streets.

3. If any person shall appear in any of the public streets, lanes, squares, or docks in this city, in a state of nakedness, or who shall in any manner whatsoever wilfully make any indecent and public exposure of his or her person, or of any other person; he or she may be arrested by the City Marshal, or any person, and shall be fined for each and every such offence in a sum not exceeding fifty dollars.

Not lawful to swim or bathe in the river opposite the city.

4. It shall not be lawful for any person to swim or bathe in the river opposite the city, that is to say, from the western side of West Broad street, to the western side of the Eastern Wharf Company, at any hour after seven o'clock in the morning until sunset, under the penalty of not exceeding fifty dollars.

Penalty $50.

* Has this clause any applicability to the authorities of Savannah? Further as to nuisances, etc., see §751 of the Code, in the first Article of this compilation; and appropriate heads in this volume.



Ordinance 20th August, 1857.

Not lawful to swim or bathe in the canal.

5. It shall not be lawful for any person to swim or bathe in the Ogechee Canal, between the river and the second lock from the river, at any hour after seven o'clock in the morning, and before sunset, under the penalty of not exceeding fifty dollars.

Fines how collected.

6. All fines and forfeitures incurred under this article, shall be collected and enforced in the manner pointed out by law, and one half of the money received from said fines or forfeitures shall be given to the informer, and the other half shall go to the city.

Ordinance 4th May, 1854.

Lawful to cure hides on certain lots.

7. It shall be lawful for any person to cure hides, whether by means of salt, exposure to the sun, or otherwise, upon lots numbers thirty-four and thirty-five, Mill street, in the City of Savannah, upon taking out a license and paying therefor annually the sum of twenty-five dollars.

Subject to inspection of Health and Cemetery Committee, etc.

8. The said lots, numbers thirty-four and thirty-five, Mill street, and the buildings thereupon, shall at all times be subject to the inspection of the Committee on Health and Cemetery, the City Marshal, the Mayor of the city, and the Health Officer; and in case either of said city officers or committee shall at any time deem the curing of said hides to be offensive, then the hides so deemed offensive shall be removed by the owner or occupant of the lots and buildings above described, within twenty-four hours from the time of receiving such notice, under penalty of the sum of one hundred dollars, to be recovered by information before the Police Court, one half of said fine to go to the city, the other half to the informer.

Offensive hides to be removed.

Penalty $100.

Ordinance 2d August, 1839.

Gutters to kitchens; fine $50.

9. It shall not be lawful for any person to put any gutter or spout to convey filth from the kitchens into any street or lane of the city, and any person so offending, shall forfeit and pay a sum not exceeding fifty dollars for each and every offence, and the said gutter or spout shall be forthwith removed.

# ARTICLE XLIV.

# PARTY WALLS AND FENCES.

## STATUTES.

1. Agreement between owners to build dividing wall shall operate as covenant when recorded.
2. Owner desiring to build wall must give twenty days notice to adjoining owner.
3. Party refusing to pay his proportion may be compelled to do so.
4. Council to make rules, etc.

## ORDINANCES.

1. Before dividing wall is put up City Surveyor must certify, etc. Work to be superintended by City Surveyor. His fees.
2. Every case of repair of dividing fence subject to ordinances in regard to fire.
3. Dividing fence of brick or stone must be at least nine inches thick.
4. In case of dispute or difference between parties, Council to decide.
5. Dividing fences of wood, posts six inches square, etc.

## STATUTES.

State Law 13th December, 1866.

Agreement to be recorded; shall operate as covenant.

1. Whenever owners of adjoining lots or part 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 running with the land, and shall be binding on the 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.

Same effect given to agreement for repairing.



Owner desiring to build may give 20 days notice.

2. That whenever the owner of a lot or part lot 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 expenses of building and keeping in repair such wall or fence, then the party giving said 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 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 as aforesaid using the said wall or fence after it shall have been built as aforesaid, by action in 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 contained in this act 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.

Party giving notice entitled to build.

Adjoining owner may use wall by paying half its value.

Proviso.

Party refusing to pay his proportion.

3. That 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.

Proviso.

Council to make rules, etc.

4. That the City Council of Savannah be authorized by ordinance to make such further rules and regulations concerning dividing walls and fences, as are not in conflict with this act, or with the Constitution or laws of this State; and that all laws or parts of laws, so far as they militate with this act, be and the same are hereby repealed.

## ORDINANCES, AS AMENDED.

Ordinance 20th February, 1867.

Before dividing wall is put up City Surveyor must certify, etc.

1. Before any dividing wall or fence in the City of Savannah be put up or erected, and before the consent of the City Council shall be obtained to or for such putting up or erection, the City Surveyor shall be called in, and must certify to Council that the proposed wall or fence will be of the usual thickness, and in no respect contrary to any fire or other lawful ordinance of the City of Savannah, and the permission of Council to such putting up or erection shall, in no case, be granted except upon the condition that the work be superintended by the said City Surveyor, so far as to prevent the putting up or erection of any such wall or fence of an improper depth or thickness, or against any ordinance of the city, and such condition shall set be forth in any application for such permission. Said Surveyor's fees for such superintendence, shall be the same as those now allowed for locating buildings and fences; and persons putting up, or erecting, or causing to be put up or erected, any wall or fence contrary to this article, may be fined in a sum not exceeding one hundred dollars for every day's such violation; and shall, besides, be liable to have such wall or fence pulled down at his or her expense on the order of the Mayor, directed to the City Marshal for that purpose. All fees payable to the City Surveyor under this section, shall be paid to him by the party causing such wall or fence to be built, and shall constitute a part of the value of such wall or fence.

Work to be superintended by City Surveyor.

His fees.

Every case of repair of dividing fence subject to ordinances in regard to fire.

2. Every case of repair of a dividing fence between two lots or part lots, as mentioned in the third section of said act, shall be subject to the provisions of this and every other lawful ordinance of said city, in regard to fire and the duty of the City Surveyor to inspect the work of repair and to see that the ordinances of the city are not violated, and his fees for



superintending the work of repair; and in regard also to the right of the city to punish any such violation of ordinance, and to pull down, at the expense of the party, as in said first section mentioned, any wall or fence repaired contrary to the ordinance as aforesaid.

Dividing fence of brick or stone must be at least nine inches thick.

3. No party wall for a building of brick or stone on the dividing line of two lots or part lots, shall be less than fourteen inches; and no dividing fence of brick or stone shall be of less thickness than nine inches: *Provided, always,* that in any case where the City Surveyor shall decide upon a greater thickness in respect to such wall or fence, the City Council shall determine the case on petition and grant or refuse the application as in the judgment of Council may seem proper.

In cases of dispute or difference Council to decide.

4. In any case of dispute or difference between the parties as to the building or repairing of any wall or fence under said act or any ordinance of the city, the parties may be heard before Council, at the instance of either on five days notice to the opposite party; and the Clerk of Council shall issue subpœnas for all witnesses whose names may be furnished him by either party, which subpœnas may be served by the City Marshal or any other person deputed by the Mayor for that purpose, and the decision of Council in the premises shall be final between the parties as to all matters submitted to the discretion of Council by said act.

Dividing fences of wood—posts six inches square.

5. All dividing fences, if of wood, shall be built with posts six inches square, and with boards—one half of the combined thickness of any such fence to be on each side of the dividing line of each lot or part lot, and the expense of such fence shall be equally borne by the respective owners of such lots or part lots: *Provided, always,* that nothing in this article contained shall be so construed as to prevent any owner or owners of a lot or part lot of land from putting up a wall or fence entirely on his or their own ground.

# ARTICLE XLV.

## PAUPERS.

### STATUTE.

1. Paupers—powers of Mayor and Aldermen. Existing ordinances continued.

### ORDINANCE.

1. Masters, captains and commanders of vessels not to land persons likely as paupers to become a charge, etc. Penalty.

### STATUTE.

Irwin's Revised Code.

Powers of Mayor and Aldermen.

1. §4778. 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 subjects; and any and every ordinance of said city now existing in relation to the influx of paupers therein, shall be considered as hereby confirmed.

### ORDINANCE.

Ordinance 21st November, 1860.

Masters of vessels landing persons liable to become a charge upon the city.

1. Not 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 that 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 dollars

Penalty.



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 article in every given case.

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# ARTICLE XLVI.

## PEDDLERS, ITINERANT TRADERS AND PAWNBROKERS.

### STATUTE.

1. Peddlers and Itinerant Traders in Savannah.

### ORDINANCES.

1. Drummers, runners, etc., soliciting trade; license and fee. Peddlers, itinerant traders; license and fee.
2. Peddlers not to occupy street, etc., with tables, etc.
3. Pawnbrokers, tax, etc.

### STATUTE.

Irwin's Revised Code.

Peddlers and itinerant traders in Savannah.

1. §4761. The said Mayor and Aldermen shall have the control and regulation of all shops, taverns, stores, and bar-rooms within the corporate and jurisdictional limits of said city, and the regulation of tavern license, and licenses to retail liquors within the same; and also the power to regulate the conduct of peddlers and itinerant traders within the same limits, by taxation or otherwise. * * * * *

## ORDINANCES, AS AMENDED.

Ordinance 22d December, 1870.

Drummers, runners or solicitors of trade.

1. That any drummer, runner, or other person, who may solicit trade for any non-resident merchant or person, or for himself, being a non-resident, either on the street or in a warehouse, a wagon yard, passenger depot, or elsewhere in the City of Savannah, and every peddler or itinerant trader, shall pay a license fee of twenty-five dollars or more, for such time as the Mayor may, in his discretion, direct or prescribe for such license; and the same rule shall appertain to every non-resident person selling, or offering to sell by sample; and for every violation of these, or any of these provisions, every such person so offending shall pay a fine of not more than one hundred dollars for every day's default, or be imprisoned for not more than thirty days, or both, on conviction before the Police Court.

Peddlers or itinerant traders.

Licenses.

Non-residents selling or offering to sell by sample.

Penalties.

Ordinance 29th October, 1857.

Peddlers not to occupy with tables, etc., the streets, etc.

2. It shall not 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, under the penalty of thirty dollars for each offence.

Penalty $30.

Pawnbroker; annual tax $100.

3. Each and every pawnbroker shall pay to the said Treasurer, annually, the sum of one hundred dollars; each and every pawnbroker who shall have paid to the said Treasurer the said sum of one hundred dollars, shall be required to pay the like sum at the end of the current year, for which the said sum was paid, and annually thereafter, so long as he or she shall continue to carry on such business, and each and every person who shall commence the business of a pawnbroker on or after the first day of January in every year, shall forthwith, and annually thereafter, so long as he or she shall continue to carry on such business, pay to the said Treasurer the said sum of one hundred dollars.

[And see tax ordinance of 22d December, 1870—Article LXV].



# ARTICLE XLVII.

## PILOTAGE.

### STATUTES.

1. Commissioners, how appointed.
2. Their powers.
3. Pilot's oath and license.
4. His bond.
5. Forfeiture of license.
6. Commissioners' powers and duties.
7. License, non-user of.
8. Pilot's duty.
9. Master rejecting pilot.
10. Pilot bringing in vessel.
11. Pilot may have a substitute.
12. Notice to pilots.
13. Pilot must moor vessel.
14. His fees, payment of.
15. Carrying off or detaining pilot.
16. Fees of pilot boat in certain cases.
17. Letters, delivery of.
18. Pilot's fees in special cases.
19. Pilots in default; penalty.
20. Damages to, by whom settled.
21. Record of rules must be kept.
22. Subject to inspection.
23. Commissioners' office, where kept.
24. Compel attendance of witnesses.
25. May punish defaulting witnesses.
26. Witnesses may be cited.
27. Subpœnas and interrogatories.
28. Fees for serving and executing.
29. Appeal, when allowed.
30. Testimony after appeal.
31. Fees, etc., how disposed of.
32. Pilots receive certificates, when.
33. Branch pilots, how appointed.
34 Penalty for discharging ballast, etc.
35. Proceedings against master.
36. Pilot failing to give notice.
37. Incorporated towns, powers of.
38. Present Commissioners continue.

### ORDINANCES.

1. Seven Commissioners of Pilotage; quorum. Their oath.
2. Vacancies, how filled.
3. Six months absence vacates the seat.
4. Power to prescribe regulations for pilots.
5. Council shall hereafter only fill such vacancies as may from time to time occur.
6. Power of City Council to make rules.
7. Permanent rules of the Commissioners of Pilotage.
8. Rates of pilotage.
9. Permanent rules shall be attached to pilot boats, and they shall not engage without permission in any business unconnected with their professional duties.
10. Additional rules.

## STATUTES.

Revised Code of Georgia.

Commissioners of Pilotage, how appointed

1. §1510. The corporate authorities of Savannah, Darien, Brunswick and St. Marys, shall have power respectively to appoint Commissioners of Pilotage, not exceeding seven in number, for each place, of whom a majority shall be a quorum, as follows, that is to say: The authorities of Savannah for the bar of Tybee and river Savannah, and the several bars and inlets north of Sapelo bar; the authorities of Darien for Sapelo bar and river Altamaha, and for the several bars and inlets south of Sapelo bar as far as St. Simon's bar; the authorities of Brunswick for the bar of St. Simon's and Turtle river, and the several bars and inlets north of the Great Satilla river; and the authorities of St. Marys for the bar of the Great Satilla river, the bar of St. Marys, and all bars and inlets between the two. All vacancies shall be filled by such corporate authorities respectively, in the Board of Commissioners in which a vacancy shall occur, but no owner or part owner of a pilot boat shall be allowed to act as Commissioner of Pilotage.

Powers of Commissioners of Pilotage

2. §1511. The said Commissioners 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 conducting of vessels inward to, and outward from the several ports for which they shall be licensed, during their good behavior. Pilots already licensed for any of said ports, shall continue to act until removed for cause. No person 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 or harbors for which a pilot shall be licensed. Any person so acting without authority, or interfering or disturbing a licensed pilot in the way of his duty, 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 a pilot on board, if such person shall deliver up the vessel to the first pilot who comes on board and offers to conduct it.

Pilot's license and oath.

3. §1512. 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."

Pilot's bond.

4. §1513. 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.

License of pilot, how forfeited.

5. §1514. The Commissioners may deprive any pilot of his license for want of skillfulness, for a willful violation of his duties, or the orders or regulations of the Commissioners; for negligently or carelessly losing or injuring any vessel in his charge; or when laboring under mental derangement, or when so addicted to habits of intoxication as to unfit him, in their judgment, to be entrusted with the charge of a vessel; but in every such case an appeal may be had, as is hereinafter provided.

Power and duty of Commissioners as to pilotage.

6. §1515. 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 for neglect of duty, not inconsistent with this law, as they may think proper; but un-

til altered by competent authority, the fees of pilots shall remain as now fixed by law.

License forfeited by non-user and absence.

7. §1516. 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.

And for piloting vessels under arrest.

Duty of pilots.

8. §1517. 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.

Master requiring pilot to pay his expenses.

9. §1518. Any person, master or commander of a ship or vessel bearing toward any of the ports or harbors of this State, except coasters in this State, and between the ports of this State and those of South Carolina, and between the ports of this State and those of Florida, and who refuses to receive a pilot on board, shall be liable, on his arrival in such port in this State, to pay the first pilot who may have offered his services outside the bar, and exhibited his license as a pilot, if demanded by the master, the full rates of pilotage established by law for such vessel.

Pilot bringing in a vessel has right to take her out.

10. §1519. The pilot who brings a vessel into port, 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 whilst 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 first offering his services, and in any of these cases another pilot may be employed.

Pilot may offer substitute.

11. §1520. 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 in, 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.

Penalty against master for employing another pilot.

Penalty against pilot for not going out with vessel.

Penalty for piloting without right.

Pilot to be notified of vessel's departure

12. §1521. 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 to some other pilot belonging to the same boat: *Provided*, such pilot be at the place of departure of such vessel, or near thereto.

Pilot must moor vessel.

13. §1522. Every pilot in any of the harbors aforesaid, bringing any vessel to anchor in any of said harbors, shall moor such vessel, or give proper directions for the mooring of the same and the safe riding thereof, subject only to the legal harbor regulations of each port.

Pilot's fees to be paid before vessel leaves.

14. §1523. A pilot bringing a vessel into port shall be entitled to his fees 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.

Penalty for carrying off or detaining pilot

15. §1524. 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.

Fees of pilot boat for taking pilot from vessel.

16. §1525. 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.

Pilot's fees for delivering letters, etc.

17. §1526. Whenever a vessel shall touch off the bar of Tybee for instructions, any pilot delivering on board such vessel any letters or orders, shall be allowed full bar or Cockspur pilotage in and out.

Pilot's fees for carrying vessel to another port.

18. §1527. 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.

Default of pilot, how punished.

19. §1528. 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.

Other cases of damages to be settled by Commissioners.

20. §1529. 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 relative 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.



Commissioners must keep a record of rules, etc.

21. §1530. 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.

Fees of secretary.

22. §1531. 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.

Office and records of Commissioners, etc.

23. §1532. 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.

Commissioners may compel attendance of witnesses.

24. §1533. 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 subpœna, to be signed by him and directed to the person 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 witnesses 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 subpœna.

May punish defaulting witnesses.

25. §1534. 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 Inferior [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.

May cite witnesses to answer interrogatories.

26. §1535. When any witness may be a seaman or transient person, the Commissioners may issue subpœna 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 Inferior [Ordinary] Court of the county, to answer written interrogatories to be propounded to him.

Service of subpœnas, etc.

27. §1536. The subpœna 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.

Fees for serving subpœnas, etc.

28. §1537. The secretary's fees for each subpœna 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 subpœna, shall receive twenty-five cents, and for executing and returning an attachment to court, fifty cents.

Appeal from judgment of Commissioners, etc.

29. §1538. 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.

Commissioners to take testimony, etc.

30. §1539. 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 can not 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 service of a copy of the interrogatories to be exhibited, as in other cases.

Fines and forfeitures, how disposed of.

31. §1540. 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.

Pilots when to receive certificate.

32. §1541. No person shall receive a certificate to act as pilot until he shall have served two full years in a decked boat, and have given satisfactory evidence of character and skill; and every certified pilot shall serve eighteen months before he shall be entitled to an increased authority; but, in case of emergency, such additional pilots may be appointed as the Mayor or other chief officer of the port may determine, the foregoing restrictions to the contrary notwithstanding.

Branch pilots, how appointed

33. §1542. 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.

Penalty for discharging ballast in harbor.

34. §1543. 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.

Proceeding for violating preceding section.

35. §1544. 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 replevied 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.



Penalty against pilot for concealing such offense.

36. §1545. It shall be 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.

Incorporate towns may prohibit the discharge of ballast in navigable waters.

37. §1546. 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.

Suits in the name of Commissioners.

38. §1547. 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.

Present Commissioners, etc., to stand good.

39. §1548. 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 the adoption of this Code, shall continue good and valid in law, according to their nature and terms, until superseded by authority of this Code.

## ORDINANCES, AS AMENDED.

Ordinance 2d August, 1839.

Seven Commissioners of pilotage, quorum.

1. The number of Commissioners of Pilotage for the port and harbor of Savannah shall be seven, a majority of whom shall compose a quorum for the transaction of business.

Vacancies, how filled.

2. Whenever a vacancy shall occur in the said Board by death, resignation or otherwise, it shall be the duty of Council to fill the same by an election after ten days notice in one or more of the gazettes of the City of Savannah, and the person thus elected, before he enters upon his duty as such Commissioner, shall take and subscribe the following oath or affirma-

Oath of Commissioners.

tion, to wit: "I do solemnly swear (or affirm) that I am a citizen of the United States, and an inhabitant of the State of Georgia, and that I will truly and faithfully discharge the duty of a Commissioner of Pilotage without fear, favor or affection. So help me God."

Six months absence vacates the seat.

3. Six months absence shall be considered to vacate the seat of a Commissioner of Pilotage, and Council shall proceed to fill the vacancy in the manner already designated.

Power to prescribe regulations for pilots, &c.

4. The said Commissioners, or a regularly constituted quorum thereof, shall have power and authority to prescribe to the several pilots of the bar and harbor of Savannah, and all other persons, such orders and regulations as the said Commissioners may deem proper in reference to such subjects as may fall within the jurisdiction of said Commissioners: *Provided*, such orders and regulations are not repugnant to the laws of the State or ordinances of the city, and that the said Commissioners of Pilotage shall exercise all the powers and privileges, and perform all the duties prescribed by the various statutes of the General Assembly of the State of Georgia, in such case made and provided.

Proviso.

Commissioners to continue in office, &c.

5. All ordinances or parts of ordinances directing the annual election of Commissioners of Pilotage, be and the same are hereby repealed, and the Commissioners of Pilotage now in office shall continue as such without any new election, and Council shall hereafter only fill such vacancies as may, from any cause, occur in said Commissioners of Pilotage from time to time.

Ordinance 19th February, 1868.

Commissioners to make rules for the government of the Harbor Master.

6. That 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 that, upon the adoption of such rules and regulations and the approval of 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 ordinance contained shall be construed to prevent the



Mayor in the Police Court, or the Mayor and Aldermen in Council assembled, from inflicting such fines and penalties on such 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 ordinance.

## PERMANENT RULES OF THE COMMISSIONERS OF PILOTAGE FOR THE PORT OF SAVANNAH.

RULE 1. The master, owner, or consignee of any ship or vessel requiring a pilot, shall give twenty-four hours notice thereof in writing, in the book kept for that purpose, at the place designated by the Commissioners of Pilotage. It shall, however, be competent for any Commissioner of Pilotage to direct forthwith any pilot not having any vessel in charge, to go on board of any ship or vessel that may arrive in the river without a pilot, or of any ship or vessel which, by any accident or contingency, may be destitute of a pilot to take her to sea.

RULE 2. No pilot shall be considered as having charge of a vessel except for the time he is in actual attendance on board, or absent with the consent of the master or commanding officer; and it shall be the duty of every pilot coming on board of a vessel to take charge as a pilot, to notify the master or commanding officer thereof, and to produce to the master his branch or certificate, with the rules; and every pilot claiming a vessel on board of which a pilot is, is hereby required to exhibit his commission, to enable the captain to decide between them. And on his neglecting or refusing so to do, shall, on conviction thereof before this Board, forfeit any claim he may have on said vessel for pilotage.

RULE 3. Whenever a pilot is directed or required by the master or commanding officer of any vessel he has in charge, to bring to in any part of the river, to wait for a boat or other transient purpose that has no relation to the trim of the vessel, or to her lading, the same shall be reckoned as detention only, and compensation claimed under rule nine.

RULE 4. WHEREAS, great inconvenience and injury to the commercial interest of this port have arisen from pilots absenting themselves on various pretences and for various purposes from their regular duties as pilots, and diverting their boats and their own personal attention to objects unconnected with their business as pilots, whereby the bar has been unprovided with pilots, and ships and vessels compelled to run in without pilots, or subjected to detention without the bar: *Resolved therefore*, that from and after the publication of this rule, any pilot who shall absent himself from the care, duty, and vigilance of a pilot, by leaving the regular duties of the bar and river for other objects of business or gain unconnected with his professional duties, without leave being first obtained from the Board of Commissioners, or the Chairman thereof, shall be deemed delinquent and amenable to the penalties of the laws of this State. In case of sickness or other unavoidable contingency whereby a pilot is compelled to abandon, for a time, his situation as a pilot, he shall give this Board the earliest notice thereof in his power.

RULE 5. Two pilot boats shall (weather permitting) always during the winter months, and one during the summer months, be kept without the bar to watch the approach of vessels and render them prompt assistance.

RULE 6. No pilot shall receive from the Board of Commissioners of Pilotage a branch or certificate until he shall have complied with the requisitions of the acts of the General Assembly of this State, as contained in the Code.

RULE 7. The bar and Cockspur pilotage is not to be demanded or paid until the vessel be boarded by a pilot without the bar, but any pilot bringing a vessel from sea to safe anchorage within the bar, shall receive the full bar and Cockspur pilotage.

RULE 8. Whenever any ship or vessel shall touch off the bar of Tybee for instructions, all pilots delivering on board said ship or vessel any letters or orders shall be allowed full bar or Cockspur pilotage, in and out.

RULE 9. For every day's detention of the pilot on board any vessel to the leeward of the bar, four dollars and thirty-two cents per day after the first twenty-four hours: *Provided*, such vessel was boarded to the leeward of the bar, and not more than thirty miles from the bar; if boarded at a greater distance, detention not to be paid until the vessel is within that distance.



RULE 10. For every day's detention of the pilot of any vessel riding quarantine, four dollars and thirty-two cents per day.

RULE 11. For every day's detention of the pilot of any ship or vessel in town, or in the river, after twenty-four hours notice being given by the captain of said vessel, four dollars and thirty-two cents.

RULE 12. The following rates are established for moving vessels, for completing their loading and other purposes:

| | |
|---|---|
| Drop from town to Five Fathom | $10.80 |
| Drop from town to Four mile Point | 12.96 |
| Drop from town to Venus Point | 17.28 |
| Drop from Venus Point to Tybee | 17.28 |
| 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 seven dollars and fifty cents, but no detention for that day.

RULE 13. All pilots bringing a vessel safe from sea, have the preference of carrying said vessel up and down the river and to sea again, provided they give their attendance two hours before high water, and are duly qualified; and in case any pilot shall wilfully neglect to make all the dispatch in his power to get on board any vessel coming from sea, or when more than one shall appear at the same time off the bar, shall leave or neglect one vessel in order to get on board another, he shall, on due proof thereof before the Commissioners, forfeit treble the amount of the pilotage of that vessel, and no pilot shall be entitled to demand the inward pilotage of any vessel until the outward pilotage of the same shall be due, provided such vessel does not remain more than sixty days in port after the discharge of her inward pilot; but pilots may, in all cases, require security for the payment of the whole pilotage before the vessel proceeds to sea.

RULE 14. Any master, owner, or consignee of any vessel in the port who shall employ any other pilot to carry said vessel down the river and to sea but the pilot who brought the vessel in, or one belonging to the same boat, (unless good

and sufficient cause shall appear for the contrary) shall pay double the amount of said vessel's pilotage, half for the use of the boat that brought said vessel from sea; and every pilot acting on board any such vessel where he has no right, shall be liable to the same penalty.

RULE 15. All pilots neglecting or refusing to attend any vessel when thereunto required by the master, owner, or consignee of such vessel, (if not engaged with another) shall forfeit double the amount of such vessel's pilotage; nor shall they leave a vessel on any pretence whatever after taking charge thereof, without leave of the commanding officer of such vessel, on pain of the like forfeiture, upon due proof thereof before the Board of Commissioners.

RULE 16. This Board will recognize as Savannah and Charleston packets, vessels which trade between the ports for a season, and if generally in the trade, they will hereafter be entitled to the exemption of Charleston packets, respecting pilotage.

RULE 17. Regular packets between this port and Charleston shall not be required to take a pilot from, or pay pilotage to, any pilot boat that speaks them to the northward of St. Helena Head.

RULE 18. That hereafter, in all cases where masters of vessels follow a pilot boat in over the bar or up to the city in cases where there is no pilot in the boat to board the vessel, said boat shall be entitled to half pilotage of said vessel; and also in cases of one vessel following another which has a pilot on board, if said pilot shortens sail or in other matters so conducts his vessel as to be a guide to the following vessel, then such pilot shall be entitled to half pilotage of such vessel so advantaged.

RULE 19. All complaints made to the Board of Pilotage by pilots, masters, owners, or consignees of vessels, shall specify the cause of complaint, and when parties are summoned before this Board as principal, the cause shall be specified in such summons.

RULE 20. All cases submitted and not determined upon at the first or second regular meeting after being docketed, shall be finally decided upon at the third regular meeting of the Board, unless further continued by consent of parties.



RULE 21. 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 four years in a decked boat, and reached the age of eighteen years. If satisfactory evidence of character and competency to the duty of conducting a vessel safely from sea to the wharves of the city are then produced, such apprentice shall be entitled to a nine feet certificate.

RULE 22. Every certificate pilot shall serve eighteen months under each certificate before he shall be entitled to an increased authority. He shall give one month's notice to this Board of his intention to make application for promotion, naming his securities. No petition for promotion shall be presented to this Board until the eighteen months have expired.

RULE 23. Every pilot, when he has brought any ship or vessel to anchor in the harbor, shall and is hereby directed and required to moor such ship or vessel, or to give proper direction for the mooring of the same, and for their safe riding at such mooring.

RULE 24. It shall be the duty of pilots during the two hours before high water, which attendance is required by law, to go on board vessels ready for sea, and assist in unmooring and preparing for sea, whether from the wharf or otherwise, and to get the vessel under way at any time when the master may so desire, and also to take vessels ready for sea from any of the saw mills as far up the river as far as Giles & Co.'s mill, without extra pay. *Provided*, that the pilots be held harmless from all damages, until the vessel is in the stream.

RULE 25. Every licensed pilot shall be attached to a pilot-boat. No pilot shall remain unattached for more than thirty days without permission from the Commissioners. Any pilot neglecting or refusing to join a pilot-boat within ten days after due notice shall have been given him to join a boat, shall, unless satisfactory reasons are given for the non-compliance of the order, be fined the sum of ten dollars, or be suspended for such time as the Commissioners shall deem proper, or have their licenses revoked, at the option of the Commissioners.

RULE 26. No pilot shall, by any unfair means, or by a reduced rate, take a vessel from another pilot, and in case of his so doing, shall forfeit to the pilot displaced the full amount of the pilotage.

RULE 27. All matters in relation to apprentices shall be left to the Commissioners, both as to their number, time of service, &c., &c.

RULE 28. All vessels bound to Cockspur Island as their ultimate place of discharge, shall pay to the pilot bringing in such vessel, bar and Cockspur pilotage, and such pilot shall be entitled to the privilege of taking the said vessel to sea, provided he gives his attendance two hours before high water, after receiving twenty-four hours notice, either written or verbal, of said intention on the part of the master.

RULE 29. All vessels bound to Savannah, and which shall stop at Cockspur Island for the purpose of discharging part of their cargo, shall pay to the pilot bringing them in, full bar and river pilotage, together with a drop of eight dollars.

RULE 30. If a vessel bound direct to Cockspur, where her voyage terminated, shall afterwards proceed to Savannah, in addition to bar and Cockspur pilotage, the pilot in charge of said vessel shall be entitled to demand bar and river pilotage up, provided said vessel draws over seven feet water. In case of her drawing seven feet or under, he shall be entitled only to river pilotage up.

RULE 31. The stores of Messrs. Claghorn & Cunningham, and Vanness & Pritchard, are designated by this Board as places where books shall hereafter be kept (as ordered by the first rule of the Board), wherein masters of vessels, owners or consignees of any ship or vessel requiring a pilot, shall give twenty-four hours notice thereof in writing. Any of said persons requiring a pilot, may give notice at either place, and it shall be the duty of pilots to examine the books at both of said places.

Revised March, 1866.



## 8. RATES OF PILOTAGE FOR TYBEE BAR AND RIVER SAVANNAH.

*As revised by the Commissioners of Pilotage for the Port of Savannah, February 7th, 1866, adding fifty per cent. to the former rates.*

| Draft Feet. | Bar Pilotage and to Cockspur. | | From Cockspur to Savannah. | | Total Amount. | | Draft Feet. |
|---|---|---|---|---|---|---|---|
| | U. S. V. | Foreign. | U. S. V. | Foreign. | U. S. V. | Foreign. | |
| 6 | $12 09 | $18 15 | $ 7 35 | $11 01 | $19 44 | $29 16 | 6 |
| 7 | 13 50 | 20 25 | 8 10 | 12 15 | 21 60 | 32 40 | 7 |
| 8 | 14 79 | 22 20 | 8 97 | 13 44 | 23 76 | 35 64 | 8 |
| 9 | 18 26 | 27 38 | 11 04 | 16 56 | 29 30 | 43 94 | 9 |
| 10 | 20 52 | 30 78 | 12 42 | 18 63 | 32 94 | 49 41 | 10 |
| 11 | 23 97 | 35 97 | 14 37 | 21 54 | 38 34 | 57 51 | 11 |
| 12 | 28 95 | 43 41 | 17 49 | 26 25 | 46 44 | 69 66 | 12 |
| 12½ | 31 97 | 47 96 | 19 34 | 29 00 | 51 31 | 76 96 | 12½ |
| 13 | 35 21 | 52 81 | 21 23 | 31 83 | 56 44 | 84 64 | 13 |
| 13½ | 38 55 | 57 84 | 23 28 | 34 91 | 61 83 | 92 75 | 13½ |
| 14 | 39 86 | 59 77 | 23 87 | 35 81 | 63 73 | 95 58 | 14 |
| 14½ | 42 23 | 63 35 | 25 32 | 38 00 | 67 55 | 101 35 | 14½ |
| 15 | 46 01 | 69 02 | 27 71 | 41 55 | 73 72 | 110 57 | 15 |
| 15½ | 48 60 | 72 90 | 29 22 | 43 83 | 77 82 | 116 73 | 15½ |
| 16 | 51 30 | 76 95 | 30 78 | 46 17 | 82 08 | 123 12 | 16 |
| 16½ | 54 00 | 81 00 | 32 46 | 48 69 | 86 46 | 129 69 | 16½ |
| 17 | 58 22 | 87 32 | 34 94 | 52 40 | 93 16 | 139 72 | 17 |
| 17½ | 61 02 | 91 53 | 36 72 | 55 08 | 97 74 | 146 61 | 17½ |
| 18 | 64 05 | 96 06 | 38 55 | 57 84 | 102 60 | 153 90 | 18 |
| 18½ | 67 17 | 100 77 | 40 34 | 60 51 | 107 51 | 161 28 | 18½ |
| 19 | 71 72 | 107 03 | 43 04 | 64 55 | 114 76 | 171 58 | 19 |
| 19½ | 74 96 | 112 97 | 44 99 | 67 48 | 119 95 | 180 45 | 19½ |
| 20 | 78 30 | 117 45 | 46 98 | 70 47 | 125 28 | 187 93 | 20 |

All national armed vessels $7 50 per foot, inward and outward.

Drop to or from Five Fathom ..... $10 80
Drop to or from Four Mile Point ..... 12 96
Drop to from Venus Point ..... 17 28
Drop to or from Tybee to Venus Point ..... 17 28
Detention per day ..... 4 32

9. TO PILOTS.

THURSDAY, November 21, 1867.

The permanent rules of the Commissioners of Pilotage require that all licensed pilots shall be attached to a pilot boat, and that they shall not engage in any business unconnected with their professional duties, without permission from the Commissioners. From and after the tenth day of December next, pilots violating either of these rules, will, on proof, render themselves liable to a fine or suspension.

WEDNESDAY, January 27, 1869.

10. The following additional rules, on motion, were adopted:

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 be numbered, and carry its number on the sails.

No pilot shall hereafter absent himself from this port, or attach himself to any steamer, without the written permission of the Commissioners, to be obtained on petition in writing. Said petition shall certify that he has complied with all the rules of the Commissioners, and also mention the name of the steamer which he desires to join.

MONDAY, April 12, 1869.

Ordered, that no pilot who has the privilege of acting as a pilot on board an ocean or coastwise steamer, shall be allowed to leave his steamer coming into or going out of said port, to board a vessel, except in cases of urgent necessity, nor shall he use a steam tug for the purpose of boarding vessels, unless from the same necessity.

A pilot in a pilot boat or tender, making for a vessel, must always have the precedence over a pilot in a steamer, even though the latter should reach the vessel first.

Pilots who have discharged their duty in conducting sailing vessels outside of the bar, shall have an equal right with other pilots to board vessels coming in, provided they are first on board.

Adopted in Council, May 12, 1869.

(L S.) EDWARD C. ANDERSON, Mayor.

Attest: JAS. STEWART, Clerk Council.



# ARTICLE XLVIII.

## POLICE COURT.

### STATUTES.

1. Power of courts in punishing contempts.
2. Police Court a Court of Record.
3. Officers of court; their fees.
4. Corporate and Police Courts, how affected by the Code of Georgia.

### ORDINANCES.

1. Police Court daily in the Exchange or at Barracks at 10 o'clock, or such hour as the officer may think proper.
2. Appeal on payment of fines and costs.
3. Disorderly conduct on Saturday night or on the Sabbath.
4. Record of proceedings, and Council may remit punishment in whole or in part.
5. Information Docket.
6. Duty of Marshal or City policeman to summon persons, &c.
7. Fines, how collected.
8. Mayor's duty.
9. Mayor to take bonds for appearance before Council.
10. Neglect to give bonds, &c., jail.
11. Half fines payable to informers.
12. One half of the fine where the informer is a member of the police shall be paid to such informer.
13. All fines imposed on policemen shall be paid over to the Chief of Police to be used as a fund for defraying small daily expenses at Barracks.
14. Informer fined $5 for not attending Police Court.
15. Subpænas issued by Clerk and served by Marshal. Fine of witness for not attending, $5.
16. Punishment by imprisonment may be with labor in a work house, Tread Mill, &c., and section 4767 of the Code adopted.

### STATUTES.

Irwin's Revised Code.

1. §4614. The power of the several courts of law and equity in this State, to issue attachments, and inflict summary punishments for contempts of courts, shall not extend to any cases except the misbehavior of any person or persons

Power of courts in punishing contempts.

in the presence of the said courts, or so near thereto as to obstruct the administration of justice; the misbehavior of any of the officers of said courts in their official transactions, and the disobedience or resistance by any officer of said courts, party, juror, witness, or any other person or persons to any lawful writ, process, order, rule, decree, or command of the said courts.

Police Court a Court of Record.

2. §4779. The Police Court of said city is hereby continued a Court of Record, and the Mayor or acting Mayor is hereby authorized to preside in said court, and to hold sessions thereof as often as to him may appear to be necessary. Said court shall have cognizance of all offenses against the ordinances of said city and the laws of this State touching said city, with power to inflict the proper punishment by fine and imprisonment, or other penalty prescribed by such laws and ordinances from time to time, and to enforce the same by mittimus, directed to the Marshal of said city or any lawful Constable thereof, and to the jailer of Chatham County when necessary; and said court shall have power to commit to jail any and all person and persons who may disturb said court during its sittings, or who may, in any manner, be in contempt of its lawful authority; but an appeal may be entered or taken from any judgment or decision of said court (except a commitment for contempt,) to the Mayor and Aldermen of said city, in Council assembled, all costs being first paid and bond given to abide the decision of said Council, and no certiorari shall ever be allowed or granted until such is entered and the same is heard and determined by Council; and on the confirmation by Council of the decision or judgment of said Police Court, in whole or in part, no certiorari shall be allowed until the fine inflicted or confirmed by Council, and all costs, shall be paid into the treasury of said city.

Sessions and jurisdiction.

Appeal may be entered.

Certiorari granted, when

Officers of Police Court may collect costs.

3. §4780. The Clerk of Council, the Marshal of said city, and the officers and members of the police of said city, who are hereby declared to be *ex officio* Constables of said city, shall be officers of said Police Court; and they are hereby authorized to demand and receive for services rendered or duties performed in said court, such fees and costs for themselves, to be collected out of the defendants, as may be established by ordinance of said city.



Corporate and Police Courts, how affected by this Code.

4. §514. The organization of the various corporate and police courts of this State and the laws relative thereto, are undisturbed by the adoption of this Code, unless additional concurrent or exclusive jurisdiction or cumulative remedies are conferred by it upon them or other courts, or other magistracy, and then they are altered only to that extent.

## ORDINANCES, AS AMENDED.

Ordinance 8th December, 1838.

Police Court in Exchange or at Barracks.

1. The Mayor of the City of Savannah, and in case of his absence or sickness, the Chairman of the Board of Aldermen, and in the absence of both, the Chairman *pro tempore* of such Board, be and is hereby authorized and required to hold a Court at the Mayor's office or Council room in the Exchange, or at the Police Barracks in said city, at the discretion of such officer, every day at 10 o'clock in the morning, or such other hour as such officer may deem proper (Sundays excepted), for the purpose of hearing all complaints against riotous and disorderly persons and others violating the ordinances of said city, and determining the same in a summary manner.

Appeal.

2. Any person fined under this article by the Mayor or Chairman shall have the right, on payment of fines and costs, to appeal to Council, and Council shall hear and determine such appeal.

Disorderly on Saturday night.

3. When any person is arrested under any ordinance of the city for riotous or disorderly conduct on a Saturday night or on the Sabbath day, such person shall, on default of bail, be committed to jail until the following Monday morning, when he shall be brought for trial before the Police Court.

Record of proceedings.

4. A record of the proceedings of the said Police Court shall be kept by the Clerk of Council and submitted to the Council at every regular meeting, and it shall be in the power of Council to remit any fine or sentence in part or in whole, which may be imposed in said court.

Information docket.

5. The Mayor or Chairman shall have jurisdiction for offenses or violations of any of the ordinances of the city by any person or persons whomsoever, and he may inflict or impose such penalty on such offender or offenders as the ordi-

nance violated or offended against by such person or persons, authorizes: *Provided*, that in all cases where fines or penalties are imposed by the Mayor, the parties shall have the right to appeal to Council upon the payment of all costs.

Appeal on paying costs.

Duty of Marshal and City Policemen to summons persons, &c.

6. It shall be the duty of the Marshal or any city policeman, on receiving the order of the Mayor or Chairman, to summons before the Mayor or Chairman during the hours prescribed for holding his court, all person or persons offending against the ordinances of the city.

Fines, how collected.

7. All fines imposed by the Mayor shall be collected in the same manner as if they were imposed by Council.

Mayor's duty.

8. 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.

Ordinance 4th January, 1847.

Mayor to take bonds, &c., for appearance before Council

9. The Mayor or acting Mayor of the City of Savannah shall have power, and is hereby expressly authorized, to bind over and take recognizance in such sum and with such security or securities as he may deem adequate and necessary, all and every person or persons who may be brought up before the said Mayor in the Police Court of the city, charged with any infraction, violation of, or offence against any of the ordinances of the said City of Savannah, and whose trial and punishment for said offences may by law require the co-operation of the said Mayor and Aldermen or a majority of them, or when the punishment adjudged by the said Mayor in said Police Court requires by law to be confirmed by the Board of Aldermen in Council assembled, for the appearance of such person or persons so offending and charged before the Mayor and Aldermen of the City of Savannah in Council assembled, at the next meeting of Council regularly to be held thereafter.

Neglect to give bond, &c., jail.

10. In case of the neglect or refusal of any person or persons to give the recognizance authorized in the foregoing section, when the same shall be required, the said Mayor is hereby authorized and empowered to commit such person or persons so neglecting or refusing to give such recognizance so



required, to the common jail of the County of Chatham, until the next regular meeting of Council.

Ordinance 5th March, 1857.

Half fines payable to informers.

11. That all fines imposed at the Police Courts, when paid, shall be divided between the city and informer, one half to each.

Ordinance 29th November, 1865.

Half fine to policeman.

12. One half of the fine imposed in the Police Court, when the informer or person making the arrest shall be a member of the City Police, shall be paid to such informer or person making the arrest, as the case may be.

Fines on policemen.

13. All fines imposed upon policemen for neglect or dereliction of duty shall be paid over to the Chief of Police, to be by him used as a police fund for defraying the small daily expenses incurred at the Police Barracks, and for the expenditure of which he shall make monthly statements to the Mayor.

Ordinance 30th May, 1808.

Informer fined $5 for not attending Police Court.

14. When any information is laid before Council or the Clerk against any person or persons, it shall be the duty of the informer or informers to attend Council and give testimony on such information or informations, and in case of his, her, or their neglecting to attend and give testimony, such informer or informers shall be fined in a sum not exceeding five dollars, unless excused by Council for some good and sufficient cause. The above provisions and penalties shall be held to extend, so as to compel the attendance of informers and witnesses before the Police Court.

Subpœna issued by Clerk and served by Marshal.

15. In all informations laid before Council, or in cases before the Police Court, it shall be the duty of the Clerk to issue, and of the Marshal or a policeman to serve subpœnas on such witness or witnesses, as may be material to the trial of said information, requiring such witness or witnesses to appear and give testimony before Council on the information stated in such subpœnas, and such witness or witnesses being duly summoned and not attending, shall be fined in any sum not exceeding five dollars, unless excused by Council, for some good and sufficient cause.

Witnesses fined $5 for non-attendance.

Punishment for violation of ordinances.

16. In every case of violation of any part of this City Code, or of any ordinance of the City of Savannah, where the punishment is in whole or in part by imprisonment, such imprisonment may be with labor in a workhouse or treadmill, or on the public streets, squares, or lanes, as prescribed in section 4767 of the Code (Irwin's) of Georgia; and section 4767 of said Code is also hereby expressly adopted for the purposes therein stated.

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## ARTICLE XLIX.

## POLICE AND WATCH.

### ORDINANCES.


1. City watch discontinued.
2. Police force, 56 men.
3. Extra force of five watchmen.
4. Police officers.
5. Their salaries.
6. City to furnish certain horses, and keep all the police horses.
7. Ten supernumeraries to be appointed by the Mayor.
8. Health officer to give medical aid to policemen.
9. Election of officers.
10. Policeman must be a citizen able to read and write, and to hold no other office.
11. Oath, bond of officers, and privates.
12. Police force ex officio Constables of the city.
13. Control of Chief of Police.
14. Chief of Police to dispose force to best advantage.
15. Watchmen stationed in Exchange steeple.
16. Chief shall have charge of arms.
17. Must preserve property of city pertaining to police, &c.
18. Officers to assist Chief, &c.
19. Privates to report regularly for duty.
20. Duties of watchman in the steeple.
21. Sentinels to report to officer in charge.
22. Any person committed to station may be released on bond.
23. Member of Police receiving bribe, how dealt with; other offenses, how punished.
24. Mayor to have general superintendence of police.
25. Opposing or resisting police.
26. Mayor's duty in fining and turning over.
27. Watch to mean police.
28. Central Rail Road authorized to appoint watchmen, who shall be subject to the rules governing City Police.
29. Gulf Rail Road authorized, &c.
30. Mayor authorized to furnish officers and privates with uniform.
31. Jail guard.
32. Mayor authorized to make conditions with privates as to resignations.
33. Mayor authorized to appoint detective force.
34. Election of Chief of Detective Force.
35. Rules and regulations for the police of the city.
36. Instructions to officers.
37. Arrests.
38. Felonies.
39. Power to prevent Felonies.




### ORDINANCES, AS AMENDED.

Ordinance 5th January, 1860.

City Watch discontinued.

1. That from and after the first day of February, 1860, that portion of the Police Force of the City of Savannah known as the City Watch, shall be discontinued.

Police Force of 56 men, to hold for three years. Salary $900.

2. That from and after the aforesaid first day of February next, the Police Force shall consist of fifty-six privates, who shall be appointed by the Mayor, subject to the approval of the Council, for the term of three years from the date of their appointment, unless in the meantime removed therefrom for inefficiency or improper conduct, and whose pay shall be nine hundred dollars per annum.

Extra force of five watchmen.

3. That, in addition to these privates, the Mayor shall appoint a sufficient number of men, not exceeding five, who shall perform the duties of watchmen, by night, in the steeple of the Exchange building, and of sentinels, by day and by night, at the head-quarters of the Police Force, under the orders and supervision of the Chief of Police, and whose pay shall be twenty-five dollars per month.

Pay.

Police officers to hold for three years.

4. That the officers of the Police Force shall be a Captain or Chief of Police, two Lieutenants and four Sergeants, who shall be elected by the Board of Aldermen, and shall hold their offices for the term of three years from the date of their election, unless sooner removed therefrom for inefficiency or improper conduct.

Pay of officers and privates.

5. That the annual pay of the officers and privates of the Police Force of Savannah shall be at the following rates, to wit: Chief of Police, twenty-five hundred dollars; Lieuten-

ants of Police, each eighteen hundred dollars; Sergeants of Police, each twelve hundred dollars; privates of police, each nine hundred dollars; and that this ordinance take effect as of the first day of January last.

City to furnish certain horses, and keep all the police horses.

6. That the city shall furnish, for the use of the Sergeants of the Police, four horses, and not exceeding fifteen for the use of the privates; that the Captain and Lieutenants shall furnish their own horses, and that all of the horses used by the Police Force shall be kept at the expense of the city.

Ten supernumeraries.

7. That the Mayor shall select ten suitable persons, whose names shall be registered in the office of the Mayor and of the Chief of Police, who shall be styled "Police Supernumeraries." They shall be required to report themselves daily at the Police Station in the same manner as the privates, under pain of fine or dismission for absence; and, in the absence of any of the privates, their places shall be supplied by such number of supernumeraries as shall be needed to fill the vacancies; and, should circumstances require it, the Chief of Police, with the consent of the Mayor, shall be authorized to employ, for any emergency, such additional number of supernumeraries as shall seem to them needful; and, when employed, they shall have the same authority and duties, and be subject to the same rules and discipline as the regular policemen.

Pay, when on duty.

The pay of the supernumeraries, when on duty, shall be the same as that of the regular policemen, and shall be deducted from the pay of the absent policemen, whose places may be thus supplied. If called into the service of the city as an extra force, they shall be paid out of the treasury. The said supernumeraries, when their names are registered, shall take the same oath and give the bond and security required of the regular policemen.

Vacancies in regular police, how filled.

And whenever a vacancy shall occur among the regular policemen, the Mayor shall fill such vacancy from the list of supernumeraries, provided that he or they shall be recommended by the Chief of Police as qualified for the place; and he shall appoint other supernumeraries in the stead of those thus transferred.

Health officer to give medical aid to policemen.

8. In the event of sickness of any of the privates of the Police Force, they shall be privileged to call upon the Health Officer of the City of Savannah, who shall be required to render them medical aid and attention. And the needful medicines shall be supplied from the City Dispensary, upon the written order of the Health Officer; this privilege to be limited to the policeman, and not to be extended to members of his family.



Election of officers, when held.

9. That the officers of the Police Force shall be elected by Council at the regular meeting next preceding the expiration of their term of office.

Policeman must be a citizen, etc.

10. That 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; nor shall any person be elected or appointed a member of said Force, unless he is a citizen of the United States, and can read and write.

Oath and bond of officers and privates.

11. That the officers and privates shall, before entering upon the duties of their office, take and subscribe the following oath: "I do solemnly swear (or affirm, as the case may be) that I will, during my continuance in office, to the best of my skill and ability, faithfully discharge all the duties which may be required of me; and that I will, in all cases, conform to the ordinances of the city and 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 Captain of the Police Force, with security, to be approved of by the Mayor, in the sum of four thousand dollars; of each Lieutenant, in the sum of two 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.

Police Force ex-officio Constables of the city.

12. That all the members of the Police Force shall be clothed with all the powers, and be liable to perform all the duties of, and shall be, Constables of the City of Savannah. They shall also be, at all times, at the command and in the service of the city.

Control of Chief of Police.

13. That 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

Mayor and Aldermen of the city. In the absence of the Captain, his duties shall devolve upon the senior officer on duty.

Chief of Police to dispose Police Force to best advantage.

14. That 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 Station, 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.

Watchman stationed in steeple of Exchange.

15. He shall station a watchman every night during the hours aforesaid, in the steeple of the Exchange building, who shall be provided with a good and sufficient lantern, and a sentinel at all hours at the door of the Police Station.

Chief shall have charge of arms of policemen, etc.

16. 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 out a monthly pay-roll of the members of the Police Force, to be presented to the Mayor or acting Mayor on the first day of each month, for his approval and order thereon. He shall make a report in writing to the Mayor, at his office, every morning by ten 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 Lieutenants their reports while in command, and shall attend the Police Court. He shall cause to be kept at the Police Station 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.

Chief to report daily.

Must preserve property of city pertaining to police, etc.

17. And 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.

Officers to assist Chief, and maintain peace.

18. That 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.

Privates to report.

19. That 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.

Watchman in steeple; his duties.

20. That it shall be the duty of the watchman in the steeple of the Exchange to report for duty to the officer in charge, every night at the hours designated by the Chief of Police; on Sunday morning, at nine o'clock, if required, and on all occasions of alarm, except when already on duty. He shall give the alarm to the citizens on all proper occasions, by the ringing of the Exchange bell, and shall hang his lantern in the direction from which the cause of alarm seems to arise.

Sentinels to report to officers in charge, etc.

21. That it shall be the duty of the sentinels to report to the officer in charge, every day at the hours and for such duties at the station, as may be designated by the Chief of Police, and on all occasions of alarm, if not already on duty. They shall also hold themselves in readiness for the performance of any duty to which they may be assigned, in the absence of the privates of the Police Force, or in any other emergency.

Persons committed to give bond, etc.

22. That 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,* that 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.

Member of police force receiving bribe, &c., how dealt with

23. That 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 ten dollars, or be suspended or dismissed, at the discretion of the Mayor or acting Mayor.

Vacancy by suspension, etc., temporarily filled by Mayor.

Other offenses by policemen, how punished.

Mayor to have general superintendence of Police.

24. That 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.

Opposing or resisting Police.

25. That 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 in a sum not exceeding one hundred dollars for each and every offense, to be enforced and collected as the laws and ordinances provide. 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 fined in a sum not exceeding one hundred dollars.

Mayor's duty in fining and turning over, etc.

26. That the Mayor is hereby vested with authority to examine, hear and determine all cases brought before him, of violations of the ordinances of the city, and shall inflict such penalties as the said ordinances prescribe. And he shall turn over for examination by the Justices of the Peace, all persons charged with offenses against the laws of the State.

"Watch" to mean "Police"

27. That whenever, in any ordinance, the words "City Watch" may be used, they shall be construed to apply to members of the Police Force organized under this ordinance, unrepugnant to the provisions thereof.

Central R. R. and Banking Co. authorized to appoint watchman.

28. That the Central Rail Road and Banking Company of Georgia shall have power to appoint a fit and proper person, subject to the approval of the Mayor, to be stationed at their depot, who shall take the same oath, and give the same bond, as required of the privates of the Special Police by day and by night, and shall be subject to perform the duties to be prescribed by said company, shall receive from said company such salary as said company may deem proper, and be otherwise subject to conform to all the rules, regulations and ordinances governing the City Police and City Watch.

Ordinance 18th August, 1859.

Savannah, Albany and Gulf R. R. Co. authorized to appoint watchman.

29. The Savannah, Albany and Gulf Rail Road Company shall have power to appoint a fit and proper person, to be stationed at their depot, who shall be approved by the Mayor, shall take the same oath, give the same bond as are required of the Special Police by day and by night, and shall be subject to

perform the duties to be prescribed by the said company, and shall receive from said company such salary as it may deem proper; and he shall otherwise be subject to conform to all the rules, regulations and ordinances governing the City Police and City Watch.

Ordinance 4th April, 1866.

Mayor authorized to furnish officers and privates with uniform.

30. That his Honor the Mayor be and he is hereby authorized to furnish each of the officers and privates of police with a grey uniform, the cost of each uniform not to exceed thirty-eight dollars, the funds to pay for such uniform to be advanced by the city, and to be reimbursed by retaining from the pay of each policeman so furnished, the sum of five dollars per month, which retention the Mayor is hereby authorized to make; and for the purpose of providing against loss of the value of such uniform to the city, by the resignation of the policeman, the Mayor is hereby further authorized to withhold their monthly pay until the middle of the month following the date when such pay would otherwise be due; this last provision to be in addition to the existing ordinance, which requires each policeman to give thirty days notice of his intention to resign.

Ordinance 11th November, 1868.

Jail guard.

31. That the force known as the Jail Guard shall not exceed four in number, and shall be appointed by the Mayor, and be subject to all ordinances, rules and regulations respecting the Police Force, but shall not be regarded as part or parcel of the regular Police Force; and shall receive for their services, each, the sum of seventy-five dollars per month.

Ordinance 10th January, 1866.

Mayor authorized to make conditions with privates as to resignations.

32. It shall and may be lawful for his Honor the Mayor to make contracts and conditions with the privates of the City Police, to the effect that no such private already or hereafter to be appointed, shall resign or vacate his position as such private, without giving thirty days notice to the Mayor of said private's intention so to do, on pain of loss of all pay and compensation due at the time of such resignation or vacation; and that hereafter the Mayor be authorized to make no new appointment of privates in said Police without requiring such stipulation, condition or contract to be made.



Ordinance 27th December, 1865.

Mayor authorized to appoint Detective Force.

33. There shall be appointed by the Mayor of the City of Savannah, subject to the approval of Council, from the existing Police Force, or otherwise, as the said Mayor or Council shall deem best, four privates, who shall constitute a detective force for the City of Savannah, and the said privates shall hold their offices for the term of three years from the date of their appointment, unless in the meantime removed therefrom for inefficiency or improper conduct, and the pay of such privates shall be the same as that allowed by law to the privates of the regular Police Force.

Election of Chief of Detective Force.

34. At the first regular meeting of Council in the month of January, every third year beginning with the 1st January, 1866, there shall be elected by Council a Chief of the Detective Force, with the rank, pay and emoluments of a first lieutenant of Police, who shall hold his office for the term of three years from the date of election, unless removed for inefficiency or improper conduct, and shall be commanding officer of the Detective Force, and shall give his undivided attention to the duties of his said office. The said Chief Detective and Detective Force shall operate in connection with the Police Force of the city, and be under the control and supervision of the Mayor of Savannah, as now provided for the Police Force.

## RULES AND INSTRUCTIONS FOR THE GOVERNMENT OF THE POLICE.

*Prepared and promulged by Hon. Edward C. Anderson, Mayor, etc., and Robert H. Anderson, Chief of Police, and now enlarged.*

35. The following rules and instructions for the Police of this city will be observed until otherwise directed by competent authority.

### CHIEF OF POLICE.

1. The equipment, disposition, control and management of the Police Force shall be entrusted to the Chief of Police, under control and direction of the Mayor or acting Mayor, subject to such rules, regulations and ordinances as may from time to time be made by Council.

2. Much must be done by himself, and under his own immediate inspection. As he is held responsible for the general performance of the duties of the Police, he must give clear and precise instructions to the officers under him, and report every instance of neglect to the Mayor.

3. It is not intended to lay down any precise course for the Chief of Police, nor to say how much of his time is to be passed in the active performance of his duties; but he will feel the importance of visiting parts of the city at uncertain hours, every day and night, and seeing for himself the practical working of the system which is entrusted to his charge.

4. It is desirable that the Chief of Police should be at the Police Barracks as often as circumstances will permit. His duty requires his frequent attendance there. He is responsible for the general conduct and good order of the organization under his charge, and by frequent personal intercourse should make himself well acquainted with the character and conduct of the officers and men under his orders. He will be firm and just, at the same time kind and conciliatory in his behavior towards them.

5. He should frequently inspect the Police Barracks, and see that they are kept clean and in good order, and will make an inspection of the books at the station, to see that they are kept correctly, at least once in each week.



6. He is carefully to examine and sign all reports and returns sent to the Mayor, and will attend punctually, each morning, at the Police Court, to report the proceedings of the night, and to receive such instructions as the Mayor may have to give. He is to prepare and sign the estimates for the pay of his company, at the expiration of each month, and will furnish an exhibit of the receipts and expenditures of the police fund as derived from fines and confiscated property. In watching the conduct of loose and disorderly persons, and of all persons whose behavior is such as to excite just suspicion, he will keep in mind that the prevention of crime, the great object of all exertions of police, will generally be best attained by making it evident to the parties that they are known and strictly watched, and that certain detection will follow any attempt to commit crime.

7. Upon any alarm of fire, it will be the duty of the Chief of Police immediately to repair to the spot, and take control of the Police Force assembled. He will render such assistance to the Chief Fireman as may be in his power. The police will, perhaps, be more useful in procuring a free scope for the exertions of the firemen and the parties more immediately interested; and to this end he should clear the street or ground in the immediate vicinity of the fire, of all persons not usefully employed, taking care that all the adjoining streets, as far as may be practicable, are kept clear of obstructions in the way of the engines.

8. Every assistance possible must be given for the removal of property, conformably with the wishes of the proprietors; and special attention must be directed at such times to the thieves and pickpockets who are usually in the crowd.

9. He shall promptly report to the Mayor all complaints made to him against the officers and men of the force.

10. He shall be at his office in the Barracks by 9 o'clock in the morning, every day, Sundays excepted, to receive the report of the lieutenants and sergeants of the night, and will submit to the Mayor such subjects therein mentioned, as may require his consideration.

11. He shall keep in his office a book, in which shall be entered the names of the officers and men of the Police, time of appointment, time of any removal from office; also a book in

which shall be entered all general and special orders, with the time the orders were issued. Said book or books shall contain an index to the matter referred to in said orders.

12. The Chief of Police shall have power to suspend or arrest any of his subordinates, but shall, within twenty-four hours after such suspension or arrest, report to the Mayor, or authority acting in his stead, the facts in the case, with the cause thereof. He will repair promptly to all tumultuous assemblages, and use every exertion to save and protect property, and when necessary, to disperse mobs, and arrest such persons as he may find creating riot, or who may aid or abet others in so doing. On all such occasions he will confer, if possible, with the Mayor, and take his instructions.

13. The Chief of Police shall keep an account of the sums of money he may receive for fines or other causes on account of the city, and of such disbursements as he may make on service, and shall render an account to the Mayor, at the expiration of each month, for his approval; and when so approved, the account shall be paid by the City Treasurer.

14. He shall keep a criminal register, showing the name or names of every person against whom a charge has been preferred by his department. He shall furnish a report each morning, Sundays excepted, to the Mayor, showing the name of each person arrested or reported by the police during the preceding twenty-four hours, stating the offense charged, and by whom the arrest or charge is made.

15. The Chief of Police shall divide his district into night and day beats, and designate the policemen who are to patrol the same; and in like manner establish day stations, in order that citizens may at all times during the day readily obtain the aid of policemen when needed. The tidiest and most intelligent men should be put upon the main thoroughfares.

### LIEUTENANTS OF POLICE.

16. The Lieutenants of Police shall have general charge of the Police Station; and, with the sergeants who are in their regular order to have charge of the same, will be held responsible for the cleanliness, general condition, and good order of the Police Station House.



17. They shall require the members of their commands to be decently and cleanly attired.

18. A lieutenant or one of the sergeants shall invariably remain in charge of the Police Station House.

19. He shall make such arrangements with the sergeants of his squad, that he or one of them shall, if practicable, see each man of the platoon, who may be on night patrol duty, at least once during his tour of duty.

20. The roll shall be called at the commencement and termination of each tour of duty, and the officer will cause the men, as their names are called for patrol duty, to arrange themselves in line, in order that they may be inspected by the sergeants of the platoon to which they belong, and that all negligence in attire, want of cleanliness, or unfitness for duty from any cause, may be reported to the proper quarter.

21. He shall, every morning (Sundays excepted), unless otherwise directed by the Mayor or Chief of Police, at the time the Police Court may be directed to be opened, cause the prisoners who may have been detained during the night previous, and all property which may have come into his possession during said time, to be conveyed to the Police Court, accompanied by the policemen who may be witnesses, together with such reports as may apply in the premises.

22. He shall enter in a book to be kept at the Police Station, the name at full length of each and every person taken into custody by the officers and policemen, the time of his arrest, the offense with which he may be charged, the name and residence of the complainant, and the name of the person who may have arrested him.

23. If any property taken from persons apprehended be brought to the Station House, he will immediately make an entry of the same in a property book. The several articles should be marked at the time they are received, so that they can afterwards certainly be known to be the same, with the name of the owner, if known, in whose possession it was found, and by whom—whether stolen or otherwise; also how such property was disposed of.

24. He shall enter in a book all information he may receive of offenses committed, and of suspicious persons and

places; the entries respecting offenses to state the time, place and manner in which the offense was committed.

25. At any alarm of fire, it shall be the duty of the Lieutenants of Patrol nearest the scene of conflagration, at once to proceed to the same, with all the policemen off duty; to be diligent in preserving order and protecting property. He shall also, in the event of riot or disorder, at once proceed to the scene of disturbance, with the whole police off duty, or any part thereof, for the purpose of suppressing the same.

26. He shall see that the book of rules and regulations is kept carefully, and that each sergeant and policeman is well acquainted with its contents.

27. He shall be held responsible for the prompt service of all notices or subpœnas sent to him by the Chief of Police.

28. He shall keep, at the Police Barracks, a book to be called a blotter, in which shall be entered the time that the lieutenants and each of the sergeants are on duty in the Station House, and the particular hours during which they were engaged in visiting the policemen in their respective districts, beats, or stations; and the entries in such books shall exhibit a faithful diurnal account of all matters of interest or importance to the Department; an account of all larcenies, burglaries, and other offenses; money and other articles taken from prisoners and lodgers; and all stolen property recovered shall be entered in said book in detail, together with the disposition made of such money or other property. Said book shall be inspected by the Chief of Police on the first and third Saturdays in each and every month.

29. The books directed to be kept in these regulations shall at all times be open to the inspection of the Mayor and Aldermen, and the officers of the police; but no person not herein named shall be permitted to examine any of said books without permission in writing from the Mayor or Chief of Police. The lieutenants shall have power to arrest any subordinate who may be guilty of insubordination, drunkenness, or disrespectful conduct. But such arrest shall be immediately reported to the Chief of Police, and within twelve hours to the Mayor, or authority acting in his stead.

30. They shall carefully inform themselves on all matters connected with the police, and promptly advise the Chief and



other proper authority of any matter requiring attention, or of any person whom they may know or have cause to suspect of malpractices.

31. They shall supervise the conduct of all under their command, and must not fail to inform against any member of the police who may be guilty of misconduct.

32. It shall be the duty of the officer commanding at the guard house to muster and detail the police at such times and in such manner as may be directed by the Chief of Police, unless he receives other orders from the Mayor, whose orders shall be obeyed.

33. He shall inspect the wards, officers, and privates of the Police Station, and will be held responsible for the cleanliness and the decorum of its inmates.

34. He will cause the Sergeants of Police to patrol the districts, and inspect the conduct of the men, and will himself supervise the conduct of the watch.

35. He shall see that proper reliefs are sent out to the men on guard, and shall cause the posts to be relieved, unless in urgent cases, when the men may be detained on duty.

36. It shall be the duty of the officer on guard, when any person or persons may be committed to his charge, to enter on the report book the nature of the offence charged, the name of the policeman or other person who may have committed him, her, or them, and the witnesses; and if it appears that there was just cause for commitment, the officer shall detain him or her in custody, unless proper bail be given for his or her appearance before the Police Court; upon which the person may be released, except in case of felony, when the person shall be detained until he or she can be produced before the Police Court. When bail is tendered, the parties giving security for the same shall be duly impressed with the understanding that they will be held responsible in the sum given, for the prompt appearance of the prisoner at the Mayor's Court at the time specified.

37. All valuables which may be brought to the Police Barracks for safe keeping in time of danger, or which may have been found and deposited by any person, the owner thereof not being known, or which may have been found in the possession of any person arrested on suspicion of theft or embez-

zlement, or as being unlawfully in his possession; any such valuables or property shall be received and cared for by the officer in command; and he shall cause it to be marked, and a descriptive note of it entered on the property book; and such property shall not be delivered up, except by order of the Mayor or Chief of Police.

38. It shall be the duty of the officer of the guard to retain, at all times, at the Police Barracks, a sufficient force to keep the prisoners in safe custody, and to produce them before the Police Court when it may be in session, or to make such disposition of them as the Mayor or Chief of Police may direct.

39. The officer on guard will instruct the men who lodge information or commit prisoners, so that they may produce proper witnesses, if any, when required.

40. On the expiration of his tour of duty he shall make up and sign the report of the watch, for the inspection of the Mayor or Chief of Police.

41. The lieutenants will duly attend the Police Courts to give such information as they may of the matters before the Court.

### SERGEANTS OF POLICE.

42. Shall have general charge and supervision of the patrol force on duty in their respective districts, and shall arrest and carry to the Station House any private of police who may be guilty of insubordination, neglect of duty, or of insolent or improper conduct to any person or persons; but each arrest shall forthwith be reported to the officer in command of the Barracks, and by him be made known to the Chief of Police.

43. The sergeants will instruct the privates in the duties of their stations; will encourage them to activity and vigilance, and will carefully enforce a prompt obedience to the commands of their superiors in office.

44. They will preserve good order and cleanliness in the guard house. They will closely supervise the conduct of all under their command, and will report thereon from time to time to the Chief of Police.



45. The sergeants shall, under the direction of the commanding officer of the guard, make, as far as possible, the rounds of the posts during their watch, inspecting the conduct of the men on duty.

46. In the absence of a superior officer, the sergeants shall receive reports, which they shall note and submit to the lieutenants or chief, on their return. They shall receive and confine persons duly committed, but not release them except for good cause; in which event the circumstances of the release shall at once be made known to the Chief of Police, to be by him reported to the Mayor at the holding of the Police Court.

47. The Sergeants of Police shall promptly obey all orders received from their superior officers. They will set the best example of sobriety, discretion, skill, industry and promptness to the policemen under their command; they will at all times appear decently attired, and clean in their persons and equipments.

48. They shall be held responsible for the general good order and discipline of the men under them, and will make themselves thoroughly acquainted with the capabilities of the policemen belonging to their sections.

49. The sergeants must carefully study and thoroughly understand the rules and regulations.

50. They must note carefully every case of misconduct or neglect of duty of the men belonging to their sections, and report to the commanding officer.

51. They shall, while on duty, constantly patrol the beats allotted to their respective sections, and enforce the performance of duty by the men.

52. In case of fire, burglary, riot, or any other emergency, the sergeants on duty nearest the scene of said fire, burglary, riot, etc., will immediately send information to the officer in command at the Police Station, and in the mean time take such action as the circumstances of the case may require.

53. The sergeants shall, if possible, see each man on his beat, without calling; but should they not be able to find him, the call will be given in the centre and on each extremity of the beat; and if unable then to find the man he is in search of, the sergeant will extend the adjoining beats until the beat of the man absent is fully covered; he will report to the offi-

cer in command the name of the man, and the cause of absence, if ascertained.

54. The sergeants will inspect each and every policeman belonging to their respective sections, and be particular in noting that the emblems are clean and in their proper place; that the arms are in good order, and that the men are properly attired, and fit for duty, and report the same to the commanding officer.

55. Umbrellas and walking canes are not to be worn or used by sergeants or policemen while on duty.

### DUTIES OF POLICEMEN.

56. The prevention of crime being the most important object in view, the exertions of a policeman must be constantly used to accomplish that end. He must examine and make himself perfectly acquainted with every part of his beat, and vigilantly watch every description of person passing his way, so as to acquire a faculty in observing as well as detecting the offender.

57. He must, by his vigilance, render it extremely difficult for any one to commit crime in his beat; (the absence of crime will be considered the best proof of the efficiency of the police;) and when in any district or beat, offenses frequently occur, there will be good reason to suppose that there is negligence or want of ability on the part of the person in charge of said district or beat.

58. He must acquire a knowledge of the inhabitants within his beat, so as to enable him at once to recognize them.

59. He shall carefully examine, in the night time, all doors and low windows of dwelling houses and stores, to see that they are properly secured; also area and area gates of the several houses in his beat.

60. He must, if possible, fix in his mind such impressions as will enable him to recognize persons whom he frequently meets in the streets at night, and endeavor to ascertain their names and residences, and communicate to his commanding officer all information regarding them.

61. He shall strictly watch the conduct of persons of known bad character, and report to his commanding officer all policy



dealers, gamblers, receivers of stolen property, or his suspicions that they are such.

62. When any person charges another with the commission of a crime, and insists that the person charged shall be taken into custody, the policeman shall take the accuser, if unknown to him, along with the accused to the Police Station or Court, as the case may be, and return with as little delay as possible to his beat.

63. He shall carefully watch all disorderly houses, or houses of bad fame within his beat, and observe by whom they are frequented, reporting his observations to his commanding officer.

64. He shall take particular notice of hacks, cabs, or any other vehicle, at night, which, under any circumstances, excite suspicion.

65. He shall report all gas lamps that may not be lit or cleaned, or that may in any way be out of order.

66. He shall give his name or number to all persons who may inquire.

67. He must never use his club or weapon, except in most urgent cases of self defence.

68. Policemen must not walk together, or talk with each other, when they meet on the confines of their beat, unless it is to communicate information appertaining to the department—such communication to be as brief as possible.

69. It shall be the duty of sentinels and doormen to obey all orders received from the officers, and to keep the station house clean and in good order.

70. On the discovery of, or on hearing the alarm of fire, every policeman shall communicate the alarm in his district; and when stationed at fires for the protection of property, or the preservation of order, will be careful not to interfere with the firemen, unless called upon by the officers of the fire companies; or in case of riotous conduct, when they shall arrest any offender against the city laws. But if the person arrested be a member of a fire company, he shall, on demand of the Chief Fireman, or the foreman of the company to which the offender may belong, be delivered up, the policeman first taking the name of the offender, and the pledge of the officer

that he will produce the offender at the Mayor's Court, at nine o'clock, A. M., of the succeeding day.

71. Policemen, when called upon by the Chief Fireman or his representative, to aid in preserving order, shall render all assistance in their power.

72. Every policeman should make it his study to recommend himself to notice by a diligent discharge of his duties, and strict obedience to the commands of his superiors, recollecting that he who has been accustomed to submit to discipline will be considered best qualified to command.

73. He must readily and strictly obey the orders and instructions of his officers.

74. If they appear to him either unlawful or improper, he may complain to the Chief or Mayor, who will pay due attention to him; but any refusal to obey the orders of his superiors, or negligence in doing so, will not be suffered.

75. He should see every part of his beat in the time allotted, and this he will be expected to do regularly. This regularity shall not, however, prevent his remaining at any particular place, if his presence there be necessary for the due performance of his duty, to observe the conduct of any suspected person, or for any other good reason; but he will be required to satisfy his sergeant or superior officer, that there was a sufficient cause for such apparent irregularities.

76. He shall not leave his beat during his tour of duty, except when conveying a prisoner to the Barracks, or under other circumstances which may make it necessary; on which occasion he shall, if possible, give notice to some other policeman of the cause of his absence.

77. On no pretence shall he enter any public house, except in the immediate execution of his duty. Such a breach of positive order will not be excused. He may procure moderate and necessary refreshment at a public house with the least possible delay, not entering the house, and having his sergeant's permission, who is to be present with him at the time.

78. He will be civil and attentive to all persons of every rank and class. Insolence or incivility will not be passed over.

79. While on duty he will not enter into conversation with any one, except on matters relating to his duty.



80. He must be particularly cautious not to interfere unnecessarily; when required to act, he will do so with decision and boldness. On all occasions he may expect to receive full support in the proper exercise of his authority.

81. He must remember that there is no qualification more indispensable than a perfect control of temper, never suffering himself to be moved in the slightest degree by any language or threats that may be used. If he do his duty in a quiet and determined manner, such conduct will probably induce well disposed bystanders to assist him, should he require it.

82. Any policeman who shall be convicted of using his office with malice, to oppress or persecute, or annoy any person or persons, shall be fined or dismissed, or both, at the discretion of the Mayor or acting Mayor.

83. He shall, when about to arrest an offender, or to examine any suspicious person or circumstance, declare himself a policeman in the execution of his office, and shall then proceed to perform his duty.

84. Any policeman who may find himself seriously embarrassed, or unable to execute the law, or preserve the peace against persons who may resist, or threaten to resist, may call upon any bystanders present to aid him in the performance of his duty; and if such assistance be refused, he shall report the recusants to the Mayor or Chief of Police.

85. Policemen shall not enter a private dwelling in pursuit of a fugitive, without the consent of the proprietor or resident, unless he has personal knowledge that the fugitive has committed or attempted to commit the felony of murder, or arson, or rape, or burglary, when he may pursue and arrest such offender, declaring to any party resisting, who he is, and the crime of the offender.

86. On complaint and request for assistance, any policeman shall hasten to assist the person suffering. It is the duty of the members of the police to acquaint themselves with the laws and ordinances of the city, that they may cause them to be observed; and, whether they are on duty or not, shall notice, correct, or report to the officer on guard any infraction of public order or law.

87. The police are required at all times to use their best exertions to preserve the peace of the city, and to prevent or

put a stop to all disorderly practices. They will arrest and carry to the guard house, all felons and rioters, all disorderly or suspected persons who may be misbehaving themselves, or who may tamper with them in the discharge of their duties, or in any manner disturb the public peace, or who may assault, oppose or resist them in the exercise of their functions.

88. No policeman shall leave his station until properly relieved, except in case of extreme illness, when he shall report himself at the guard house to the officer in command; or in case of the arrest or conveyance of a prisoner to the station.

89. He shall give information to the Chief of Police, or officer in command, of any criminal intent or act, or the concealment of any criminal, which may come to his knowledge.

90. He shall not communicate any information respecting the orders which he may have received or learned, or any regulation which may be made for the government of the Police Department, except to such persons to whom he may be authorized to communicate with by his superior officer.

91. Any lost property which may be found, or property stolen, or embezzled, or unlawful, which may be taken in the possession of any person arrested, shall be taken to the Police Court or the guard house, as the case may be, with the person arrested, unless otherwise ordered by the Mayor or Chief of Police.

92. All property which may be stolen or lost, that may come into the possession of a policeman, shall be carried to the guard house and delivered to the officer in command. And the policeman shall note and mark the property delivered, and see the entry thereof in the police book, so that he may afterwards identify the same.

93. No policeman shall accept from any person, while in custody, or after he may have been discharged, nor from any of his friends, any gratuity or reward, nor shall he receive from any person compensation for damages sustained in the discharge of his duty, except by permission of the Mayor or Chief of Police.

94. No policeman shall be permitted to apply for a warrant for assault on himself, without permission from the Mayor or the Chief of Police. It is the duty of the city authorities to protect their officers in the exercise of their office.



95. No policeman shall receive or charge any fee or compensation other than his legal fees, nor shall he receive any other reward for services, except by permission of the Mayor or Chief of Police.

96. Every member shall be immediately dismissed from office, in addition to any other punishment to which he may be by law subject, against whom any of the following charges shall be substantiated: Disobedience of orders, drunkenness, violent, coarse, insolent, or abusive language, or demeanor to a superior officer, or to any citizen, resident or stranger; receiving any money or other valuables from any person, contrary to the above ordinances for the regulation of the Police of this city.

97. Members must inform themselves on these rules, as ignorance will not be received as an excuse.

98. No officer or member of the City Police shall be subject to the order of the civil magistrates for duty in their courts, unless specially assigned for the occasion by the Mayor or Chief of Police.

99. Policemen appearing in the Mayor's Court, must be neatly attired, and must, on all such occasions, display their badge of office.

100. Should any policeman be found guilty of such misconduct as to take drink from a person who has been brought by him before the Mayor, upon a charge, he will be considered wholly unfit for his situation.

101. Policemen will, in every case in which they give evidence against a prisoner, confine themselves strictly to the case before the court, and not refer to any former conviction against such prisoner, unless called by the Mayor or presiding magistrate to state it.

102. The policemen who have to give evidence in a court of justice are particularly cautioned to give such evidence calmly, explicitly, and in a perfectly distinct and audible tone, so that the court and jury may easily hear them. They are also cautioned, that whilst giving their evidence they should stand in an upright, respectful manner.

103. When money and other articles are taken from a prisoner, they are to be kept until the case is disposed of. The policemen may stop, search and detain any vessel, boat, cart,

or vehicle, in or upon which there shall be reason to suspect that anything stolen or unlawfully obtained, may be found, and also any person who may be reasonably suspected of having or conveying in any manner, anything stolen or unlawfully obtained.

104. Any policeman may stop and detain, until due inquiry can be made, all carts, carriages, and vehicles which he shall find employed in removing goods, cotton, furniture, or merchandise, between the hours of eight in the evening and six in the following morning, or whenever the policeman shall have good grounds for believing that such removal is made for the purpose of theft.

105. If after sunset and before sunrise, the policeman shall see any one carrying a bundle of goods, which he suspects were stolen, he should stop and examine the person, and may detain him; but here, also, he should judge from circumstances, (such as the appearance and manner of the party, his account of himself, and the like) whether he has really got stolen goods, before he actually takes him into custody.

106. He may also arrest any person whom he shall find, between sunset and the hour of six in the morning, lying or loitering in any yard or other place, and not giving a satisfactory account of himself.

107. He must report to the Lieutenant all violations of ordinances that come under his notice; all streets and gutters that need cleansing; all foot-ways that require repairs; all doors and gates left open or insecure; all dangerous chimneys, shutters, or buildings; all nuisances of every description; and all policy shops, disorderly houses, gambling houses, and houses of ill-fame, that may exist within his beat.

108. Every policeman is required to enforce strictly the law against vagrancy, and for that purpose must apprehend "all persons going about from door to door, or placing themselves in streets or highways, or other roads, to beg or gather alms, and all other persons wandering abroad and begging," and convey them to the nearest station house.

109. Every policeman is required to prevent the deposit of coal upon the sidewalks, and all obstructions of the foot-ways, crossing, and carriage ways; and to disperse all crowds of idle and disorderly persons at the doors of public places,



engine and hose houses, at street corners, or elsewhere, arresting all those who, after civil request, fail to move away.

110. Policemen wounded or disabled whilst in the performance of duty, or made ill by unusual exposure or service, will receive their pay for the period thus lost. In ordinary cases of sickness, or of absence on leave, no pay will be allowed.

111. Every policeman will exercise the right of a citizen at all elections, unquestioned; but no member of the Police Department will be allowed to connect himself with any club, society, committee or organization of any kind, the object of which is the political advancement of a party clique, combination, or individual, under penalty of dismissal.

112. He must direct strangers and others when requested, by the nearest and safest way to their places of destination; and he shall cause all children who have strayed or who have been abandoned, to be taken to the residence of their parents, if known, and within bounds of his beat, and if not, to the station house.

113. When he discovers a pick-pocket in a crowd at rail road stations, theatres, or any other thronged place, he shall arrest the thief and warn the citizens of his character, so that if any one has lost valuables in the crowd, he may be apprised that the person arrested is a thief.

114. He must strictly watch the conduct of all persons of bad character in such a manner that it will be evident to them that they are watched, fixing in his mind such impressions as will enable him to recognize persons whom he frequently meets in the streets at night, and to the utmost of his power prevent the commission of assaults, breaches of the peace, and all other crimes about to be committed.

115. When it becomes necessary to take a party into custody, he shall do so in as easy and quiet a manner as possible, only using sufficient force to secure the prisoner; and in no instance shall he strike the prisoner except in self defence. He shall see that the prisoner is properly dealt with and cared for until he is taken from his custody according to law, and any unnecessary deprivations or abuses of prisoners will meet with reproof and punishment.

116. When a disturbance occurs on his beat, he shall instantly repair to the locality and use his best efforts to restore quiet. If he is opposed or interfered with in the performance of his duty, he shall spring his rattle, and the policemen who hear it shall answer the same by forthwith proceeding to his assistance.

117. The police shall note all cases of fast driving, brutality to animals, horses or vehicles left unattended or going upon the sidewalk, or taking the wrong side in passing, or meeting or entering small streets or passage ways; also all cases where drivers of licensed vehicles are uncivil or demand illegal fares, or where rail cars or hacks stop opposite the intersection of streets or on crossings, or do not conform to any other lawful provision made for their regulation.

118. When any street or thoroughfare becomes blocked, he shall use his best endeavors to aid the drivers of vehicles in disentangling the same; and when the stream of travel is continuous, open the way for foot travelers wishing to cross, carefully attending to women, children, and aged persons, who would otherwise be exposed to danger.

119. He shall especially be watchful of vacant houses, to prevent depredations, and be vigilant to prevent fires.

## INSTRUCTIONS TO OFFICERS.

36. It is necessary that an officer should know when and how, and how far to act, and for this reason these instructions are embodied in this Code of Police Laws in plain and simple language, and are intended to show a policeman what he may and must do. If resisted in the proper performance of his duties, he is protected and shielded by the law, and possessing, as he does, this advantage, it is expected that he will act with caution and moderation, so as to protect all, and infringe upon the rights of none.

## OFFENSES AGAINST THE GENERAL LAW.

1. Crimes of great magnitude.

Murder.

Manslaughter.

House breaking.



Robbery and larceny.

Receiving stolen goods, knowing them to be stolen.

Assault with intent to kill, to rob, or to commit a rape.

Setting fire to any dwelling house or store, or any house, barn, stable, or other buildings adjacent thereto.

A.—Any person, whether policeman or not, present when any of the above offenses are committed, is bound to apprehend the offender.

B.—If a policeman sees any one commit, or has just cause to suspect that any one is about to commit, or if any one is positively charged with the commission of any of the above offenses, so that the officer is satisfied of the justness of the charge, he should arrest the person. If the person accused should make effort to escape, he may be immediately followed wherever he goes; and if he takes refuge in a house, and his immediate arrest is necessary, the officer may break open the doors for that purpose, first taking care to give notice who he is, and his business, and to demand entry.

C.—Officers have a right to arrest and detain in custody, for examination, persons found in the street at night having in their possession any burglar's tools, or gun, pistol, or other weapon, or who are found in any out-house, dwelling house, stable, area, or yard, or in any way affording reasonable ground for suspicion or criminal intentions, though there is no actual crime.

2. Crimes of lesser magnitude, or misdemeanors; the principal of these which come under police notice, are as follows:

A.—Attempting to pick a pocket; and any professional pick-pocket making the slightest attempt upon a person may be arrested.

B.—Cruelty to animals.

C.—Interfering maliciously or with evil intent with telegraph wires.

D.—Carrying concealed weapons.

E.—Aiding in prize fight.

F.—Malicious mischief, destroying or defacing houses, fences, trees, seats in public places, &c.

G.—Riotous conduct.

H.—Brawls tending to riot.

I.—Assaults.

## GENERAL RULES.

1. The officers shall assemble at the station house before or precisely at the hour fixed for that purpose; as their names are called the lieutenants or sergeants shall see that they are correctly dressed, equipped, and fit for duty.

2. The names of the officers must be entered in a book in the station, and opposite the names the number of their respective beats.

3. At fires special attention must be paid to thieves and pick-pockets in the crowd.

4. The police are to notice hacks and other vehicles which appear at night under any circumstances calculated to excite suspicion.

5. If any officer observes anything in the street likely to produce danger or public inconvenience, or any thing irregular or offensive, he is to report to his lieutenant.

6. He will notice the state of the public lamps, whether defective, dirty, or extinguished, or with glasses broken, and report the same to the lieutenant.

7. The officer is responsible for the life and property within his beat, and for the preservation of the general peace and good order during the time he is on duty. He must make himself acquainted with the names of the streets, thoroughfares, courts, and alleys, and with the houses.

8. If, at any time, he requires assistance, he may (if he cannot obtain it in any other manner,) spring his rattle; this is to be done as seldom as possible, as such alarm often creates inconvenience and excitement by assembling a crowd.

9. On making an arrest he should, if possible, notify some other officer who can pay some attention to his beat while he is taking the prisoner to the station; he will return to his beat as soon as possible.

10. The police must not leave their beats during their tour of duty, unless under circumstances which may render it necessary.

11. A list of the articles taken from any person conveyed to a station house is to be entered in a book; they shall be taken by one person and called out distinctly, and entered in a book by another, and when the person from whom they are taken is discharged by the magistrate and the articles restored to him, he is to sign the book as a receipt for them.



12. The lieutenants are to take especial care that nothing is permitted either by noise at relief hours or by any irregularity or want of cleanliness in a police station, which may justly give cause for complaint or annoyance to the inhabitants of the vicinity.

13. The lieutenants are never to forget that safe custody and not punishment, is the object of arrest, and therefore persons whom it may be necessary to arrest under doubtful circumstances, are to be made as comfortable as possible.

14. In making arrests, the officers are to do so in as quiet a manner as possible, and with all possible moderation and forbearance; this is especially necessary when called out in large bodies. The police are not to use their maces except when absolutely necessary in self-defence, or to prevent the escape of a prisoner.

15. The police on taking a person in custody must use no irritating or provoking language; such conduct often creates resistance on the part of the prisoner, and a hostile feeling towards the police in the by-standers; he must not use more violence than is absolutely necessary to take the prisoner safely to the police station.

16. The more civil and courteous the police are, whether off or on duty, the more they will be respected and assisted by the citizens in the proper execution of their duty.

17. When it is necessary for the prisoners to have refreshments, either at their own or the public expense, neither spirituous or malt liquors will be allowed.

18. The attention of the officers on duty late at night or early in the morning, will be directed toward persons carrying bundles or parcels at unreasonable hours and under suspicious circumstances; they shall stop and question them and satisfy themselves that all is correct before allowing them to proceed.

19. A policeman convicted in court of any criminal offense will be dismissed.

20. The attention of the police is called to boys flying kites in the streets; they will prevent this nuisance as far as possible.

21. In case of sudden death, the police will notify the coroner, and the lieutenants will so state in writing on their morning reports, to the Mayor.

22. No erasures are to be made of any entries made in police records or books. All errors are to be corrected by drawing the pen neatly across the entry and making the correction above.

23. The police are to observe whether coal holes, trap doors, sky lights, or other places on or near footways are securely covered over; if insecure, notice must be given to the owner or occupier of the premises; if then not made thoroughly secure, the parties will be legally proceeded against.

24. All property found by the police on their beats or at the station house, is to be immediately reported to the lieutenant or sergeant on duty, who will enter it in a book for that purpose, and all the circumstances attending the finding, the facts of which will be reported to the Mayor in the morning.

25. Attention must be given to carriages, hotel coaches, express wagons, and other vehicles for the conveyance of luggage, where there is luggage fastened behind, which thieves may be able to cut off and carry away.

26. In every case where a person is brought to the station in a state of insensibility, whether apparently from drunkenness or other cause, the lieutenant or sergeant on duty is to send for medical aid immediately, and so also when a person becomes insensible while in confinement.

27. The police are not to exceed their authority by hasty arrests or taking persons into custody improperly or for trivial causes.

28. If obscene, indecent, or offensive words are written on walls, gates, &c., the police are to erase them during the night if possible, and are instructed to arrest and legally deal with all persons caught so offending.

29. The police are to observe and notify residents whenever the windows, doors, gates, or other entrances to houses are left open; they will also watch suspicious characters loitering around, and order them away, or when there are sufficient grounds for doing so, arrest them. The police are forbidden to loiter near each other shortly before the hour of relief in the morning; they will be particularly vigilant at this hour, and do their duty diligently until relieved.



30. Persons distributing hand-bills are to be cautioned against forcing them upon passengers; they must not obstruct the footway or become a nuisance to citizens; if they cause such annoyance they are to be apprehended.

31. The police when on duty in plain clothes, are to make known to any person interfering with them in the execution of their duty, that they are police officers. They must exercise their discretion as to the time of making such communication, so as not to interfere with the object they have in view, so that if assaulted or interfered with, the assailant can not plead ignorance of the officer's real character.

32. The lieutenants are to observe the manner in which saloons, music halls, or places of amusement are conducted, and report immediately to the Chief cases of irregularity, dangerous, or immoral practices.

33. When a person is arrested, it is of great importance that the prisoner is not allowed to throw away any weapon or article of property which may furnish evidence of guilt. Should he attempt to do so, he is to be prevented, and the fact reported at the station house. In all cases where a prisoner is searched, it is to be done so effectually that all instruments or articles of property which he ought not to retain are taken from him.

34. Robberies having been effected by persons passing through empty houses to the roofs of others, the police will specially note all such uninhabited houses.

35. Police will prevent bonfires in the streets, and when practicable will immediately extinguish them.

36. The police are to prevent persons from attempting to steal door-plates, bell-pulls, etc., and must endeavor to detect the thieves if the offense has been committed.

37. Officers will not be allowed to stand and converse with females in the street, unless upon matters appertaining to their duty. The sergeants are strictly enjoined that it is their duty to report all such cases, and the neglect to do so will be visited on the sergeant himself.

38. No officer is justified in depriving any one of his liberty for words only; they will not enter into altercation with

any person while on duty. An officer who allows himself to be irritated by any language, shows that he has not command of his temper, which is necessary in a person vested with such powers by the law.

39. The police are cautioned to be careful in taking persons insensibly drunk to the station; that the first thing to be done is to undo the necktie and collar from about the neck, and when put in the cell, a pillow is to be placed under the head to raise it.

40. The officers on beats where public drinking fountains are situated, are to prevent any damage being done to them, and, if necessary, apprehend the person offending.

41. The police are to prevent persons from bathing publicly near inhabited houses, or on the river front of the populated parts of the city. Every facility is to be given to allow persons to bathe wherever it can be done without a violation of law.

42. The police employed to regulate carriages and preserve order at places of public amusement and private parties, are not to speak to the drivers of carriages in a manner calculated to provoke resistance. They are to abstain as much as possible from speaking to those whom they have to regulate or control, except so far as may be necessary for the performance of their duty, and all directions are to be given in a civil and firm manner.

43. The police are expected to give evidence with the strictest accuracy. Notes should be made at the time of an occurrence of all the particulars in the case, to refresh the memory if called on to give evidence. They are not to suppress or overstate circumstances with a view to favor any one, or from ill will to either side, and they will state accurately, without malice or favor, all they know. Greater weight will be given to the evidence of the police if they state fully, and without passion, all they know, and make it evident that they are speaking the whole truth without bias. They should tell all they know at the first hearing, for if they add to any material part in after evidence, it is open to suspicion, either as to accuracy or veracity. Any of the police who wilfully depart from the truth are unfit for the Force, and will be instantly dismissed.



44. No officer will bring an action for assault upon himself without permission from the Chief or Mayor. The police will understand that their interests and safety are best consulted by a check being thus given to unnecessary or vexatious prosecutions, while they will, at all times, be protected by legal means in cases that may arise out of the legal discharge of their duty.

45. The police stations are exclusively for the transaction of police business, and no persons not connected with the department will be permitted to loiter at the stations. Citizens on business will be courteously attended to, and after its transaction they will be expected to immediately leave, in order that the public business may be more expeditiously transacted. Lounging in police stations will not be permitted on any pretence.

46. Punctual attendance, prompt obedience to orders, and conformity to the rules of the department will be rigidly enforced.

47. Officers are to arrest and take before a magistrate any person exposing to view any obscene print or exhibition. This also refers to obscene prints in shop windows. Any person wilfully and obscenely exposing his person is to be arrested.

48. When a felony has been committed, and the Mayor or Chief has reason to suspect that negligence is attributable to the policeman on whose beat the felony has been committed, the policeman will be required to show, by his own affidavit or by the testimony of other persons, that he was strictly attending to his duty, or the officer will be subject to suspension or dismissal at the pleasure of the Mayor.

49. The police are to notice all cases of furious driving, and arrest the offenders, to be dealt with according to the law provided in such cases.

50. Upon the receipt of information of any crime perpetrated or about to be perpetrated within their jurisdiction, of a character requiring the services of the Detective Department, such as burglary, robbery, &c., the lieutenants are instructed to notify the Chief of the Detective Department at once, for the purpose of securing the co-operation of that Department.

51. The officers will inform their lieutenants of any wooden buildings in process of erection on their beats, and of any other violations of the ordinances of the city, and the lieutenants are directed to report the same to the Chief.

52. Policemen are imperatively required to act courteously toward each other, and to show the respect required by good discipline to every member of the Force. They must act with and assist each other in cases of emergency with promptness and decision. The least display of cowardice or shirking in the performance of their duties will meet with instant dismissal.

53. Officers must be respectful and obedient to their commanding officers and all superiors, and properly salute them, off or on duty; and it is especially enjoined upon the superior officers to respect the men under their command, and to treat them with courtesy and consideration, and no profane or other improper language will be permitted.

## ARRESTS.

An arrest, in criminal cases, is the apprehending or detaining a person to answer to a crime or offense alleged against him, or of which he is suspected to be guilty. To this arrest, all persons, without distinction, are liable, when accused of having committed a criminal offense.

An arrest on a criminal charge may be made in any place, or at any time, Sunday as well as any other day, and in the night as well as in the day time.

A person who has committed a felony, or who, for reasonable cause, is suspected of having committed a felony, may, if he be immediately pursued, be followed wherever he may go, and if he take refuge in any house, the police officer, after stating his office and object, may, if permission to enter be denied him, break open the outer door or windows, enter the house and arrest the offender. If the police officer find the outer door open, or it be opened to him from within, and he enters that way, he may break open any inner door, after proper demand and refusal, if necessary to make an arrest. The breaking of an outer door is in general, so violent and dangerous a



proceeding, that it must never be resorted to, except in extreme cases, and when an arrest is necessary.

Every police officer must recollect that, in making an arrest, he is not justified in doing more than is absolutely necessary for the safe custody of the parties until he conveys them to their proper destination.

Persons under arrest must be dealt with properly in all cases. It is the duty of a police officer to keep prisoners safely; but he has no right to punish them, and he must not even use language to them calculated to provoke or offend them; for such conduct would create resistance in the party, and a hostile feeling among the bystanders toward the police officer.

## FELONIES.

Felonies are offenses for which the offender, on conviction, shall be liable by law to be punished with death, or by imprisonment in a State prison. The following are some of the cases of felony in which police officers will be most likely to be required to act without a warrant from a magistrate: Murder, manslaughter, rape, mayhem or maiming, assault and battery by such means or force as is likely to produce death, with intent to commit a felony, wilfully setting fire to any building, ship or vessel, or public bridge, or any saw mill, breaking into any building and stealing therefrom, or with intent to commit a felony, robbery, grand larceny, receiving stolen goods (with knowledge that they were stolen), forgery, passing counterfeit coin or bank bills (with knowledge that they are counterfeit), or having them in possession, with such knowledge and with intent to pass them, aiding and assisting, by any means whatever, any prisoner in any place of confinement for felony to escape therefrom, whether such escape be effected or not, or forcibly rescuing any prisoner held in legal custody upon any criminal charge, concealing an offender after the commission of a felony, to receive, with the knowledge of the actual commission of a felony, any property, or gratuity, or reward, or any engagement or promise therefor, upon any agreement expressed or implied, to compound or conceal the offense.

39. POWER TO PREVENT FELONIES.

It is the first duty of a police officer to prevent the commission of a crime; and for this purpose he has the power to arrest any person whom, from his acts, conduct, situation and character, he has just cause to suspect is about to commit a felony. He should arrest any person found in any building, whether inhabited or not, or in any inclosed yard, garden or area, under such circumstances as to give just cause to suspect that he is there with any felonious purpose. In these and similar cases, police officers must judge from all the circumstances of the case, what the intention of the party is. In some cases no doubt can exist, as when the party is a notorious thief, or acting with those who are known to be thieves, or when the party is attempting to break into a house, or is examining the doors and windows, or endeavoring to take property secretly. If the intention of the party admits of doubt, the police officer will not act hastily, but will closely watch the suspected party, that he may discover his design.

If a police officer see any one carrying, or in any manner conveying any goods under circumstances which lead to a strong suspicion that they have been stolen, he should, particularly in the night, stop and examine the person, and if the appearance and manner of the party, his account of himself and of the goods, and all the circumstances of the case, should leave no doubt that the goods have been stolen, he should arrest the person and take possession of the goods. But if the suspicion of the police officer be slight, he should not stop the person, but watch him to discover where the goods may be deposited; and if he then become fully convinced that the property has been stolen, he will make the arrest and take charge of the goods.



## ARTICLE L.

# PRIVATE AND PUBLIC PROPERTY.

### ORDINANCES.


1. Pasting papers, etc., upon wall, or trees.
2. Defacing buildings.
3. Cutting trees, etc.
4. Throwing brick-bats, etc.
5. Duty of officers to arrest persons violating this ordinance.
6. Not lawful to take away fire ladders or hooks.
7. Not lawful to destroy pumps, injure trees, or hitch horses to any tree, fence, railing, gates, etc. Duty of Marshal.
8. Not lawful to ride, load or drive any horse, mule or animal between the trees or over the sidewalks.
9. Penalty $100, how enforced.
10. Book of city property, where and how kept.


### ORDINANCES, AS AMENDED.

Ordinance 25th March, 1852.

Pasting, etc., papers upon wall or tree.

1. It shall not be lawful for any person to paste or affix any paper or advertisement upon any building, wall or tree within the city; and for a violation of this 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, one half to go to the informer.

$5 fine.

Ordinance 4th May, 1854.

Defacing, etc., buildings.

2. No person or persons shall, within the limits of the City of Savannah, write, carve, indite, paste, paint, or in any manner deface, or cause to be written, carved, indited, pasted, painted or in any manner defaced, or write or cause to be written, any marks or letters with any materials whatsoever, upon any public building, the property of the City of Savannah or of

the United States, or upon the property of any person or persons, corporation or corporations.

Cutting, etc., trees.

3. It shall not be lawful for any person within the limits of the City of Savannah, to cut, destroy, or injure in any manner, any of the public trees in the streets or squares, or any of the palings, benches, or boxes around the trees, or any other property of the City of Savannah.

Throwing brick bats, etc.

4. It shall not be lawful for any person within the limits of the City of Savannah, to cast, throw or fling any stones, brick-bats, or any other thing in the squares, streets, lanes or alleys, or in any other public place in the City of Savannah, or in or at or against any of the trees or boxes around the trees in said city.

Duty of officers to arrest persons violating.

5. 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 article, immediately to arrest such person and take him or her to the guard house, there to be detained until discharged by the written order from the Mayor or any one of the Aldermen of the City of Savannah; and any officer failing or neglecting so to do, shall, upon conviction before the Police Court, be fined not less than ten dollars.

$10 fine if officer neglects.

Ordinance 2d August, 1839.

Not lawful to take away fire ladders or hooks.

6. It shall not be lawful to take away any of the fire ladders or hooks from the places where they usually are or ought to be deposited, under any pretence whatever, unless it be for public purposes.

Or to destroy pumps.

Or injure trees etc.

Or drive hooks etc., into trees

Or hitch horse to any tree, pump, etc., or to injure public property.

7. If any person is convicted of wantonly destroying any of the public pumps, or parts belonging thereto, or of digging up, cutting down, removing or injuring any tree, post or enclosure, which has been already planted or erected in or on any street, lane, square or wharf in said city, or which may be hereafter erected as aforesaid, or of driving any hook or other piece of iron into any of the trees as aforesaid, whether planted by individuals or otherwise, or of hitching any animal to any tree planted as aforesaid, or to any part of the fences, railings, gates or enclosures of the public squares, places or buildings, or to any one of the public pumps or lamp posts, or of painting, marking, breaking, defiling or in any wise injuring any public monument or other public property, now



erected or which may hereafter be erected in or on any street, square, lane or wharf in said city, he or she shall be punished as is hereinafter specified: *Provided, nevertheless,* that nothing herein contained shall prevent the Mayor or acting Mayor, or the Street and Lane Committee, from permitting the removal of, cutting down, or trimming any tree or trees, whenever a proper cause is made known: *And provided, also,* that it shall be the duty of the City Marshal, City Policemen or other public officer, discovering any animal hitched as is hereinbefore prohibited, not only to file an information against the owner, rider or driver of such animal, but to take the animal itself and impound it, until the payment of all fines and costs which may fall upon the offender, as well as the expenses of impounding, or until good and sufficient security shall be given for the payment of such fines, costs and expenses.

Proviso as to trimming trees.

Duty of Marshal, etc., to file information and impound any animal hitched to a tree, etc.

No animal to be rode or driven between trees, or over the sidewalks or footways.

8. If any person shall ride, lead or drive any horse, mule, or other animal usually ridden or used for draft, in any sort of carriage whatsoever within or between the double row of trees in the centre of South Broad street, or the double and treble row of trees on the Bay (except through or across the said trees, when they are intersected by the streets), or who shall ride, lead or drive the same over any of the sidewalks or footways within the said city, he or she shall be punished as is hereinafter specified.

Penalty $100.

9. Upon the conviction of any violation of any of the provisions of this article, the offender may be fined in a sum not exceeding one hundred dollars, at the discretion of the Mayor or person presiding at the Police Court, or of Council; and the said fines and forfeitures may be levied, recovered, collected and enforced in the manner prescribed by law, and one half thereof shall be paid, when collected, to the informer, and the remainder shall be paid to the City Treasurer for the use of the city.

How enforced.

Resolution 16th August, 1860.

Book of city property, where and how kept.

10. *Resolved,* That his Honor the Mayor be authorized to procure, at the expense of the city, a well bound book, appropriately labelled, and with index lettering, in which it shall be the duty of the Clerk of Council forthwith to enter memo-

randa 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.

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## ARTICLE LI.

## PUBLIC SALES.

### ORDINANCES.


1. Sales of lots at the Court House first Tuesday in each month.
2. Marshal's advertisement.
3. How offered for sale.
4. Property to be advertised in one column.
5. Sales of real estate.
6. Notices of re-entry.
7. No offering for sale lots under lease until lease has expired, and the City has actual possession.
8. All other sales void.


### ORDINANCES, AS AMENDED.

Ordinance 20th December, 1816.

Sales of lots, etc., at Court House first Tuesday of each month.

1. No sale of lots or other property by virtue of any ordinance for the collection of rent, taxes, or assessments, shall take place but on the first Tuesday of each month, at the Court House in this city.

Marshal's advertisement.

2. The Marshal, before selling any lots or property in arrears for rent, taxes, or assessments, shall advertise the same



for at least thirty days, and state (if real estate) the number of tything, ward, square, and street of the said lot or lots, and also the name or names of the owner or owners of the said lot or lots as may appear in the books of the Treasurer from the last person who paid the rent, taxes, or assessments, and in all cases the property so advertised shall be fully described.

How offered for sale.

3. The sale of all real estate advertised for rent, taxes, or assessments due to the city, shall be made by the Marshal's offering, in the most public and audible manner, the described premises for lease for one year, and if no bid be given therefor, to offer the same publicly and audibly for two years, and in the case of no bid, then to proceed until he offers the premises for lease for ten years, and if no bid be given at a lease of ten years, he shall then proceed to offer the same in fee, subject to the same conditions of the ordinances under which the premises are held, and the said Marshal is hereby authorized to execute a lease or leases, or deed in fee simple, for the premises sold under this article.

Property to be advertised in one column.

4. All property advertised under this article shall be placed in one column of papers in which the same are advertised, headed "City Marshal Sales," and that in no instance (if possible) the advertisements be scattered in such papers.

Sales of real estate superintended by Special Committee of Council.

5. 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.

Notices of re-entry.

6. In all notices given by the Marshal for the re-entry of lots, the name or names of the owner or owners, or of the person or persons who last paid rent, shall be inserted (with a full description of said lots,) in the advertisement.

Ordinance 19th June, 1820.

Provisions as to sale of lots under lease.

7. No lot or lots of land, store, or building belonging to the city and under lease, shall, at any time hereafter, be sold, disposed of, or leased by Council or any of its officers, until the final expiration of such former lease or leases, and actual possession of the premises vested in the city.

All other sales void.

8. Any sale, disposition, or lease of any lot or lots, store or building belonging to the city, disposed of or leased contrary to this article, shall be void and of no effect.

# ARTICLE LII.

## PUMPS.

### ORDINANCES.

1. Pump Contractor; when elected. Duty. What to be specified in proposal.
2. No animal to be watered within thirty feet of a pump. Penalty.
3. No animal, &c., to be washed at the pump, nor filth or dirt thrown upon or near a pump. Penalty.

### ORDINANCES, AS AMENDED.

Ordinance 2d August, 1839.

Pump Contractor when elected; duty.

1. At the first regular meeting in January in each and every year, the Council shall elect a Pump Contractor, whose duty it shall be to keep in order the public pumps and cisterns for the period of one year thereafter, for such sum of money as may be specified in the proposals of such Pump Contractor, accepted by said Council. [Amended, viz.: ordinance 15th December, 1853, says, "that the 10th section of the above recited ordinance be amended by adding thereto the following words, viz.: which contract shall include the cleaning out of the wells and cess-pools to their original depth, and when required by the Committee on Pumps, to be deepened beyond their original depth and the pumps lengthened, there shall be an additional allowance for the same at the rate of per foot, which rate shall be specified in the bid or proposal of each person."]

What to be specified in proposal.

Ordinance 2d August, 1839.

No animal to be watered within 30 feet of a pump.

2. If any person shall water any animal of any kind within thirty feet of any public pump, (except the pump at the base of the Exchange,) he or she shall be fined in a sum not exceeding thirty dollars.

Penalty, $30.



No animal, etc., to be washed at the pump, nor filth or dirt thrown upon or near a pump. Penalty, $10.

3. If any person shall, at any of the public pumps, wash any animal, carriage, clothes of any description, or any other thing, or do any other act whereby filth or dirt of any kind shall be thrown upon or near any of the said pumps, he or she shall forfeit and pay a fine not exceeding ten dollars.

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# ARTICLE LIII.

## QUARANTINE, &C.

### STATUTES.

1. Who may establish hospitals.
2. Regulation of quarantine.
3. Quarantine grounds.
4. Removal of vessels thither.
5. Escaping quarantine.
6. Bills of health, etc.
7. Inland travelers.
8. Duty of pilots.
9. Persons on board of vessels.
10. Proclamation as to contagions.
11. Violation of quarantine.
12. Concealment of small-pox, etc.
13. Fines, etc., how disposed of.
14. Quarantine, how certified.
15. Fees of health officer, how paid.
16. Small-pox hospitals, how provided.
17. Quarantine regulations.
18. Expenses, account of.
19. Expenses, how paid.
20. Vaccine, how distributed.
21. Spreading small-pox.
22. Violation of quarantine.

### STATUTES.

Irwin's Code.

City corporation, etc., may establish hospitals.

1. §1396. The corporate authorities of any city or town may establish in them, respectively, or in the vicinity thereof, hospitals or pest houses, to be subject to such regulations, not contrary to law, as such corporate authorities may make, to prevent the spread of infectious or contagious diseases, but in all cases where such authorities of a town may establish hospitals or pest houses out of their own jurisdictional limits, such establishments 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 Justices of the Inferior Court [now Ordinary] of each county, respectively, are vested with the power to establish such hospitals and make such regulations.

Quarantine, how prescribed and regulated.

2. §1397. 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 of 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, and, on conviction thereof, shall be liable to a fine of not more than five hundred dollars: *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.

Quarantine ground, how established.

3. §1398. Any town may establish a quarantine ground 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 cases of quarantine, extend to all ships and vessels which shall enter at any port or inlet from Ossabaw Sound to Tybee, including all inlets, rivers, and creeks within those limits.

Vessels may be removed to quarantine ground.

4. §1399. 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; and any master, seaman, or passenger belonging to any vessel supposed to have



any infection on board, or from a port where any dangerous infectious disease prevails, refusing to answer on oath such inquiries as may be made by any health officer relating to any infection or disease, shall be guilty of a misdemeanor, and, on conviction, shall be liable to pay a fine of one hundred dollars.

Persons escaping or attempting to escape quarantine, how dealt with

5. §1400. 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.

Master of vessel must deliver bill of health, etc.

6. §1401. 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; if he fails to do so, or to repair, in proper time, after notice, to the quarantine ground, or shall depart thence without authority, he shall be guilty of a misdemeanor, and, on conviction, shall be fined in a sum not less than two hundred dollars.

Penalty for default.

Inland travellers compelled to perform quarantine.

7. §1402. 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; and any person thus restrained traveling before he is discharged, shall be guilty of a misdemeanor, and, on conviction, may be fined in a sum not exceeding one hundred dollars.

Penalty for violation of quarantine.

Duty of pilots before entering on board of vessels.

8. §1403. 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.

Persons on board of vessels shall observe quarantine.

9. §1404. No person being 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.

Proclamation of Governor as to contagious diseases.

10. §1405. 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, and any person violating such orders or regulations, may be fined or imprisoned at the discretion of any court having jurisdiction.

Violators of quarantine may be indicted.

11. §1406. 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, and, on conviction, be fined in a sum not exceeding five hundred dollars, and be imprisoned in the common jail at the discretion of the court.

Duty of physicians and others.

12. §1407. Any physician or other person who shall conceal a case of small-pox 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 Justices of the Inferior [now Ordinary] Court, may be indicted and fined in a sum not exceeding five hundred dollars, or imprisoned at the discretion of the court.

Fines for violating quarantine, how disposed of.

13. §1408. 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.

Performance of quarantine, how certified.

14. §1409. 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.

Fees for certificate.



Fees of health officer, by whom paid.

15. §1410. 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.

Small-pox hospitals.

16. §1411. [The Justices of the Inferior Court [now Ordinary] of each county, or the corporate authorities of any town or city in this State, within the limits of which the small-pox 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.]

Quarantine regulations.

17. §1412. [Such Justices [now 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.]

Expenses, account of.

18. §1413. [Said Court 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.]

How paid.

19. §1414. Said courts or corporate authorities shall have all accounts properly audited and forward them to his Excellency the Governor, who shall draw his warrant on the treasury for the amount set forth in said account or accounts.

Vaccine, how distributed.

20. §1415. The Governor is authorized and required to procure the necessary quantity of genuine vaccine matter, either by purchase or manufacture, at such reasonable com-

pensation as he may contract for, and have the same transmitted to the Justices of the Inferior [now Ordinary] Courts of each county in this State for immediate use.

Spreading small-pox.

21. §4474. Any physician, surgeon, or other person, wilfully endeavoring to spread the small-pox, without inoculation, or by inoculation with matter of the small-pox, or using any other inoculation than that called vaccination, unless by special commission or authority from the Inferior Court [now Ordinary] of the county where the small-pox shall make its appearance, shall be indicted, and, on conviction, [shall be punished as prescribed in section 4245 of this Code.]

Violation of quarantine.

22. §4475. Any person who shall come into this State, by land or water, from any place infected with a contagious disease, and in violation of quarantine regulations, shall be indicted in any county in this State in which he may be found, and, on conviction, [shall be punished as prescribed in section 4245 of this Code.]

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## ARTICLE LIV.

## RAFTS.

### STATUTE.

1. Rafts may lie forty-eight hours near the wharves.

### ORDINANCE.

1. Owners of rafts to remove binders in six hours.
2. Penalty.
3. Raft limits.
4. Excavation to be dug to the extent of two hundred feet.
5. Fig Island channel.
6. Penalty for keeping rafts longer than four days at any other place $100 per day.
7. Duty of Marshal if lumber rafts are found moored longer than four days and no owner appearing.



### STATUTE.

State Law, December, 1847.

Rafts may lie 48 hours near the wharves.

1. Rafts of any kind may lie in the Savannah river forty-eight hours at or near the wharves on the Savannah.

### ORDINANCES, AS AMENDED.

Ordinance 1st November, 1791.

Owners, etc., of rafts to remove binders, etc., in 6 hours

1. The owner or owners, consignee or consignees of any raft of lumber or naval stores, or other person or persons having the charge, care or management of any raft of lumber or naval stores, which at present may be in, or which may at any time or times hereafter be brought to this port, shall immediately, or within six hours after the breaking up of such raft, remove the frame, hoops and binders, and oars thereof, or cause the same to be removed and carried beyond high water mark.

Penalty $30.

2. If any person or persons shall in anywise offend against this article, or shall neglect or refuse to comply with the same, he, she or they so offending shall, for the first offense, forfeit and pay a sum not exceeding thirty dollars, and for every offense thereafter a sum not exceeding one hundred dollars, one half to the informer or person prosecuting for the same, and the other half to the use of the city, to be levied on his, her or their goods and chattels by warrant of distress and sale, under the hand and seal of the Mayor or any of the Aldermen.

Ordinance 18th May, 1854.

Raft limits.

3. All rafts of timber, lumber and wood shall, after the expiration of four days after the same has been brought in the Savannah front river, be confined and kept within the following limits, to wit: On the south side of said front river, to the south side of a line drawn from the extreme point of the wharf known as the mill wharf of W. B. Giles & Co., to the extreme point of the wharf known as the Upper Steam Rice Mill wharf. On the north side of said river, they shall be confined and kept to the north side of a straight line drawn parallel to the line of piling driven along the wharf commonly called Smets' wharf, and forty feet south of said line of piling. The said line so drawn, being extended east and west until it reaches Hutchinson's Island.

Excavation to be dug 200 feet

4. The proprietors of the shores on Hutchinson's Island, within the said line so drawn, be and they are hereby authorized to excavate and dig out to the extent of two hundred feet back from the present shore line on the front river, and to such depth as may be necessary for the confining and keeping of rafts of timber and wood.

Fig Island channel.

5. Nothing in this article shall be so construed as to prevent the owners of rafts, or persons engaged in the lumber trade, from confining and keeping their rafts in the channel known as Fig Island channel, between Fig Island and Hutchinson's Island.*

Penalty for keeping, etc., rafts longer than four days at any other place, $100 per day.

6. If any person or persons shall confine, keep or moor any lumber, rafts, wood or timber, at any other point or place in the Savannah front river for a longer period than four days after the same has been brought into the Savannah river within the limits of the City of Savannah, such person or persons so offending shall, on conviction before the Police Court, having first been duly notified to attend the same by a summons, to be served by the City Marshal or a City Policeman on the person so offending, specifying the time and place of the meeting of the same, which summons may be served on the owner of the said lumber, wood, raft or timber, or any person found in charge of the same, be fined in a sum not exceeding one hundred dollars for each day that the same may have been confined, moored, or kept, contrary to the provisions of this article, one half of the fine to be paid to the informer, the other half to be paid into the city treasury: and that said raft, lumber, wood or timber shall be subject to the payment of said fine, which shall be paid within twelve hours after the same shall have been imposed; and in default of such payment, it shall be the duty of the City Marshal, under and by virtue of an execution to be issued by the Clerk of Council, to proceed to levy upon said raft or rafts, lumber, wood, or timber, and after advertising the same for two days, he shall proceed to sell the same for the payment of the said fine and all costs and expenses.

How collected.

If lumber rafts, etc., are found moored longer than 4 days, and no owner appearing, duty of Marshal, etc.

7. If any lumber, rafts, wood or timber, shall be found moored at any point or place in the Savannah front river, for a longer period than four days after the same has been brought into the river within the limits of the City of Savannah, and no person shall appear to be the owner, or have charge of the said lumber, rafts, wood or timber, it shall be the duty of the City Marshal or any City Policeman to seize the said lumber, rafts, wood or timber, and to report the facts to the person holding the Police Court, when a fine of not exceeding one hundred dollars shall be imposed by the said Court for each day that the same may have been confined, moored or kept contrary to the provisions of this article, one half of the fine to be paid to the informer, the other half to be paid into the city treasury; and the said Marshal shall, under and by the written order and direction of the person holding the Police Court, after advertising the same for two days, proceed to sell the same for the payment of the said fine and all costs and expenses, and shall pay over the residue of the proceeds of said sale to the owner of the said lumber, rafts, wood or timber, or to any person by him duly authorized to receive the same.

* This channel has been closed, for several years, on the Savannah side.



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## ARTICLE LV.

## REAL ESTATE—ASSESSMENTS.

### ORDINANCES.

1. Assessors of real property, three to be appointed by the Mayor at first regular meeting of Council in January, to continue in office for three years, subject to removal, etc.
2. Their oath.
3. Written report, when made.
4. Assessment of real estate and improvements. When made, of improvements semi-annual; of land annual. Return of Assessors. Appeal from.

## ORDINANCES, AS AMENDED.

Ordinance 29th October, 1857.

Assessors of real estate—how appointed.

1. It shall be the duty of the Mayor of the city, by and with the advice and consent of the Aldermen, to appoint at the first regular meeting of Council in January, three fit and proper persons, being owners of real property in said city, who shall continue in office for three years, subject to suspension and removal as other city officers, and whose duty it shall be to assess the value of all real property in said city in the manner hereinafter pointed out.

Their oath.

2. Said assessors shall respectively, before entering on the duties of their office, take and subscribe before the Clerk of Council, the following oath or affirmation, to wit: I, (A. B.) do solemnly swear (or affirm) that I will perform the duties of assessor of real property in the City of Savannah, impartially and without favor or affection to any person or persons; and that I will make a just and true return of all my actings and doings as such assessor, to the best of my knowledge and belief. So help me God.

Their duties.

3. Said assessors shall proceed to view all the real property within the limits of said city, subject to taxation, and to determine and assess the value of the same, and where they differ in opinion as to the value of such property, the majority shall determine such value; and they shall make a written report of such assessment to the City Treasurer, as hereinafter specified; designating in such report the location and valuation of all real property viewed and assessed by them, as nearly as possible by the numbers of the lots; and distinguishing between the value of lots, and buildings, &c., upon them, such assessment to be subject to the approval of Council, and there shall be no appeal except as hereinafter stated.

Written report, when made.

Ordinance 22d December, 1870.

Assessment of real estate and improvements

4. That so much of any ordinance of said city as requires that any assessment of the value of real estate and improvements shall stand until the assessment in the third year thereafter, be and the same is hereby so modified as that assessments of the value of land shall be annual, and be made between the first day of January and the first day of February, in each and every year; and the assessment of the value of improvements

When made.



shall be semi-annual, and shall be made between the first of January and the first of February, and between the first of July and the first of August, in each and every year; and the written report of the assessors shall, in every instance, be returned to the City Treasurer, by or before the said first days of February and August, respectively. And the report of the assessors shall remain open for inspection in the Treasurer's office for thirty days after the report is so returned; and any objections to any assessment shall be made in writing and filed in the Treasurer's office before the expiration of the thirty days as aforesaid; and, unless otherwise ordered by Council, such assessment shall stand until the succeeding assessment.

Assessment of valuation of improvements semi-annual.

Returns of assessors.

Appeal from return of assessors.

Time.

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## ARTICLE LVI.

## REGISTRY OF VOTERS.

[For Registry of Voters at municipal elections, see Article 1st of this Code.]

# ARTICLE LVII.

# ROADS.

## STATUTES.

1. Ordinance 22d July confirmed.
2. Ten years extended to thirty years.
3. State not to have the power of withdrawing franchise.

## ORDINANCES.

1. Exclusive right during the franchise over all the streets in the City of Savannah, excepting streets intersected by squares and those less than forty-five feet in width.
2. Railway to be in running order within three years.
3. Rate of speed.
4. Track to be laid down in the best and most improved mode of constructing street railways.
5. Rate of fare not to exceed ten cents for any distance in city limits.
6. Cars to run at least four times a day.
7. Company to pay all damages to private individuals.
8. Company to have preference to right of way over extended streets.
9. City in no case liable for damages.
10. Company not to be taxed for four years.
11. Company subject to police regulations.
12. Grade of track not to interfere with grade of street.
13. Track to be laid in the centre of street.
14. Cars to have right of way over tracks, turnouts, etc., to exclusion of teams.
15. Company authorized to construct their railway and run their cars on certain streets.
16. Right of way granted to Shell Road Company.
17. Transport of iron, etc., over paved road, lengthwise and not crosswise.
18. Vehicles keep to the right. Fine twenty dollars.
19. Duty of Marshal, etc.
20. Half fine to informer.
21. Plank road, what to mean.
22. Flange wheels, how conveyed.
23. Tax on locomotives $10, on rail road cars $5. Penalty double amount of tax.
24. Locomotives and cars manufactured in city relieved from tax.
25. A. & G. Rail Road authorized to lay its track across Thunderbolt road.
26. Top of rail shall be on a level with the old road.
27. Rate of speed, etc.
28. A. & G. Rail Road authorized to erect swinging gates at crossing.



## STATUTES.

### STREET RAIL ROAD—SAVANNAH, SKIDAWAY AND SEABOARD RAIL ROAD COMPANY.

[By act of the General Assembly, passed 20th December, 1866, William R. Symons and others, their associates and assigns, were made a body corporate, by the name and style of the "Savannah, Skidaway and Seaboard Rail Road Company" —Pamphlet acts of 1866, p. 130. On 28th September, 1868, the said act was amended by "An act to confirm an ordinance of the City of Savannah, granting the right of the Savannah, Skidaway and Seaboard Rail Road Company to construct a street railway over the streets in said city, and to grant further rights and privileges to said rail road company, and to amend its charter."—Pamphlet acts 1868, p. 113. For the authority of the city in the premises, see Article I of this work, containing sections 4752 to 4755, inclusive, of the Revised Code of Georgia, known as Irwin's Code. Only the aforesaid act of 1868, refers to the street railway in Savannah, and those sections bearing on the subject are hereby inserted.]

State Law 28th September, 1868.

1. (§1.) All the rights, privileges and franchises granted to and conferred on the Savannah, Skidaway and Seaboard Rail Road Company by the corporation of the City of Savannah, through its common council, by ordinance dated and passed on July 21 [22], 1868, be and the same are hereby confirmed as fully as if the same had been granted by this General Assembly. Ordinance 22d July confirmed.

2. (§2.) That the time of ten years, granted by said ordinance for the enjoyment of said franchise, be and the same is hereby extended to thirty years. Ten years extended to thirty years.

3. (§4.) That the State shall not have the power of withdrawing the franchise granted to said Savannah, Skidaway and Seaboard Rail Road Company, either in the act granting its charter, or in this act extending and confirming its franchises and charter. State not to have power of withdrawing franchise.

[§6. Repeals "all other acts and ordinances in conflict with this act."]

## ORDINANCES, AS AMENDED.

Ordinance 22d July, 1868.

Exclusive right during the franchise over certain streets.

1. That the Savannah, Skidaway and Seaboard Rail Road Company shall have the exclusive right of way for the time for which this franchise is granted, over all the streets in the City of Savannah, excepting such streets as are intersected by squares and those of less than forty-five feet in width, for the purpose of connecting their line of railway with the streets of the city by horse railway cars or carriages, and for transportation of passengers and their baggage, and to construct a street rail road and such branches, switches, turnouts and side tracks as may be necessary in and along said streets, and to use, own and operate the said road and cars for the full term of ten years, and for such further time as may be granted by the Legislature of Georgia.

Railway to be in running order within 3 years.

2. That said company shall, within three years from this date, have their street railway in running order through West Broad from Liberty to Bay, through Bay to East Broad, through East Broad to Gaston, and through Whitaker from Bay to Anderson, and through Drayton from Bay to Anderson; penalty forfeiture of this franchise.

Rate of speed.

3. That said company shall not run its street cars at any point at a rate of speed greater than that allowed by present or future ordinances of this city for other vehicles.

Track, how to be laid.

4. That the tracks of said street rail road shall be laid down in the best and most approved mode of constructing street railways, and said streets and parts of streets so used by said company for their railway tracks, switches, turnouts, crossings, and sidings shall be kept, for at least two feet outside of said track, in as good repair and condition as the said corporation keeps the balance of said streets, and of even grade with the streets (excepting in cases of re-grading), so that carriages and other vehicles can cross said street railway track with ordinary ease.

Rate of fare.

5. That for one mile or any less distance of travel on said road, the rate of fare shall not (except by permission of said City Council) exceed ten cents, for any distance within the city limits. No freight shall be carried except the usual personal baggage of passengers or persons going to or returning from market.



Cars to run at least four times a day.

6. That the said company shall run their cars at least four times per day over Whitaker and Drayton streets, between six o'clock, A. M., and nine o'clock, P. M.

Company to pay all damages to private individuals.

7. That all damages which may be sustained by private individuals from the use and occupation of their property, in exercising the rights herein granted, shall be met and paid by said company, and that the City of Savannah is in no instance to be responsible or liable therefor.

Company to have preference to right of way over extended streets.

8. That said company shall have preference to the right of way over such streets as may be extended or made by said city.

City in no case liable for damage.

9. That said City of Savannah shall in no case be liable for any damage which may be sustained by digging or other unavoidable work in repairing or laying gas or water pipes now running or to be run along any streets in Savannah; but the said city shall in no case tear up or undermine said tracks to lay down any new pipes or ducts for gas or water, without re-laying said track.

Company not to be taxed for four years.

10. That there shall be no tax levied and collected by the City of Savannah from said company for the space of four years from the passage of this ordinance.

Company subject to police regulations.

11. That said company and its agents shall be under the same police regulations and liable to fine as other persons for violation of the ordinances of said City of Savannah.

Grade of track not to interfere with grade of street

City Surveyor, etc.

12. That the grade of the track of said street rail road shall not, when it can possibly be avoided, interfere with the usual or natural grade of any street through which it may be laid. And the City Surveyor shall fix the grade of said track always in advance of the laying thereof, so that the work of said company shall not be delayed. And the grade thus fixed and built on by said company shall not be altered by said city at the expense of said company.

Track to be laid in the centre of each street.

13. That said track shall be laid in the centre of each street through which it may pass, and shall not interfere with the drainage system of the city.

Cars to have right of way over tracks, turnouts, etc., to the exclusion of teams.

14. That the cars of said company shall have the right of way on and over their said railway tracks, turnouts and switches, to the exclusion of all teams and vehicles (except the fire apparatus in cases of fire), and any person or persons who shall obstruct said track by occupying the said track or any part thereof, or otherwise retard the progress of said cars, af-

ter due notice given by the car bell, or whistle, or other proper signal, shall be subject to such fines and penalties as are now provided for by the ordinances of the City of Savannah, for every such offense; such fine to be imposed by the Police Court of Savannah for a violation of this article, but without expense in any case to the city.

[By ordinance of 29th March, 1871, so much of the second section of the foregoing ordinance as requires the said company "to have their street railway in running order through Drayton street, from Bay to Anderson street, within three years from the date of that ordinance," was repealed; and by ordinance of 15th April, 1871, the said second section was further "amended so as to extend the time within which the said company shall have their railway in running order, through East Broad street, to the end of six months after they shall have been notified by the Mayor, or acting Mayor, that the sewer now under construction in East Broad street has been completed to Broughton street."]

Ordinance 13th October, 1869.

Company authorized to construct their railway and run their cars on certain streets.

15. In view of the privilege heretofore granted to the Savannah, Skidaway and Seaboard Rail Road Company for the laying of a track and the running of cars in certain parts of East Broad street, West Broad street and Bay street, the said company be and it is hereby authorized to construct their railway and run their cars on the east side of East Broad street, and the east side of West Broad street, leaving the western and paved sides of said two last named streets unobstructed for the use of other vehicles; and to construct their railway and run their cars on the north side of the central or traveled part of Bay street: *Provided, always*, that the privileges in this ordinance granted, shall be subject to the same rules, limitations and restrictions as govern said company in their right in or on said streets by ordinance existing immediately before the passing of this ordinance. [Amended by declaratory ordinance of 7th July, 1870, which says: "That the said above described ordinance, passed in Council on the thirteenth day of October, in the year 1869, has not and shall not have the meaning, force or effect to authorize said Savannah, Skidaway and Seaboard Rail Road Company so to lay their track or run their cars, in or through Bay street, East Broad street, or West Broad street, as in any way to interfere with the right of the public to the free use of said streets, or to injure or interfere with the right of the owners or lessees of property along said streets to the proper use and enjoyment of such property."]



[On 18th August, 1869, Council passed an ordinance, granting said railway company the privilege of laying their track and running their cars through Abercorn, instead of Drayton street, on certain terms and conditions, provided the said company should obtain from the General Assembly, at its then next session, the right to run their road through said Abercorn street, etc. Such right was not granted by the Legislature; and therefore the ordinance was ineffective.]

## SKIDAWAY SHELL ROAD COMPANY.

Ordinance 4th August, 1869.

Right of way granted to Shell Road Company.

16. The right of way is hereby granted to the Skidaway Shell Road Company over so much of the bed of the present shell road of said company as runs through a part of the Pest House tract—the said encroachment of said road on said tract being about one hundred and seventy-five yards in length, and about six feet in the greatest breadth: *Provided, always*, that such right of way hereby granted shall continue in said company, or its corporate successors, so long only as said road may be used as a shell road, according to its present design or purpose, and be kept in order as such.

## PAVED ROAD—(FORMERLY PLANK ROAD.)

Ordinance 24th February, 1853.

Transport of iron, etc., over paved road, lengthwise and not crosswise.

17. All rail road iron, bar iron, boilers, hoop-poles, timber, plank, boards and lumber, shall be transported lengthwise, and not crosswise, upon any truck, car, wagon, dray or vehicle of any description passing over the paved roads, or through any of the streets within the limits of the City of Savannah, and for every violation of this section, the person so offending shall be fined in a sum not exceeding twenty dollars.

Vehicles keep to the right; fine $20.

18. All vehicles of every description shall keep to the right in passing over the paved roads, and for every violation of this

section the person or persons offending shall be fined in a sum not exceeding twenty dollars.

Duty of Marshal, etc.

19. It shall be the duty of the City Marshal and City Police to see that the provisions of this article are strictly enforced.

Half fine to informer.

20. Every person informing of a violation of this article shall be entitled to receive one half of the fine imposed.

Ordinance 30th August, 1860.

"Plank road," what to mean.

21. That whenever, in any of the ordinances of the city, heretofore passed, reference is made to the road on Bay and West Broad streets, formerly known as the plank road, such reference shall hereafter be construed to mean the present paved or Macadamized road leading from the wharves at the eastern portion of the city, over Bay and West Broad streets, to or near the depot of the Central Rail Road; and, in that particular, all such ordinances are hereby amended.

Ordinance 3d September, 1857.

Flange wheels, how conveyed

22. All flange wheels, belonging to or appertaining to locomotive engines or rail road cars, shall be conveyed upon such conveyance as shall lift such flange wheels from off the paved road; and any person or persons violating the above shall be subject to a fine of fifty dollars, one half of such fine to be paid to the informer.

Penalty $50.

Ordinance 29th October, 1857.

Tax on locomotives, etc.

23. The owner or agent of the owner of every locomotive or rail road car drawn over the plank or Macadamized road shall pay therefor the sums following, to wit: For every locomotive, the sum of ten dollars; for every other rail road car, other than coal cars, the sum of five dollars; for every coal car, or car transported on drays or trucks, and not exceeding three tons in weight, the sum of three dollars; said sums to be paid at or before the passing of such locomotive or other car over the said plank or Macadamized road; and if any person or persons shall so draw or cause to be drawn over the said plank or Macadamized road any such locomotive or other car, without paying for the same the the tax herein specified, such person or persons shall, upon conviction before the Mayor in the Police Court, be fined in double the amount of such tax, one half of such fine to be paid to the informer.

When paid, etc.

Penalty.



Locomotives and cars manufactured in city relieved from tax.

24. [Amended by ordinance of 19th December, 1860, which relieves "from the imposition of such tax all locomotives and rail road cars manufactured in the City of Savannah."]

Ordinance 9th November, 1870.

A. & G. Rail Road authorized to lay its track across Thunderbolt road.

25. That the Atlantic and Gulf Rail Road Company may and is hereby authorized to lay its rail road track across Thunderbolt road, at a point near the brick culvert on said road, and between said culvert and the stone marking the eastern limit of the city near said culvert, the right of way across said road to be seventy-five feet in width, measuring thirty-seven and one half feet perpendicularly on each side of the centre of said rail road track.

Top of rail shall be on a level with old road.

26. That the said rail road track shall be so constructed that the top of the rail shall be on a level with the grade of said road, and in such manner as to offer no impediment to the passage of persons, animals or vehicles over said track.

Rate of speed, etc.

27. That the rate of speed at which the locomotives or cars of said company, or of any other company or companies, or person or persons, shall pass over said road shall not exceed five miles per hour, and the said company shall cause to be erected one or more sign boards, at or near the place where the said rail road shall cross said road, with such notice painted or inscribed on said sign board or boards as shall by day distinctly notify passengers on said road of such place of crossing, and by night said rail road company shall cause such place of crossing to be indicated by at least two good and sufficient lights, to be placed one on each side of said Thunderbolt road, where the locomotive or cars as aforesaid may be crossing said road.

A. & G. Rail Road authorized to erect swinging gates at crossing.

28. That the said Atlantic and Gulf Rail Road Company is hereby authorized to erect such swinging or lifting gates at the place where said rail road may cross said road as may be swung or dropped across said road at the time when the locomotive or cars of said company, or of any other company or companies, or person or persons may be actually crossing said road, and at no other time or times.

# ARTICLE LVIII.

## SABBATH.

### ORDINANCES.


1. Disturbing congregations.
2. No business on the Lord's day.
3. No goods to be sold on the Lord's day.
4. No wagoner to ply about the city.
5. No vessel or water-craft to load, &c.
6. No tavern keeper to suffer feasting, gaming, &c.
7. No public sports.
8. Marshal to walk or ride through the City during divine service.
9. Fines, how collected.
10. Prosecution must commence in thirty days.
11. Duty of Marshal to arrest and report offenders.
12. Doors and windows of shops, stores, &c., to be closed.
13. No selling of goods, except medicines, ice, and milk.
14. Penalty $20 to $100.
15. Not lawful for funeral or any other procession to march through the streets on the Sabbath accompanied with field or other music.
16. Lawful to sell soda water and ice-cream, but the same cannot be hawked about the streets.
17. Barber shops may be kept open until 10 o'clock, A. M.


### ORDINANCES, AS AMENDED.

Ordinance 11th April, 1839.

Disturbing congregations, public worship, &c.

1. If any person or persons whosoever, shall disturb any congregation tolerated by the laws of this State, who are assembled together at any church or public place of worship to perform divine service, or shall cause any riot or disturbance thereabout, or therein, he, she, or they shall, for every such offense, be subject to a fine not exceeding one hundred dollars, and in default of payment of the same, it shall be lawful, on conviction before the Police Court, for the Mayor to commit him or them to the common jail for a space of time not exceeding ten days.

Penalty $100.



No business on the Lord's Day

2. No tradesman, laborer, or other person whatsoever shall do or exercise any labor or business of their ordinary calling on the Lord's Day, (works of necessity, charity, and the absolute and necessary avocations of the family excepted) and every person of the age of discretion, or fifteen years and upwards, offending herein, shall, for every such offense, be liable to a fine not exceeding one hundred dollars.

Penalty $100.

No goods to be sold on the Lord's Day.

3. No person whatsoever shall publicly cry, show forth, or expose to sale in any shop, store, warehouse, or other place, any goods, wares, merchandise, fruit, herbs, or anything whatsoever, except medicines and ice, upon the Lord's Day, or any part thereof, nor sell, nor barter the same, upon pain that every person so offending shall forfeit the goods so cried, shown forth, or exposed to sale, and be liable to be fined in a sum not exceeding one hundred dollars: *Provided always,* that nothing herein contained shall be construed to prohibit the dressing of victuals in families, or the dressing and selling to any persons of victuals and refreshments in any inn, tavern, or victualing house, nor the baking of bread, if it be done early in the morning, nor the slaughtering of meat after divine service in the afternoon.

Penalty $100.

Proviso as to families.

No wagoner, etc., to ply about the city.

4. No wagoner, carter, drayman, butcher, driver, or their servant or servants, or other persons whatsoever, shall ply about the city with their wagons, carts, or drays, nor load or unload any goods, wares, merchandise, or produce, except the baggage of passengers, nor drive cattle, sheep or swine, within the jurisdiction of the same on the Lord's Day, or any part thereof, under the penalty of fine not exceeding one hundred dollars for each and every such offense.

Penalty $100.

No vessel or water craft to load or unload

5. No vessel, boat, or water craft of any kind whatever, shall be allowed to load or unload at any of the wharves or docks of this city on the Lord's Day, (cases of imminent danger or urgent necessity only excepted,) under the penalty of a fine not exceeding one hundred dollars.

Penalty $100.

No person to suffer feasting, gaming, etc.

6. No tavern-keeper, inn-keeper, or other person keeping any house of entertainment, shall suffer any feasting, drinking, gaming, rioting, or other disorderly or indecent conduct whatsoever, on the Lord's Day, within their houses, outhouses, or enclosures, under a penalty of a fine not exceeding one hundred dollars for each and every such offense.

No public sports, etc.

7. No public sports or pastimes, as bear-baiting, bull-baiting, cock-fighting, horse-racing, riding race horses through the streets of the city, or for exercise from stables, foot-ball, shooting, hunting or fishing, interludes or plays, dancing, singing, fiddling, or other music for the sake of merriment, or any other sports or pastimes or disorderly conduct whatsoever, shall be used on the Lord's Day, and all and every person or persons offending in the premises, shall forfeit, for every such offense, a sum not exceeding one hundred dollars.

Penalty $100.

Marshal, etc., to walk or ride through the city during divine service.

8. For the better preservation of decorum and good order on the Lord's Day, the Marshal, attended by two or more Constables, is hereby required, on every Sunday, during divine service, to walk or ride through the city to observe, suppress, and apprehend all offenders whatsoever, who shall be found acting contrary to the intent and meaning of this article, and to enter into any public house, tippling house, dram shop, cook shop, or other house or enclosure wherein they hear any riot, noise, or indecent behavior, or wherein they suspect any assembly of disorderly persons, for the purpose of suppressing the same and apprehending the offenders. And in case admittance or entrance be refused, then the said Marshal or Constables are required to apply to the Mayor or to any Magistrate of the city, for a warrant or order to break open any of the doors of the said house or enclosure, and enter therein. And any person or persons who shall refuse entrance to the officers aforesaid, shall, for every such offense, be liable to a fine not exceeding one hundred dollars.

Enter public places, etc.

If refused admittance.

Penalty $100.

Fines, how collected.

9. The fines, penalties, and forfeitures herein imposed, shall be levied and recovered in the usual manner, and applied, one half to the informer or informers, who shall prosecute the same to effect, and the other half to the use of the city.

Prosecution must be commenced in 30 days.

10. No person shall be prosecuted or molested for any offense contained in this article, unless such prosecution be commenced within thirty days after the offense was committed.

Ordinance 16th April, 1846.

Duty of Marshal, etc., to arrest and report offenders.

11. It shall be the duty of the Marshal, City Sheriff, and policemen, to arrest and report all offenders against this article to the Mayor, whose duty it shall be to fine or punish



all such as in his judgment and wisdom shall seem equitable and just as violations of other ordinances for the good order, peace, and dignity of the said city.

Ordinance 27th July, 1854.

Doors and windows to be closed.

12. Every person who shall hereafter keep within the City of Savannah or its extended jurisdictional limits, shop, store, bar-room, tavern, oyster-house, or cellar, confectionery, eating-house, porter, ale, or beer-house, shall, on every Saturday night at twelve o'clock, close and keep shut the door or doors, and window or windows of such shop, store, bar-room, bar in or attached to a tavern, oyster-house, or cellar, confectionery, eating-house, porter, ale, or beer-house, until the hour of twelve o'clock Sunday night.

No goods to be sold on Sunday, except medicines, ice, and milk.

13. No person whatsoever shall exchange, barter, sell, or offer or expose for sale, after twelve o'clock on every Saturday night, and until twelve o'clock Sunday night, any goods, wares, merchandise, fruits, herbs, malt, vinous, or spirituous liquors, or any other strong drink, or any other thing whatsoever, except medicine, ice, and milk.

Penalty.

14. If any person or persons shall violate any of the provisions of this article, he, she, or they shall, upon conviction thereof before the Police Court, be fined in a sum not less than twenty dollars, nor more than one hundred dollars for each and every violation—one half of such fine to be paid to the informer; the other half into the City Treasury.

Ordinance 6th February, 1867.

Not lawful for funeral or any other procession to march through the streets on the Sabbath accompanied with field or other music.

15. It shall not be lawful for 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, except by the written permission of the Mayor or Acting Mayor of said city, under the penalty of one hundred dollars on every person guilty of a violation of this ordinance; and every person found in such procession with music as aforesaid, on the Sabbath or Lord's Day, where no such written permission shall have been granted, shall be deemed guilty of a violation of this ordinance.

Ordinance 24th May, 1860.

Barber shops may be kept open until 10 A. M., on Sunday.

16. It shall hereafter be lawful for every person keeping a barber shop within the limits of Savannah, to keep open such shop on Sunday or Lord's Day, until the hour of ten in the morning of such day, and no longer: *Provided*, nevertheless, that this permission shall not be extended, or be construed to extend, to any shop within said city or its extended or jurisdictional limits, to which shop a bar-room is or may be in any wise attached.

Proviso.

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## ARTICLE LIX.

# SAVANNAH RIVER, RICE CHAFF, ETC.

### ORDINANCES.

1. No rice chaff to be exposed to sun or rain within half a mile of city limits.
2. No rice chaff or any substance whatever to be thrown into the Savannah river.
3. Not lawful to throw from any water craft any substance into Savannah river which might lessen depth of water.
4. Harbor Master to incorporate into his rules provisions of this ordinance, etc.

### ORDINANCES, AS AMENDED.

Ordinance 2d August, 1839.

No rice chaff to be exposed to sun or rain, within half a mile of the city limits.

1. 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 present 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

Penalty $100.



shall be removed to a proper distance by the City Marshal at the expense of said owner or agent.

No rice chaff, etc., to be thrown into the Savannah river.

2. It shall not be lawful for any person or persons to throw, cast, or deposit, or to cause to be cast, thrown or deposited in Savannah river, or on its banks below high water mark, within the extended jurisdictional limits of the City of Savannah, rice chaff or any substance of whatever nature or kind which might in any degree lessen the depth of the water in said river, or any part thereof within the limits aforesaid, and each and every person so offending shall, for each and every such offense, be fined in a sum not exceeding one hundred dollars.

Penalty $100.

Ordinance 18th April, 1866.

Not lawful to throw from any water-craft any substance which might lessen depth of water in Savannah river, etc.

3. It shall not be lawful for any person to throw, cast, or deposit, or cause to be thrown, cast or deposited in 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 dollars on conviction before the Police Court, one half of the fine to be paid to the informer and the other half into the city treasury, and in case such offense be committed from or on board of any vessel, then the owner or owners, captains and consignee or consignees of such vessel shall be liable for the payment of such fine.

Harbor Master to incorporate provisions of this ordinance in his rules, etc.

4. The Harbor Master is hereby required to incorporate the provisions of the third section of this article into his rules, and to furnish a copy thereof to every vessel visiting this port.

# ARTICLE LX.

## SCAVENGER AND SINK CONTRACTOR.

### ORDINANCES.


1. Occupants of houses to sweep foot-walks.
2. Tenants to keep in their yards a box or barrel for rubbish.
3. Not lawful to put dead animals into streets, lanes, or squares, etc.
4. Duty of stable-keepers relative to horses.
5. House-holders to keep their premises clean.
6. Penalty on Superintendent for neglect.
7. Penalty on other persons.
8. Scavenger's Department by contract.
9. Duty of Superintendent.
10. Other duties.
11. Duty to see that the squares are daily examined, and to remove rubbish.
12. To take charge of the Pound.
13. Persons keeping more than three animals.
14. Cleaning sinks, vaults and privies given out by contract.
15. Duty of Sink Contractor.
16. Charges of Sink Contractor.
17. Compensation, how and when payable.
18. Permission for removal of contents of sinks, etc.
19. Sink Contractor must give notice to owner or occupant of premises.
20. Regulations for removing contents of sink, privy, vault, etc.
21. Hours during which contents may be removed.
22. Penalty on owners refusing to have sink cleaned.
23. No person other than Sink Contractor allowed to empty sinks.
24. Repealing ordinance.


### ORDINANCES, AS AMENDED.

Ordinance 15th August, 1839.

Occupants of houses, etc., to sweep foot-walks.

1. All occupants of houses, merchants, shop-keepers, grocers and tradesmen, (carrying on trades under roof and residing above the bluff,) shall be compelled every day in the week before seven o'clock, A. M., to sweep the foot-walk before their respective houses and lots, or so much of the lot as is occupied by each, for the space of six feet from the foundation of the house, piazza, railing or fence (as the case may be),



and collect the rubbish therein and therefrom, and deposit the same ready for the scavenger's cart.

Tenants to keep in their yards a box or barrel for rubbish, etc.

2. The owners, tenants or occupiers of houses shall keep within their yards or enclosures, respectively, a box or barrel of sufficient size, in which shall be deposited all the offal, filth, rubbish, dirt and other matter generated in said building and enclosure, and the said filth of every description as aforesaid, shall be placed in said box or barrel, from the first day of April to the first day of November, before the hour of seven o'clock, A. M., and from the first day of November (inclusive) to the last day of March (inclusive), before the hour of eight o'clock, A. M., and such matter so placed shall be daily removed (Sundays excepted) by the Superintendent, to such places without the city as shall be designated by the Mayor or a majority of the Street and Lane Committee.

Not lawful to throw or put any dead animal into the streets, etc.

3. It shall not be lawful for any person to 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, and that all horses, cows, hogs, dogs, goats, calves, and other animals of such size, which may die or be found dead within the limits of the city, shall be removed and carried beyond the limits of the same, and buried at least six feet under ground by the owners thereof, or his, her or their agent or servant, and at his, her or their own expense, which burial shall take place within two hours after the death of such animal, unless such death shall happen in the night, in which case such dead animal shall be removed within two hours after sunrise, and if the owner of such dead animal shall not remove the same within the time above directed, then the same shall be removed and buried as aforesaid by the Superintendent of Streets and Lanes, at the expense of the owner. And it shall be the duty of such Superintendent, at the request of the owner or any other person, or whenever any dead animal shall be found anywhere within the limits of the city, to remove and bury the same without delay, and the said Superintendent shall be entitled to receive for the use of the city, from the owner of any such dead animal, for removing and burying the same, the following fees, viz: for a hog, dog, goat or calf, one dollar and fifty cents; for a horse, cow or other large animal, three dollars. And the said Superintendent shall make a re-

How they shall be removed, etc.

Duty of Superintendent, etc.

Returns every fortnight.

turn to the City Treasurer of all moneys received by him for the use of the city, and shall pay the same to the said Treasurer every two weeks.

Stable keepers' duty relative to horses, etc.

4. Every keeper of an inn, tavern, or stable within the city, and every other person within the city who shall keep, and have the management, care or charge of more than tnree horses, mules, oxen, or cows, as together exceed three in number, in any one stable, yard, or other enclosure within the city, he shall remove or cause to be removed at least once in every twenty-four hours, at his, her or their own expense, all the dung, filth, or litter made and caused by keeping the aforesaid animals, above three, to such places as may be pointed out for the deposit of the filth and rubbish removed by the Superintendent of Streets and Lanes.

Householders to keep their yards, etc., clean.

5. Every house-holder or occupant of a house shall keep the yard, cellar, enclosure, or premises so occupied, clean and clear of and free from all putrid and stinking water, or other putrid or offensive matter or thing whatsoever, and it shall be the duty of every house-holder or occupant of a house to

Privies.

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.

Penalty on Superintendent.

6. For any violation or omission of the said Superintendent of any thing directed to be done by this article, the said Superintendent may be fined by the Mayor, Chairman or Alderman presiding at the Police Court, or by the Mayor and Aldermen in Council assembled, in any sum not exceeding one hundred dollars for each offense, and the said Superintendent may be, for any flagrant violation or omission of duty, suspended by the Mayor, or acting Mayor, who shall report the same to Council, and the said Council may remove the said Superintendent from office, or inflict such other penalty as

Suspension, removal, etc.

they may deem proper. And whenever the said Superintendent shall be suspended or removed, the Mayor or acting Mayor shall appoint some fit and proper person to act as Superintendent until such vacancy be filled by an election as in other cases of vacancy.

Penalty on other persons, $100, etc.

7. If any person or persons, other than the Superintendent, shall violate any of the provisions of this article, or omit



any of the duties imposed on him, her or them by this article, he or she shall be fined in a sum not exceeding one hundred dollars for each and every offense, at the discretion of the Mayor or acting Mayor. And all fines collected shall be paid one half to the informer, and the other half to the Treasurer of the city for the use of the city.

Ordinance 26th December, 1866.

Work of Scavenger's Department to be given out by contract.

8. On and after the first regular meeting of Council in January next, the work of the Scavenger's Department shall be given out by contract, and proposals for performing the same to be made and received as hereinafter specified. All bids must be handed to the Clerk of Council before ten o'clock on the morning of the day of election, notice of which election shall be given ten days previous to the time at which such election shall take place; and each bidder shall enclose with his bid the names of two or more securities, who, with the person elected, shall bind themselves in a sum which shall exceed the amount of the bid for which he proposes per annum to do the work by one thousand dollars, for the true and faithful performance of the duties of Superintendent. The City Council shall, at its first regular meeting in January next, and at the first regular meeting in January of every third year thereafter, select from those who shall submit their proposals, one who shall be declared elected Superintendent, and who shall execute a bond to the city in the amount above required, to be approved of by the Mayor, and shall enter upon the duties of his office within ten days after said election. Upon failing to give such bond, or to enter upon his duties within the said time, his election shall be deemed void, and the City Council at its next regular meeting, shall elect some other person in his place.

City Council to select from those submitting proposals a Superintendent.

Duties of Superintendent.

9. The person so elected Superintendent shall, before entering upon his duties, provide himself with a sufficient number of able bodied men, and horses or mules and carts, to perform the duties of the department as hereinafter described, which men, teams and carts shall all be approved of by the Mayor, and none shall be employed in the department but such as are able and efficient. And it shall be the further

duty of said Superintendent to cause the men so employed to pass through all parts of the city, daily, Sundays and general holidays excepted, with the carts, and to take off all offal, filth, manure, oyster shells, or other rubbish that may be collected in barrels and boxes, or that may be found in any street, lane or square within the city, and carry the same to such place or places as may be determined by the Mayor or Chairman of the Street and Lane Committee: *Provided*, that all manure and offal shall be at the disposal of said Superintendent, and shall be carried beyond the limits of the city, to be used or farmed out by him.

Other duties.

10. It shall be the duty of said Superintendent to report to the Mayor, every Monday morning, the number of hands and teams employed in the department, and the condition of the streets, lanes and squares; and at every alarm of fire it shall be his duty to repair to the place of the fire with such of his teams and carts as are not actually loaded and carrying off the offal at the time of the alarm being given, and be subject to the orders of the Mayor or person acting in his place; and for failure or neglect to perform any of the requirements of this article, the said Superintendent shall, on conviction before the Police Court, be subject to a fine of not less than five nor more than fifty dollars for each offense, one half to go to the informer, the other half for the use of the city: *Provided, nevertheless*, that for any charge of gross neglect or misdemeanor, the said Superintendent shall be liable to be tried before Council, and be removed from office, or be fined in such sums as Council may direct; and in case of removal from office a new election shall be held at the next regular meeting of Council to fill his place for the unexpired residue of his term; and notice of such election shall be given by the Clerk of Council ten days before the day for such new election.

Duty as to squares.

11. It shall be the duty of said Superintendent to see that the public squares are also daily examined, and any offal or rubbish that may be therein found shall be removed by his carts.

Charge of Pound.

12. It shall be the duty of the said Superintendent to have charge of and feed all cattle or other animals liable to be impounded, or that shall be impounded by the City Marshal or any city officer, and to deliver up said cattle or other animals



to their owners on the customary fee being paid, for the fulfilment of which duty the said Superintendent shall have charge of all the buildings belonging to the city and attached to the Pound, and shall use the stables for keeping the mules or horses engaged in the Scavenger Department, and shall keep such buildings and stables in good repair. And it shall further be his duty to be at the said Pound, or have some agent there at two stated hours each day, when cattle or other animals are within, for the purpose of delivering the same to the owners when called for; and further, he shall well and truly pay all moneys collected for thus delivering up cattle or other animals, to the City Marshal, the money allowed by ordinance for feeding cattle or other animals impounded being excepted.

Persons keeping more than three animals of the horse or cow kind to remove offal at their own expense.

13. Any person keeping more than three animals of the horse or cow kind in his or her premises, shall be compelled to remove daily, at his or her own expense, the offal from any such animals above three, and in default thereof shall be liable to a fine of not more than ten dollars for every day's default, Sundays and general holidays only excepted.

## SINK CONTRACTOR.

[The following ordinance, in relation to Sink Contractor, having been passed too late for insertion in the proper place, is put into this article.]

Ordinance 6th April, 1871.

Cleaning sinks, etc., to be given out by contract.

14. From and after the passing of this ordinance, the work of cleaning sinks, vaults and privies in the City of Savannah, shall be given out by contract or proposals to do the work, and the person selected or appointed for performing such work shall be known and designated as "Sink Contractor." All bids must be sealed and handed to the Clerk of Council before ten o'clock, A. M., of the day of election, notice of which shall be given ten days previous to the time at which such election shall take place. Each bidder shall enclose with his bid the names of at least two sureties, who, with the principal, shall bind themselves in the sum of two thousand dollars, over and above the amount of the contract, for the true and faithful performance by the contractor of the duties of Sink Contrac-

Bond of Sink Contractor.

Election and term of office.

tor. The City Council shall, at their first regular meeting after the passing of this ordinance, or at some subsequent regular meeting in the present year (1871), if there be proposals for such contract satisfactory to Council, elect such Sink Contractor, who shall hold his office until the first regular meeting of Council in January, eighteen hundred and seventy-four; and at the first regular meeeting of Council in 1874, and triennially thereafter, there shall be a new election for Sink Contractor.

Duties and penalties.

15. For misconduct in office, such contractor may be suspended by the Mayor and removed by Council. It shall be his duty to cleanse and purify, as often as may be required of him by the owner, every sink, vault or privy of such owner; and also every sink, vault or privy within the city, whenever he shall be thereto required by the Mayor, on the report of any member of the Board of Health, stating that such sink, vault or privy is offensive and requires cleansing; but in the latter case, the Mayor may refer the matter to Council, giving at least two days notice of such reference to the owner, or, in his absence, the occupant of the premises where such offensive sink, vault or privy may be. In every case the owner of the premises shall be chargeable with the expense of such cleansing.

Office.

16. Such Sink Contractor shall have an office in a convenient place in the city, and shall keep a slate or book at such office, upon or in which notice may be given that his services are needed; and when such notice is given, he shall perform the work without delay. The charges for cleaning shall not exceed the following rates:

Charges.

For each sink, vault or privy not exceeding in superficial area fifteen square feet ..... $ 6 00
For each sink, vault or privy not exceeding in superficial area twenty-four square feet..... 8 00
For each sink, vault or privy not exceeding in superficial area twenty-eight square feet..... 10 00
For each sink, vault or privy not exceeding in superficial area thirty-two square feet..... 12 00
For each sink, vault or privy not exceeding in superficial area forty square feet..... 16 00
And $20 for each sink, vault or privy exceeding forty square feet in superficial area.



*Provided, nevertheless,* that the matter contained in such sink, vault or privy shall not measure less than one-half the cubic measurement of the interior of such sink, vault or privy; but if the matter contained in such sink, vault or privy shall measure in quantity less than one half of the cubic measurement of the interior of such sink, vault or privy, then the fee for cleaning the same shall be fifteen cents per cubic foot for the matter removed. Any cleansing must be done between the first day of November in one year, and the first day of June in the next year, except when for sanitary reasons it may otherwise be ordered by proper authority, as in the foregoing first section mentioned.

Time for cleaning sinks.

17. The compensation hereinbefore authorized shall be payable to the city, at the Treasurer's office, but shall not be due or payable, unless such sink, vault or privy shall have been thoroughly cleaned, and uuless such sink, vault or privy shall have been disinfected before the removal of the contents thereof; and in case any person or persons liable by this article to pay said compensation shall refuse or neglect to pay the same, after ten days notice from the City Treasurer, of the amount due for such cleaning, such person, on conviction before the Police Court, shall be fined in a sum sufficient to cover such compensation and all expenses, the whole not to exceed one hundred dollars. It shall be the special duty of such Sink Contractor to report to the Clerk of Council, every Monday morning, the sinks, vaults and privies cleaned the previous week, the name or names of the owner or owners, and the occupant or occupants, the measurement of every sink, vault or privy, and the measurement in cubic feet of the matter taken from every such sink, vault or privy. In addition to other penalties to which he may be liable under the article, such Sink Contractor may be fined in the Police Court, in a sum not exceeding twenty-five dollars for every improper report made by him as to such measurement or contents.

Fees payable to the city.

Contractor to make weekly reports.

18. Said contractor shall provide suitable close carts, or other suitable close apparatus, adapted to the purpose of removing the night soil and other filth, before the removal of it; and if said officer, removing said night soil or other filth, shall spill any of it in any street, lane or thoroughfare of the city, or shall fail to remove it to a place or places at least

Regulations as to removal of contents of sinks.

one mile from the limits of the city, or to disinfect as aforesaid, he shall for every act of offense be fined in the Police Court in a sum not exceeding one hundred dollars, and the same penalty may be inflicted on him for any other breach of duty under this article.

Notice.

19. The Sink Contractor shall not have the authority, and he is hereby prohibited, to commence the cleaning of any sink, vault or privy until he shall have given at least three days notice in writing to the owner or occupant of the premises on which such sink, vault or privy may be.

How sinks are to be emptied.

20. The Sink Contractor shall not have the authority, and he is hereby prohibited from removing the contents of any sink, vault or privy through the enclosure of any premises without evident necessity, nor to remove or displace the floor or any portion of the floor of any sink, vault or privy when access can be obtained to the contents of such sink, vault or privy without such removal or displacement. But in case the Sink Contractor shall be compelled to remove the floor, or any portion of the floor, of any sink, vault or privy, in order to cleanse the same, the said contractor shall cause such floor to be restored as nearly as possible, to the same condition as that in which the said contractor shall have found the same before the removal of the same, or of any portion thereof. And if the said contractor shall fail to restore such floor in the manner herein provided, and immediately after the cleansing of such sink, vault or privy, he shall be liable on conviction of such failure, before the Police Court, to a fine of not less than five dollars nor more than thirty dollars, according to the extent of the damages done because of such failure; but if such floor, or any portion of such floor so removed, shall be found so decayed as that it cannot be restored to the same condition as that in which the said contractor shall have found such floor, new material being required to restore or rebuild the same, then the said contractor shall not be liable for any damages because of such decay, but in no case whatever shall said contractor remove the floor, or any portion of the same, of any sink, vault or privy, without giving at least three days notice in writing to the owner or occupant of the premises on which such sink, vault or privy may be, and if the said contractor shall remove the floor or any portion thereof without such notice in

Penalty on contractor.



writing, he shall be liable, on conviction before the Police Court, to a fine not exceeding thirty dollars, and to restore such floor at his own proper cost. In any case of fine imposed on said contractor for injury to a floor of a privy, so much of said fine as may be necessary for the purpose shall be appropriated to the repairing of such injury, on demand of the party injured.

Hours for cleansing sinks

21. It shall be the duty of the Sink Contractor, whenever he shall commence the cleansing of any sink, vault or privy, to complete such cleansing with the least possible delay; and such cleansing shall not be abandoned or suspended, but shall be continued to completion, between the hours of eight o'clock at night and five o'clock in the morning, and between those hours only. And upon complaint of any inhabitant of the City of Savannah that the Sink Contractor has not observed due diligence in performing the duty hereby imposed, said Sink Contractor shall be liable on conviction before the Police Court, to a fine not exceeding fifty dollars.

Penalty on owners refusing, etc.

22. Any owner of any sink, vault or privy, who shall neglect or refuse to have the same cleaned, as required by this article, shall be fined, on conviction before the Police Court, in a sum not exceeding fifty dollars.

No others authorized to work.

23. And if any person, other than such Sink Contractor, shall contract or undertake to remove night soil or other filth from any sink, vault or privy, he shall be fined in a sum not exceeding one hundred dollars, on conviction before the Police Court, for every such offense.

Repealing ordinance.

24. All ordinances heretofore passed in relation to the office, duties and compensation of the Inspector of Sinks, are hereby repealed.

# ARTICLE LXI.

## SEAMEN.

### STATUTES.

1. Boarding vessels for the purpose of abduction, how punished.
2. Aiding seamen or apprentice to escape, how punished.
3. Harboring seamen or apprentices.
4. Vexatious arrest and detention of seamen.

### ORDINANCE.

1. Abducting of articled seamen. Duty of City Police and City Watch.
2. Penalty on Police for neglect $50 and dismissal from office at discretion of the Mayor.

### STATUTES.

Irwin's Revised Code.

Boarding vessels for the purpose of abduction, how punished.

1. §1556. If any person shall board any vessel in any port or harbor, or in any of the waters of this State with intent to inveigle, entice, convey away, abduct, with or without violence, or secretly carry off any articled seaman or apprentice from such vessel, or shall afford any conveyance or facility to such seaman or apprentice to leave such vessel, such person so offending shall be liable to indictment, and on conviction shall be fined, or imprisoned, or both, at the discretion of the court.

Aiding seamen or apprentices to escape, how punished.

2. §1557. If any person shall aid any articled seaman or apprentice to desert from his vessel, while within the waters of this State, or shall inveigle, entice, convey away, abduct or carry, with or without violence, or secretly carry off any articled seaman or apprentice from any such vessel, such person so offending shall be liable to indictment, and on conviction shall be liable to fine, or imprisonment, or both, at the discretion of the court.



Harboring seamen or apprentices.

3. 1558. If any person shall harbor, secrete, entertain, lodge or keep, or shall directly or indirectly suffer to be harbored, secreted, entertained, lodged or kept, in or about his house or premises any articled seaman or apprentice, knowing such seaman or apprentice to have deserted from his vessel, such person shall be liable to indictment, and on conviction, be fined in a sum of not more than five hundred dollars, or imprisoned, or both fined and imprisoned, at the discretion of the court.

Vexatious arrest and detention of seamen

4. §1559. The law in respect to the vexatious arrest and detention of seamen, and to summary trials of causes, civil and criminal, in which seamen and the captains and consignees of vessels may be concerned, shall be as is provided in this Code, but if any provision in this Code contained shall conflict with the Code of the City of Savannah, appended hereunto, the said Code of Savannah shall prevail within the corporate limits of said city.

Code.

### ORDINANCE, AS AMENDED.

Ordinance 5th April, 1865.

Duty of City Police to arrest persons violating provisions of State law.

1. It shall be the special duty of the City Police and the City Watch, and all and every one of them, whether by day or night, if they shall be credibly informed or shall be assured of their own personal knowledge, that any person or persons within the port of Savannah, or the jurisdictional limits of the said City of Savannah, have been or are violating any of the provisions of the State law 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, whose duty it shall be, if the charge be considered well founded, to put the party arrested under bonds to appear before the City Court of Savannah, at the next term thereafter, to answer to said charge, and on failure to give bond, to commit the said person or persons to the common jail of Chatham county to await his trial.

Penalty on Police for neglect, $50.

2. If any officer or member of the said Special Police or Watch shall be guilty of neglect of duty in arresting any per-

son 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.

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## ARTICLE LXII.

# STEAM ENGINES AND STEAMERS.

### ORDINANCES.

1. No steam engine without permission of Council.
2. Penalty $25.
3. Only anthracite or bituminous coal to be used in steam engine boiler where there may be an artificial draft by the introduction of steam in the smoke stack. Penalty $100.
4. Speed of steamers passing the line of wharves, five miles per hour. Penalty not exceeding $30.

### ORDINANCES, AS AMENDED.

#### STEAM ENGINES.

Ordinance 2d June, 1854.

No steam engine without permission of Council.

1. 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.

Penalty $25 per day.

2. If any person or persons shall violate any of the provisions of this article, 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.



Ordinance 15th April, 1868.

Coal to be used in boilers having artificial draught. Penalty.

3. It shall not be lawful for any person 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 penalty of not more than one hundred dollars for each and every day's offense.

#### STEAM VESSELS.

Ordinance 28th November, 1844.

Steamboats passing line of wharves. Penalty.

4. No steamer shall, while passing the line of wharves in the city, exceed in speed five miles per hour. Every steamer so violating, the owner or owners thereof shall be subject to a fine not exceeding thirty dollars for each and every offense.

# ARTICLE LXIII.

## STEVEDORES.

### ORDINANCES.


1. Stevedores defrauding laborers or porters. Penalty, forfeiture of badge.
2. Hearing of proof.
3. Stevedores cheating hired men. Penalty $25.
4. Non resident stevedores to take out license. License $100. Resident, $50.
5. Acting as stevedore without license; penalty, $50 for each offense.
6. Who are stevedores and who are porters.
7. Any person acting as stevedore except under the immediate inspection of a licensed stevedore and without license, penalty, $30 for each day. Porters without license, $30 for each day.
8. Not lawful for licensed stevedores to undertake more vessels than they can personally superintend, unless they employ licensed stevedores.
9. Duty of Harbor Master and members of City Police to report violations of this ordinance.
10. Non resident; who is considered such.


### ORDINANCES, AS AMENDED.

Ordinance 10th August, 1843.

Stevedore defrauding laborers or porters.

1. That on proof of any stevedore or other laborer having defrauded the person or persons hired by him in the stowing of cargoes or other work, of their just dues by retaining a part or refusing to pay over such amounts as are due, the said stevedore or laborer, having a badge from the city, shall forfeit the same, and shall not be entitled to receive another badge until it shall be made to appear that he has paid all sums due to such hired person or persons.

Penalty, forfeiture of badge.

Hearing of proof.

2. The hearing of such proof against such stevedore or laborer shall be before the Mayor, once a fortnight, at such time as he may appoint, and his decision shall be final in the case, or subject to revision by the Board as are his decisions in the Police Court. If the person charged be found guilty, he shall be fined not exceeding one hundred dollars.



Stevedores cheating hired men.

3. If any stevedore or laborer found guilty of cheating, or withholding the money due his hired men, and declared disqualified to receive a badge from the city, be found at any time engaged in the business of a stevedore or laborer without a badge, on proof thereof to the Mayor, said stevedore or laborer shall be fined in the sum of not exceeding one hundred dollars, at the discretion of the Mayor.

Penalty $25.

Tax ordinance 19th December, 1860.

Non-resident stevedore to take out license.

4. No person except a bona fide resident of the City of Savannah for the space of twelve months, shall be permitted to act or operate directly or indirectly, or individually, as a stevedore in the loading or unloading of any vessel or water craft at any wharf in said city, or in any part of Savannah river within the jurisdictional limits of the authority of the City Council of Savannah, except on taking out a license granted by the Mayor for the purpose of so acting or operating as stevedore, the price of which license shall, in every case, be one hundred dollars, and which license shall be good only for twelve months from its date; resident stevedore, license fifty dollars.

License $100.

Resident stevedores license, $50.

Acting as stevedore without license generally, $50 for each offense.

5. Every person who shall act or operate or assume to act or operate directly or indirectly as such stevedore, whether in his own name or in the name of any other person or persons in contravention of this article, shall, for every offense on any one day, be liable to a fine of not more than fifty dollars for every such offense, on conviction therefor before the Police Court of Savannah.

Ordinance 18th April, 1866.

Who are stevedores.

6. It is the true intent and meaning of the tax and revenue ordinances of the City of Savannah as well as the ordinances in relation to stevedores and porters, that every person competent to load and unload vessels and stow the cargoes of the same, are stevedores within the meaning of said ordinances, and as such are subject and liable to take out licenses, as residents or non-residents as the case may be, and that all persons not so competent but engaged in loading, unloading,

Who are porters.

and stowing the cargoes of vessels, are porters within the true intent and meaning of said ordinances, and are liable and subject to take out badges as such.

Any person acting as stevedore except under the immediate inspection of a licensed stevedore, and without license, penalty $30 for each day.

7. Any person competent as aforesaid to load and unload vessels and stow their cargoes, and who shall hereafter presume, offer, or attempt or engage to load or unload any vessel in the river Savannah, and within the jurisdictional limits of the city, for river purposes, or who shall stow or be engaged in stowing such cargo, except under the immediate inspection of a licensed stevedore, and without taking out a stevedore's license, resident or non-resident as the case may be, shall be liable to a penalty of not more than thirty dollars for every day's violation of this article, and that every person not so competent who shall engage in loading, unloading, and stowing as aforesaid, and without taking out a porter's license, shall be liable to a penalty of not more than thirty dollars for every day's violation of this section in relation to porters, and that the price of a license for every non-resident stevedore shall hereafter be one hundred dollars.

Porters without license $30 for each day.

Not lawful for licensed stevedores to undertake more vessels than they can personally superintend, unless he employs under him a licensed stevedore.

8. It shall not be lawful for any licensed stevedore to engage in loading or unloading or stowing the cargoes of more vessels at any one time than he can personally superintend, unless he shall have employed under him a licensed stevedore, resident or non-resident, as the case may be, who shall have the personal supervision of such loading or unloading, or stowing of any vessel, for which such second or assistant stevedore may be employed, under a penalty of not more than thirty dollars for every violation of this section in respect to every vessel so being loaded or unloaded or stowed.

Duty of Harbor Master and members of the City Police to report violations of this ordinance

9. It shall be the special duty of the Harbor Master and of the officers and members of the City Police, to report all violations of this article which may come to their knowledge, that the offenders may be dealt with as hereinbefore provided.

Tax ordinance 22d December, 1870.

Non-resident, who is.

10. The term non-resident as applicable to natural persons, shall include all those who have no fixed and permanent abode in the State, and also all persons who shall carry on business in Savannah for a part of the year, and shall carry on a similar business out of the State another part of the year.



# ARTICLE LXIV.

# STREETS AND LANES.

## STATUTES.

1. Cutting down trees in a city.

## ORDINANCES.


1. Suffering bricks, goods, etc., to remain longer than six hours or vehicles longer than six hours in the streets, etc., creating obstructions, etc., encroachments how to be removed, etc., etc.
2. Duty of persons repairing buildings to remove litter, etc., in five days.
3. Penalty, opposing Marshal, etc.
4. Pay of Marshal $10 per day.
5. Encroachments marked out by City Surveyor.
6. Grading of streets, squares, lanes, etc.
7. No person to increase or lower height of side-walk, or throw filth into streets, etc.
8. Damaged cotton, etc., obstructing free passage of citizens.
9. Penalties, how enforced and collected.
10. Paving lots; City Surveyor to grade and stake.
11. Pavements to be laid after two months notice.
12. Marshal's and Surveyor's duty.
13. Pavements to be kept in repair.
14. Cellar doors.
15. Drain, sewer, and gutter, how laid; dry-well or cess-pool.
16. Hitching horse to box around tree or to steps.
17. Penalty.
18. President, State, and Congress streets, and South Broad street.
19. Canal street.
20. Rail Road street.
21. Curry Town Ward.
22. Berrien Ward.
23. Gaston Ward.
24. North Oglethorpe Ward.
25. Jackson street.
26. Not lawful to tie any animal to any tree in any street.
27. Duty of officers and privates of police.
28. Work of scavenger department to be given out by contract.
29. Not lawful to encroach on any part of street, lane, or thoroughfare.
30. No step or portico not already commenced shall extend beyond line herein designated.
31. Width of pavements on any street over which the ordinance requiring pavements has not yet been enforced.

32. Persons neglecting after notice to repair pavement, fine not exceeding $100.
33. No step, portico, or railing shall encroach on any street or lane.
34. Existing encroachments about to be repaired, shall be put back on true line of lot.
35. Width allowed for steps leading from sidewalks into cellars.
36. Office of Commissioner of Streets and Lanes created. Election in August, 1870, and annually thereafter at first meeting in January. Shall give bond in $5,000.
37. Duties of Commissioner.
38. Central Rail Road allowed to increase the width of side-walk opposite their property to 20 feet on certain conditions.
39. Whenever so increased, the width of side-walk on both sides of West Broad street shall conform to it.
40. Unlawful to use velocipedes on side-walks, squares, or parks.
41. Compensation of keeper of Forsyth Place.
42. No public assemblage or procession in any thoroughfare after sunset and before sunrise, without permission.
43. No carriage, wagon, cart, or other vehicle not attached to a horse or draft animal to remain longer than two hours in any street, etc. Penalty, not exceeding $10.
44. In all cases of partial dedication, Mayor to open negotiations with the view of having such dedication made perfect.
45. Not lawful for any person to obstruct, by any dray, etc., having or not having any animal or animals attached thereto, the free passage of persons, etc. And no person shall keep any dray except on his or her own premises, etc.
46. Duty of police force.
47. Not lawful to put up any post for the support of any awning or sign unless the same be of iron not exceeding two inches in diameter, etc.
48. Every awning or sign not supported by iron posts shall be attached to the building by iron or other substantial metallic bracket.
49. Other awning or sign posts not to be repaired without consent of Council.
50. Permission to C. C. Prendergast, etc.
51. Certain streets and lanes adopted, and declared to be public streets.
52. Certain streets extended.
53. Five freeholders appointed to assess damages.
54. Railings or enclosures to line of lowest step. No step in any lane to exceed two feet.
55. Encroachments, etc., how removed.
56. No railing, unless in front of a dwelling house, unless the same be open railings of iron or wood, and not to extend beyond one-half the space allowed for railings.
57. Trees, how planted.
58. Lanterns to be erected at every excavation in streets, etc.



59. No excavation interfering with any pavement or crossing, shall be made without permission, and on condition that such pavement shall be properly relaid, etc.
60. Space allowed for porticoes on certain streets.
61. Open fences allowed on trust lots, between Jefferson and Lincoln streets.
62. Not lawful to sell or use any detonating or fulminating preparation.
63. Duty of police to report violations of this article.
64. Property holder to lay sidewalks. To be kept in order by city.
65. Time allowed for laying down or repairing.
66. Material for paving.
67. Certificate to owner of property.

## STATUTE.

Irwin's Code, §4525.

Cutting down trees in a city, etc.

1. If any person shall wilfully and maliciously cut down, injure, or destroy any tree or trees planted or growing in any town, village or city, or in any avenue, yard, garden, orchard, or plantation, for ornament, shelter, shade, or profit, such person so offending, on conviction, [shall be punished as prescribed in section 4245 of this Code.]

[For powers of City in regard to removing obstructions, see §4751 of Irwin's Code, in Article I of this Compilation.]

## ORDINANCES, AS AMENDED.

Ordinance 19th August, 1839.

Suffering bricks, goods, etc., to remain longer than six hours, or vehicles longer than six hours in the streets, etc.

1. No person shall bring, lay, put, or cause to be brought, laid, or put, any timber, bricks, stones, or other materials for building, or fire wood, goods, wares, and merchandise, or other bulky thing whatsoever, and permit and suffer the same to continue and remain in any square, street, lane, or alley within the said city, for a longer time than six hours; nor shall any person permit or suffer any cart, dray, wagon, or carriage of any sort, to stand and remain in any square, street, lane, or alley, longer than such time as aforesaid; nor shall any person, without previously obtaining the written consent of the Mayor and two-thirds of the members of the City Council, place, erect, or construct, or cause to be placed, erected, or constructed, in any square, street, or lane, or other place, of or in the City of Savannah, any booths, tent, or

Erecting obstruction.

Digging holes, etc.

other obstruction; nor shall any person dig or cause to be dug, any hole or pit in any square, street, lane, or alley, whereby the free passage of persons on foot or on horseback, or in or with any carriage, may be in any wise obstructed or

Penalty $100.

rendered unsafe. And any person offending against the provisions of this section shall, on conviction, be subject to a fine not exceeding one hundred dollars for each and every offense.

Encroachments, etc., how to be removed.

And in case the person or persons making, causing, permitting, or suffering such encroachments, obstructions, and nuisances as aforesaid, shall refuse or neglect to remove the same forthwith, after notice given to him, her, or them, for that purpose, then the same (in such cases as will admit thereof,) shall be removed by the Marshal and Constables of the City, or any of them, at the proper expense of the person or persons so offending. And if any person or persons shall molest or trouble the said Marshal or Constables in the execution of such, his, or their duty, such person or persons shall, on conviction thereof, forfeit and pay a fine of not exceeding one

Proviso as to building materials.

hundred dollars: *Provided always, nevertheless,* that any person or persons actually building or repairing, or about to build or repair any building, may collect and lay all such materials as may be necessary for such building or repairs, in the square, street, lane, or alley next adjoining to the place or spot whereon such buildings or repairs are intended to be made: *And provi-*

Enclosing ten feet.

*ded,* that such materials be so enclosed in a sufficient space (and no more) as will effectually prevent the spreading into the streets, lanes, or squares, and the said space so enclosed shall, in no case, extend beyond ten feet on any street, lane, or square; and during all such time as such materials shall so lay in any square, street, lane, or alley, the owner or proprietor of such ma-

Lantern.

terials shall cause a lamp or lantern, with a good and sufficient

Light to burn all night.

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

Duty of police

City Marshal and City Constables are hereby enjoined to notice and report to the Mayor all encroachments, obstructions, or nuisances mentioned herein.



Duty of persons repairing, etc., buildings, to remove litter, etc., in five days.

2. All dirt, litter, or rubbish created by the erection or repair of any building now erecting or that may hereafter be erected or repaired, shall be carried off by the person or persons owning said building, or engaged or interested in or conducting such buildings or repairs to the place of depositing the scavenger's filth, or to such other place as may be pointed out by the Mayor or any one of the Street and Lane Committee. And if such litter, dirt, or rubbish shall remain on any of the streets, lanes, or squares for a time exceeding five days, it shall be the duty of the Marshal, and he is hereby required, to employ any number of carts or wagons that may be necessary, and to have the same removed to such place or places as may be designated as aforesaid, at the expense of the persons owning said building or engaged or interested in or conducting the same; and any person violating any of the provisions of this section shall be punished as hereinafter directed.

Penalty $100, etc., opposing Marshal, etc.

3. All encroachments and obstructions contrary to the provisions of any section of this article, and all other obstructions not herein particularly enumerated, shall be removed in the manner pointed out by section one of this article, and the offenders and persons molesting or troubling the City Marshal and officers in the execution of their duty shall be punished and dealt with in the manner prescribed by section one of this article.

Pay of Marshal, etc., $10 per day.

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

Encroachments marked out by City Surveyor.

5. Whenever the City Marshal or policemen are ordered, under the provisions of this article, to remove or cause to be removed, any encroachment or obstruction, the same shall be marked out and directed, under the superintendence of the City Surveyor, or the Street and Lane Committee, or a special

Aid of Police.

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.

Grading of squares, streets, lanes, etc.

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

No person to increase or lower height of sidewalks.

7. No person shall be permitted to increase or lower the height of the side walks in front of his or her lots above or below the level or grade directed by the City Surveyor and a majority of the Street and Lane Committee. And no person,

Or throw filth into streets, lanes, etc.

without the permission of the Street and Lane Committee, shall throw any dirt, filth, or rubbish, or any matter or material whatsoever, in any street, lane, or square, by which the proper level, as established, may be destroyed. And all offenders and encroachments against the provisions of this section shall be dealt with as prescribed in the first section of this article.

Damaged cotton, etc.

8. The Mayor or acting Mayor may give permission (without which it shall be unlawful,) to any owner, consignee, or agent of any cotton or other bulky merchandise which may have been endamaged by rain or water in its transportation to Savannah, to expose the same while in its wet condition, not exceeding three days, in any public place contiguous to the store or warehouse in which it is intended to be deposited

Proviso.

when dry: *Provided*, that nothing herein contained shall authorize any such exposure in any of the lanes; nor of any hides or other article of merchandise whatever, which may be injurious to the health, or disgusting to the smell of the citi-

Obstructing free passage of citizens.

zens, nor of any cotton not packed in bags. Nor shall any person be authorized to obstruct, block up, or in any manner interrupt with cotton or other merchandise, the free passage of any citizens on foot or horseback, or in a carriage, through any of the public squares, streets, or places whatsoever. And



all offenders and obstructions against the provisions of this section shall be dealt with as is prescribed in the first section of this article.

Penalties how enforced and collected.

9. All offenders against any of the provisions of this article not otherwise specially provided for, shall be punished and fined as is prescribed by the first section thereof, and all encroachments on the public property not specially enumerated herein, may be removed in the manner pointed out in the first section. And all penalties and fines (when not otherwise specially provided for herein,) shall be enforced and collected in the manner prescribed by the existing charter and laws relating to the City of Savannah, and all fines when collected, shall be paid one half to the City Treasury, for the use of the city, and the other half to the informer.

Ordinance 19th August, 1839.

Paving lots.

10. Whenever any person owning or leasing or possessing any lot, shall pave, or in any manner alter the surface of a public street in front of his lot, he shall be bound to conform to the levels and inclinations, "marked and prescribed by the City Surveyor," whose duty it shall be to grade and stake

City Surveyor to grade and stake.

down the place to be paved or otherwise altered, both on the line of the lots and the limits hereinbefore determined on the street, driving a stake at every ten feet of line, and the said surveyor shall attend within five days after he shall be requested to do so. And any pavements hereafter to be made which shall not conform to the provisions of this section, shall be considered an encroachment, and may be removed in the manner specified in the first section of this article. And the person violating the same, or the owner, lessee, or possessor of the lot may be fined by the Mayor or acting Mayor,

Penalty $100.

in a sum not exceeding one hundred dollars, and a like penalty may be inflicted upon any person who shall alter the position of any of the stakes so placed by the City Surveyor.

Ordinance 28th August, 1851.

Pavements to be laid after two months notice.

11. Every owner of a lot, piece, or parcel of ground within the corporate limits of the City of Savannah, whether the same be owned in fee simple, or held under the usual title from the city, shall be bound within two months of the notice given, to place a good and sufficient pavement or sidewalk of

first quality of bricks or flag stones, the curb of which shall, in every instance, be of curb stones along the whole length and depth of said lot, which may front on any street or square of the city, and said pavement or sidewalk shall be of the width prescribed by this Code, and of such height and level as shall be marked out by the City Surveyor. And any person failing to comply with the above notice, within the time aforesaid, then the City Surveyor and City Marshal shall, under the order of the Mayor in the Police Court, cause the same to be done, and return the amount of costs and charges to the Mayor and Aldermen, who shall order the City Treasurer to issue his execution for the same against the owner or lessee of the lot, which shall be levied and collected as all executions for taxes and assessments on real estate.

Penalty.

Marshal's and Surveyor's duty.

12. All persons who have hitherto neglected or refused to have their sidewalks paved in front of their lots, under the present ordinances of the city, shall be forthwith notified by the Marshal to do so, within the time specified in the eleventh section of this article, and on failing to comply, the Marshal and the City Surveyor shall proceed, as in case of default, under said eleventh section.

Pavements to be kept in repair.

13. That all pavements or sidewalks now finished, or that may hereafter be finished, in any manner than that prescribed in this Code, shall be kept in good order and repaired from time to time as the same may require repairs, by the owners or lessees of the lots. And on failure to repair and keep in order as aforesaid, it shall be the duty of the City Marshal to give notice to the owner of the lot, or to his agent, whether the same be held in fee simple or under the ordinary city title, that the pavement is in bad order or requiring repairs. And if the same is not attended to within thirty days, then the City Marshal shall proceed as is directed in the eleventh section of this article in case of default under the same.

Thirty days notice. Penalty.

Ordinance 11th December, 1857.

Cellar doors.

14. No person or persons shall leave his, her, or their cellar door or doors open, or keep or suffer the same to remain in bad order or repair, or throw or cast any dirt, filth, offal, rubbish, putrid or stinking water, or other putrid or offensive matter or thing whatever, into any or either of the streets, lanes, squares, or other public places of the City of Savannah. In every instance the occupant or occupants of the store or building where the cellar door or doors is or are left open, shall be deemed the offender or offenders; and where the same is kept in bad order or repair, the owner or owners shall be deemed the offender or offenders. The occupant or occupants of the store, building, or premises from whence any dirt, filth, offal, rubbish, putrid or stinking water, or other putrid or offensive matter or thing whatever, shall have been thrown or cast, shall be deemed the offender or offenders.

Throwing filth, etc., into streets, lanes, etc.



Drain, sewer, and gutter, how laid.

15. Each and every person or persons having a drain, sewer, or gutter leading from his, her, or their yard or premises into the streets, shall have such drain, sewer, or gutter covered over with a flag stone or flag stones, laid even with the pavement or sidewalk, and connected therewith to place or have placed a dry well or cesspool, to be constructed under the supervision and direction of the Committee on Streets and Lanes.

Dry well or cesspool.

Hitching horse to box around tree or to steps, etc.

16. 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.

Penalty.

17. Any person or persons violating or offending against the provisions of the three immediately preceding sections, or of any part thereof, shall, upon conviction before the Police Court, be fined for each and every such violation or offense, not less than five nor more than ten dollars.

Ordinance 21st February, 1803.

President, State and Congress streets.

18. The streets now called King street, Prince street and Duke street, shall be hereafter called and known by the names following, that is to say: the street now called King street shall be called President street; the street called Prince street shall be called State street, and the street called Duke street shall be called Congress street.

Ordinance 30th December, 1822.

South Broad street.

The name of Market street be and the same is hereby changed to that of South Broad street; and that an ordinance passed 19th June, 1820, be and the same is hereby repealed.

Ordinance 4th April, 1833.

Canal street. 19. The street laid out by commissioners under the act of the Legislature of Georgia, passed December, 1832, running from the Canal to West Broad street, and nearly in a parallel line with the river and Indian street, shall be known and designated as Canal street.

30 feet wide The street so named as aforesaid, shall be thirty feet wide, as laid down on the map drawn under the direction of the commissioners.

Ordinance 26th August, 1841.

Rail Road st. 20. The street running from West Broad street westwardly to the canal bridge, and south of the Central Rail Road Depot, shall be known and called Rail Road street.

50 feet wide. The width of said Rail Road street shall be fifty feet from the brick wall of the Rail Road Depot to the buildings on the south of the said depot, the sidewalks being included in said measurement.

Ordinance 24th January, 1856.

Curry Town ward. 21. All that part of the City of Savannah bounded north by Liberty street, south by Jones street, east by Tattnall street, and west by West Broad street, shall be named and designated Curry Town ward.

Berrien ward. 22. All that part of the City of Savannah bounded north by Jones street, south by Gaston street, east by Tattnall street, West by West Broad street, shall be named and designated Berrien street. Berrien ward, and that the unnamed street therein shall be named Berrien street.

Gaston ward. 23. All that part of the City of Savannah bounded north by Gaston street, south by Gwinnett street, prolonged to West Broad street, east by Tattnall street, and west by West Broad street, shall be named and designated Gaston ward.

North Oglethorpe ward. 24. All that part of Oglethorpe ward between the Savannah river and Bryan street, shall be named and designated North Oglethorpe ward; and that all that part between Bryan street and Harrison street, shall be named and designated Middle Oglethorpe ward; and all that part between Harrison street and New street shall be named and designated South Oglethorpe ward; and that the unnamed street between Farm



street and West Boundary street, shall be named and designated Lumber street. Lumber street

Jackson street 25. The unnamed street bounded north by Gilmerville shall be named and designated Jackson street. That the street between Reynolds and Randolph streets shall be named and designated Arnold street. That the street east of Randolph shall be named and designated Anderson street; and the next street to the east shall be named and designated McAllister street.

Arnold street.

Anderson st.

McAllister st.

Ordinance 8th May, 1861.

Not lawful to tie any animal to any tree, etc., in any street. 26. 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 said city where such animals are prohibited from running at large.

Duty of police 27. It shall be the duty of the officers and privates of the Police Force to impound every such animal so tied or going at large as aforesaid, 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.

28. [By ordinance of 26th December, 1866, the work of the Scavenger's Department is given out by contract, and certain duties of the Scavenger defined, etc. See Article LX, title "Scavenger."]

Ordinance 4th August, 1869.

Not lawful to encroach on any part of street, lane or thoroughfare. 29. That hereafter 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 open garden or fence, 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 per-

son offending against any part of this section, may be fined in the Police Court, in a sum not exeeeding thirty dollars for every day's offense or default.

Steps and porticos.

30. That no step or portico attached to any building not already commenced and in process of erection, or already erected, shall be allowed to extend beyond the spaces hereinafter designated, and the true and proper line of the street, as indicated by the City Surveyor, shall be the line from which such spaces shall be measured. On all streets forty-five feet in width or less, two feet six inches; on all streets forty-five and less than eighty feet, four feet; on all streets of eighty feet in width and upwards, six feet. The true intent and object of this ordinance being that the space between the lowest step and the true line of curb on any street, shall never be less than six feet.

Width of pavements.

31. That the width of all pavements or sidewalks on any street over which the ordinance requiring the laying of pavements has not yet been enforced, shall be as follows: On streets of forty-five feet or less, nine feet; on streets over forty-five and less than seventy-five feet, ten feet; on streets of seventy-five feet and less than one hundred feet, twelve feet; on streets of one hundred feet and upwards, fourteen feet. And all ornances or parts of ordinances militating against this ordinance are hereby repealed.

Ordinance 24th November, 1869.

Penalty.

32. That whenever it shall be necessary to repair a pavement or sidewalk, and the person or persons whose duty it may be to make the necessary repair, shall fail or refuse to make such repair after proper notice given, such person or persons shall, on conviction before the Police Court of so failing or refusing, be proceeded against in the manner pointed out in the 4765th section of the Revised Code of Georgia. [See that section in Article I of this Compilation.]

Ordinance 3d February, 1869.

Encroachments.

33. No step, portico, or railing, either of wood or iron, or open brick fence, shall be so constructed as to extend beyond the line of the lot, so as to encroach on any street or lane of the city; and all ordinances or parts of ordinances heretofore in force allowing such encroachments, are hereby repealed.



Existing encroachments.

34. That when any existing encroachments of the character of open fences above described, shall from decay or injury require renewal or repair, the same shall be placed back to the true line of the lot.

Ordinance 31st August, 1870.

Width allowed for steps into cellars. Any person failing to keep steps in good order, etc.

35. That hereafter the width allowed for steps leading down from the level of the sidewalk into cellars on all streets from thirty-seven and a half to less than sixty feet in width, shall be three feet and no more; and on streets from sixty feet and upwards in width, shall be four feet, and no more; and in all cases the railing enclosing the steps shall be hinged to the curb-stone on the side of the area opposite to the building, and in such manner as to permit said railing to be let down to a horizontal position after the close of business at night; and the bars forming such railing shall be sufficiently close, each to the other, so as not to offer any impediment to persons passing over the same. The construction and arrangement of such steps and railing shall be subject to the approval of the Street and Lane Committee, or such officer as may be deputed to inspect the same. And any person who shall fail to close up, as aforesaid, the area of such steps after the close of business as aforesaid, or shall fail to keep such steps or railing in safe condition, or shall violate any provision of this section, shall be liable, on conviction before the Police Court, to a fine of not more than one hundred dollars 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.

Ordinance 20th July, 1870.

Commissioner of streets and lanes. Election.

36. That the office of Commissioner of Streets and Lanes for the City of Savannah, is hereby created, and that the person to fill said office shall be elected by Council, at their first regular meeting in August next, (1870) and shall, unless sooner removed, hold his office until the first regular meeting in January next, when, and annually thereafter, there shall be a new election. Such officer shall give bond and security Bond. in the sum of five thousand dollars for the faithful discharge of the duties of his office, to be approved by the Mayor, and

shall also be sworn faithfully to perform such duties. He shall receive a salary at the rate of one hundred dollars per month.

Duty of Commissioner.

37. The Commissioner of Streets and Lanes shall have the immediate supervision of all street work, under the direction of the Street and Lane Committee and the City Surveyor; shall keep the time of the men, make out their payroll, shall be responsible for the efficient working of the men themselves, and shall see that the work is faithfully done as laid out by the City Surveyor, under the direction of the Street and Lane Committee.

Ordinance 13th October, 1869.

Central Rail Road allowed to increase the width of sidewalk opposite their property to twenty feet on certain conditions.

38. The Central Rail Road and Banking Company of Georgia are hereby allowed to increase the width of the sidewalk opposite their property to such an extent as to make the sidewalk twenty feet, but on the following express terms and conditions, to wit: That said company shall, within six months after the passing of this ordinance, and at their own expense, lay down such additional width of pavement beyond the existing line of sidewalk in front of their property, and shall ever afterwards keep such sidewalk in good order and repair; and that said company will also, within the time aforesaid, and at their own expense, pave the entire width of West Broad street between the sidewalks on either side of the same, with Nicholson pavement from the south side of Rail Road street to the south side of South Broad street.

Other sidewalks to conform to said width.

39. Whenever the remaining part of said West Broad street, that is to say, north of the southern line of South Broad street, and south of the southern line of Rail Road street, shall be paved in the manner aforesaid, that is, with Nicholson pavement or any other authorized by Council, the width of the sidewalk on both sides of West Broad street shall conform to the width of sidewalk hereinbefore allowed said Rail Road Company, that is to say, twenty feet.

Ordinance 12th May, 1869.

Unlawful to use velocipedes.

40. No person shall use, upon any of the sidewalks, squares, or parks of the City of Savannah, any vehicle known as a velocipede, under penalty of twenty-five dollars for each offense.



Ordinance 2d May, 1866.

Compensation of keeper of Park.

41. The yearly compensation of the keeper of the Park shall be twelve hundred dollars, and that the said compensation shall, in each case, be in full for the services not only of the said keeper, but of any deputy or deputies.

Ordinance 16th October, 1867.

Rules as to public processions and assemblages.

42. That hereafter 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.

Ordinance 26th May, 1869.

Vehicles standing in streets.

43. That 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 penalty of not more than ten dollars on any person found guilty of a violation of this ordinance; and it shall be the duty of the City Police to put on the information docket every person offending as aforesaid.

Ordinance 9th June, 1869.

Opening new streets on partial dedication of land.

44. WHEREAS, there may now and will hereafter exist, within the City of Savannah, streets and ways laid off by the owner or owners of the soil for the benefit and convenience of the owners of lots so laid off with streets and ways, and sometimes without reference to the plan of said city, or a dedication to the public use; and whereas, it is desirable that all such partial dedication should be so extended as to be of general and public benefit, on such terms as may be just and equitable as well to private owners as to the community at large: now, therefore,

The Mayor and Aldermen of the City of Savannah, in Council assembled, do hereby ordain, that in all cases, present and future, of partial dedication as aforesaid, it shall be the

duty of the Mayor of the City of Savannah to open negotiations with the owners of streets and ways not regularly laid off into thoroughfares under the authority of said city, with the view of having such dedication made perfect for the convenience of the public, and on terms the most advantageous to the public, and most conformable to the general plan of the city; and upon the making of any such negotiation, it shall be the duty of the Mayor to lay the same before the City Council for acceptance, amendment or rejection.

Ordinance 8th January, 1870.

Obstruction of streets.

45. 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 tree; 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 existing or future ordinance, on pain of being fined in the Police Court in a sum not exceeding thirty dollars for every offense of obstruction or other offenses as above defined.

Duty of Police Force.

46. That it shall be the special duty of every officer and member of the Police Force to report every violation of the foregoing section.

Ordinance 12th December, 1866.

Awning posts to be of iron.

47. It shall not be lawful for any person to put up or erect in any street or thoroughfare within the City of Savannah, any post or erection unless the same be of iron not exceeding two inches in diameter, to be placed immediately on the inner edge of the curb, and connected with the horizontal portions of the frame work for the support of any awning or sign, whether such awning or sign be cloth, or wood, or any other material, under a penalty of not more than five dollars a day for every day such awning or sign post shall be or remain in any such street or thoroughfare.

Awning and sign posts, how affixed to buildings.

48. Every awning or sign, not supported on iron posts as above provided, that shall hereafter be put up in any street or thoroughfare, shall be attached to the building for which it may be intended by iron or other strong and substantial metallic bracket or support. And no awning or sign shall be so constructed as to interfere with the convenience of persons passing under them, or interfere with any gas lamp or light therefrom to any extent possible to be avoided.



Repair of same

49. It shall not be lawful for any person owning, having or using any awning or sign post other than such as this ordinance authorizes, to repair or otherwise alter the same without the consent of Council, under penalty of the entire removal of such awning or sign post.

Ordinance 22d July, 1868.

Permission to C. C. Prendergast, etc.

50. Permission is hereby given to the Rev. C. C. Prendergast and others, composing the St. Patrick Free School Society, to project on the sidewalk the building about to be erected as a Catholic Free School House, on lot number twenty-two, Liberty ward, City of Savannah, to the extent of twelve feet, including steps, as delineated on drawings which accompany the memorial of said Free School Society to Council on the subject.

Ordinance 7th July, 1870.

Certain streets and lanes adopted and declared to be public streets.

51. That all streets, lanes and ways in that part of the City of Savannah, known as Choctaw ward, and all those streets, lanes and ways in that part of said city lately belonging to the estate of Dr. Benjamin A. White, and which streets, lanes and ways were laid out by the proprietors of said parts of said city, be and the same are hereby declared to be, and are adopted as public streets, lanes and ways, for the use and convenience of the inhabitants of said city.

Certain streets extended.

52. That the following streets and lanes are by their present width, hereby extended as follows, to wit: Habersham and Lincoln, southwardly through garden lots numbers 55 and 56 east, said garden lots lying between Huntingdon and Gwinnett streets; and the said Habersham street is hereby extended southwardly through lands of Dr. James J. Waring to Anderson street: Huntingdon street lane, Hall street and Hall street lane eastwardly through the aforesaid garden lots numbers 55 and 56, west of Price street, and through building lots 1, 2, 3, 4, 5 and 6 west of and to Price street: Bolton street, east-

wardly through section 9, Cuthbert ward, from Abercorn street to lands formerly belonging to the aforesaid Benjamin A. White: Duffy street, eastwardly through section 8, Cuthbert ward, and extending from Bull street to a line twenty-five feet east of Drayton street: Montgomery street, southwardly from Duffy street to Anderson street: Also Habersham street, running south from Gordon street to Huntingdon street, and so much of Gordon street, Gordon street lane, Gaston street, Gaston street lane and Huntingdon street, lying within the property lines of the tract of land owned by David Brown, Esq., and known as the eastern half of garden lots numbers 43 and 44 east.

Five freeholders appointed to assess damages.

53. There shall be appointed five freeholders, according to the provisions of section 4751 of the Revised Code of Georgia, whose duty it shall be to assess the damages sustained by the owner or owners of the land, which may be necessary for the actual extension of said streets and lanes, but only in cases where it is necessary to take such land for such extension, and not in any case where such extension may have been already made by such owner or owners.

[Under the foregoing ordinance, freeholders were appointed, and damages assessed, and conveyances executed by nearly all the parties in interest. On 4th August, 1869, the executors of Dr. B. A. White's will made an offer (which the city accepted,) of that "portion" of land necessary for the opening of "Lincoln street, being fifty-one feet wide, and extending from Gwinnett street to Anderson street," etc.]

Ordinance 19th August, 1839.

Railings or enclosures to line of lowest step.

54. No railing or enclosure shall be erected by any person within the city, unless the same shall be extended by the person putting it up, to the line of his or her lowest step, and in no case shall a railing or enclosure be erected within the line of the lowest step, and if a railing be extended beyond the line of the lowest step, the person erecting the same shall carry it out to the space allowed for steps; and no step or impediment shall be erected in any lane in the city to exceed two feet.

No step in any lane to exceed two feet.

Encroachments, etc., how removed.

55. All encroachments and obstructions, contrary to the provisions of this article, and all other obstructions not herein particularly enumerated, shall be removed in the manner pointed out by the first section of this article, and the offenders and persons molesting or troubling the City Marshal or officers in the execution of their duty, shall be punished and dealt with in the manner prescribed by the said first section of this article.



Ordinance 7th August, 1845.

Line of railing

56. Nothing contained in this article shall be so construed as to permit any railing or enclosure to be erected beyond the line of the lot, except in front of a dwelling house, unless the same be open railings of iron or wood, and not to extend beyond one half the space allowed for railings, and that no brick or other fence other than an iron or wooden railing shall in any case be erected or put up beyond the line of the lots. And that no railing of any description shall be erected in front of a vacant lot or lots not actually having a dwelling house thereon, and that whenever any railing is erected, in pursuance of the fifty-fifth section, as amended and explained by this section, the line of the lot shall be defined and enclosed, either by the house or an inner fence. And that the said railing shall be erected as prescribed by said fifty-fifth section, as amended and explained by this section.

Ordinance 30th January, 1840.

Trees, how planted.

57. The trees shall be planted one foot beyond the line allowed for pavements, and the said trees shall be planted twenty feet from each other, unless otherwise provided, but in streets forty-five and fifty feet in width, they shall be planted twenty-two and a half feet apart, except south of Liberty street, where they shall be planted twenty-five feet from each other, and in streets of sixty to eighty-five feet in width, running north and south, the trees shall be planted twenty-two and a half feet apart, when planted north of Liberty street, and twenty-five feet apart when planted south of Liberty street. And in streets of sixty to eighty-five feet in width, running east and west, they shall be planted twenty feet apart. And in streets one hundred feet in width, they shall be planted twenty-two and a half feet apart, and in rear of all trust lots, wherever situate, and without reference to the width of the street, they shall be planted twenty feet apart.

Lights at excavations in streets, etc.

58. 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 excavation; and every person failing to comply with the requirement of this section, shall be liable to a penalty, for every night, of not more than one hundred dollars.

Ordinance 18th January, 1871.

Excavations in streets.

59. That hereafter 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 City Surveyor or his assistant, 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 that 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. Any person offending against any provision of this ordinance, may be fined in a sum of not more than one hundred dollars for every unlawful act of excavation, or for the needless continuance of any excavation for twelve hours after the same should be filled up and the proper repair made.

Ordinance 15th February, 1871, repealing ordinance of 29th April, 1847, in regard to space for porticos and pavements on certain streets.

Space allowed for porticos on certain streets

60. WHEREAS, Doubt has been expressed whether the ordinance above recited has been repealed; now:

The Mayor and Aldermen of the City of Savannah, in Council assembled, do hereby ordain, that the said ordinance of 29th April, 1847, respecting the space allowed for the porticos and pavements on Jones, Taylor, Gordon and Gaston streets, be and the same is hereby repealed.

Ordinance 15th February, 1871.

Open fences allowed on trust lots between Jefferson and Lincoln streets.

61. That the ordinance passed in Council on the fourth day of August, 1869, be and the same is hereby so amended as to permit the owners of trust lots fronting on squares to construct open fences ten feet outside the line of building, in all that part of the city lying between Jefferson and Lincoln streets, and six feet outside the line of building of trust lots fronting on squares lying west of Jefferson and east of Lincoln streets: *Provided, always, nevertheless,* that nothing herein contained shall be construed to permit the erection of any such open fence outside the line of building on any part of any trust lot not fronting on such square: *And provided, further,* that nothing contained in this or any other ordinance shall be construed as granting an irrevocable license, liberty, easement or privilege, or as impairing the right of the city to regulate the use of all the streets at all times.



Ordinance 8th September, 1869.

Not lawful for any person to sell or use any detonating or fulminating preparation, etc.

62. That 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 section contained shall be construed to prevent the sale of ammunition for legitimate purposes.

Duty of City Police.

63. That 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 that the Mayor is hereby authorized to offer suitable rewards for the detection of persons violating said ordinance.

Ordinance 10th May, 1871.

Property holder to lay sidewalks.

64. That whenever in said city it shall be required of a property or lot holder to lay down a new sidewalk or to repair an old one, such property or lot holder shall be compelled under the penalty or penalties now prescribed, to lay down or put in perfect order, as hereinafter described, the sidewalk around, in front of or adjoining his or her property; and when such side-

walk is so put or placed in order, it shall be inspected by the Committee on Streets and Lanes, with the authority to call in, should it be necessary, the assistance of skillful and competent judges; and if, upon such inspection, the sidewalk shall be found to be in such perfect order, the said committee shall receive such sidewalk in behalf of the city, and thenceforward such sidewalk shall be kept in order and repair by the city, at its own cost and expense: *Provided, always*, that when any sidewalk may require repair in consequence of any defect in the cellar door, curb, step or steps, or from any other cause within the control of such property or lot holder, then in that case such repair shall be made at the expense of such property or lot holder.

To be kept in order by city.

Time allowed.

65. That the time hereafter to be allowed for laying down or repairing any sidewalk, after notice given to the property or lot holder so to do, shall be sixty days, and no more, from the date of such notice.

Material for paving.

66. The "perfect order" herein before prescribed, shall be construed to mean a pavement laid in good and workmanlike manner, upon grades furnished by the City Surveyor, whose duty it shall be to furnish such grade upon application. The material used for paving to be either flagstone or the finest quality of northern paving brick, or first quality of Georgia brick, including Savannah gray brick; and when brick is used, they shall be laid in the diagonal or herring-bone pattern. The pavement shall also be provided with a good and sufficient stone curb.

Certificate to owner of property.

67. It shall be the duty of the Committee accepting the pavement for the city, to give a certificate of such acceptance to the lot or property holder, and also a duplicate of such certificate to the City Surveyor, who shall preserve the same in his office as a matter of record.



# ARTICLE LXV.

## TAXES.

### ORDINANCE.

1. Tax on real estate not to exceed one and three-fourths per centum per annum.
2. Tax on gross sales real estate, stocks, and bonds.
3. Tax on sales of cotton and rice.
4. Tax on commissions or profits; on personal property over $300; on evidences of debt.
5. Tax on income from all sources except from real estate. Relieved from taxation, eight hundred dollars.
6. Tax on gross receipts not included in the above sections. Tax on gross receipts of other agencies other than those taxed as commission merchants.
7. Tax on horses and mules.
8. Tax returns on horses and mules. Transient dealers. Keepers of public stables liable. Shall report first of every month amount of sales, etc., etc.
9. Tax on dogs. Duty of Treasurer.
10. Tax returns, how made and payable by whom.
11. Specific taxes.
12. Regulation of junk shops, cotton pickeries. License, conditions, etc.
13. Auctioneers; criers allowed. Stipulations.
14. Drummers; itinerant traders; licenses; non-residents; penalties.
15. Sales from vessels and wharf; tax; penalty; license fee; terms, how graduated and by whom.
16. Collection freight money.
17. Badges, venders small wares, etc.
18. Liquor licenses, retail; conditions, etc., etc.
19. Badges for vehicles; rates.
20. Tax on vehicles, how paid, etc., etc.
21. Tax returns, how and when made.
22. Penalties for failure to make returns. Executions, how issued and by whom.
23. Defining non-residents as applied to corporations, companies, and persons.
24. One tax for a firm or co-partnership.
25. Assessment of real estate and improvements, when made; return of assessors; appeal from return; time.
26. Salaries of officers.
27. Board of Health. Duties of certain city officers. No extra compensation.

## ORDINANCE, AS AMENDED.

Ordinance 22d December, 1870.

The Mayor and Aldermen of the City of Savannah, in Council assembled, do hereby ordain, That on and after the first day of January next, 1871, taxes and revenue for the support of the government of the City of Savannah, and for the advantage and benefit of the inhabitants thereof, shall be assessed, levied, and raised at and after the following rates, that is to say:

Taxes on real estate not to exceed one and three fourths per centum per annum. Rate of taxation to be fixed by Council.

1. At the rate of not exceeding one and three fourths per centum per annum on real estate in said city, according to the valuation for the year 1871, and such subsequent valuations for improvements as may be made in the year 1871 or thereafter, such rate of percentage to be hereafter fixed by Council.

Tax on gross sales. Real estate. Stocks and bonds. Sales cotton and rice.

2. On all gross sales of every kind of goods, wares, and merchandise, including all sales by brokers and auctioneers, and including lumber, timber, shingles, and staves, one half of one per centum; sales of real estate, one half of one per centum; stocks and bonds, one quarter of one per centum.

3. On all gross sales of cotton and rice, one tenth of one per centum.

Commissions or profits. Personal property over $300. Value of all evidence of debt.

4. One per centum on all commissions or profits derived from any business transactions by any merchant, factor, auctioneer, broker, forwarding, shipping, or commission merchant, and one per centum on the value of all furniture, jewelry, and plate worth over three hundred dollars, including pianos and all other musical instruments; and one fourth of one per centum on the value of all solvent bonds, mortgages, judgments, notes, and other evidences of debt, owned or controlled in the City of Savannah, except bonds of the City of Savannah.

Income.

5. At the rate of one per centum per annum on the excess of all incomes over eight hundred dollars per annum, derived from salaries and the pursuit of any profession, faculty, trade, or calling whatsoever, except income from real estate, and the commissions and profits referred to in preceding paragraph.

Gross receipts.

6. One per centum on gross receipts of any business transaction not included in the above and foregoing, and including



gross receipts of all local insurance companies, gas companies, express companies, cotton presses, hotels, and restaurants; and on all gross earnings of every bank, bank agency, banker, bill and exchange broker; and two per centum on the gross receipts of all agencies of other than such local companies or banks. Also, one per centum on all gross receipts of all commercial agencies, all steamship, steamboat, vessel, or other agencies, other than those taxed as commission merchants. Gross receipts of agencies.

Horses and mules.

7. One dollar per month on every horse and mule, except those actually used in wagons, drays, trucks, or other vehicles for which badges may have been taken out.

Tax returns on horses and mules. Transient dealers. Penalty.

8. One per centum on all gross sales of horses and mules; and returns of such sales shall be made separately from other returns of gross sales. Transient persons selling horses and mules shall make their returns and pay their taxes to the City Treasurer immediately upon such sale. And if any such person shall sell any horse or mule and fail to make his returns and pay his tax as aforesaid, he shall be liable to a fine of not more than one hundred dollars, or to thirty days imprisonment, or both.

Keepers of public stables liable. Penalty.

Keepers of livery stables and stables for the sale of stock, shall report to the City Treasurer on the first day of every month, or within ten days thereafter, the amount of sales of stock made by him during the preceding month, and pay the tax thereon; and in case of failure so to do, he shall be liable to a fine of not more than one hundred dollars, or thirty days imprisonment, or both.

Dogs. Penalty. Duty of Treasurer.

9. On every dog the annual tax of one dollar and fifty cents, including the price of a badge for each. And all dogs found running at large without such badge shall be impounded, and if not reclaimed within forty-eight hours, shall be disposed of. And it shall be the duty of the Treasurer to put every person on oath as to the number of dogs on his or her premises.

Tax returns. How made and payable by whom.

10. And it is further ordained by the authority aforesaid, that whenever, under this or any other ordinance of said city, any return may be required, or any tax be assessed or due, by or from any non-resident company or corporation, the return shall be made and the tax be payable by the agent or other manager or director of such company or corporation.

Specific taxes on certain trades and occupations.

11. And it is further ordained by the authority aforesaid, that the following annual and specific taxes shall be levied and collected:

On every auctioneer, two hundred dollars; on every wholesale and retail dealer in goods, wares, and merchandise, exclusive of liquor license, fifty dollars; every retail dealer, exclusive of liquor license, twenty-five dollars, and including confectioners; manufacturer of confectioneries, fifty dollars; on every bank, banker, or bank agent engaged in buying or selling exchange, two hundred dollars; every person or house dealing in exchange, and every broker of any kind, including real estate brokers, cotton brokers, money brokers, and pawn brokers, one hundred dollars; every local insurance company or agency, one hundred dollars—the same for each and every agency; every foreign insurance company or agency, two hundred dollars; every the keeper or keepers of a hotel, one hundred dollars; every the keeper or keepers of a sailor boarding-house, fifty dollars; every shipping-master, one hundred dollars; every the owner or owners, lessee or lessees of a cotton press establishment, two hundred dollars; every the owner or owners, lessee or lessees of a junk shop, three hundred dollars; a cotton-pickery, to be confined exclusively to the sale of cotton, two hundred dollars; every the owner of a steam cotton-gin establishment, one hundred dollars; every the owner or owners, lessee or lessees of a public stable, one hundred dollars; every commission merchant or factor, one hundred dollars; every cotton shipper, twenty-five dollars; every stevedore other than non-resident, fifty dollars—non-resident, as hereinafter defined, one hundred dollars; every the owner or owners of a coal, lumber, or wood yard, fifty dollars; every the keeper or keepers of a warehouse for the storage of cotton, merchandise, goods, etc., for each warehouse, fifty dollars; every the owner or owners of a billiard table used for hire, forty dollars for each table; for every private billiard table, twenty-five dollars; for every pool table, one hundred and fifty dollars; every the owner or owners of a ten-pin alley, thirty dollars for each alley; every the owner or owners of a saw-mill or planing mill, seventy-five dollars; and on each sash and blind factory, fifty dollars; on the owner or owners of every steam engine used for hoisting purposes, ginning purposes, or any other purpose or business not regularly taxed, as in this ordinance stated or enumerated, seventy-five dollars; on every engine used for driving a grist mill, twenty-five dollars; every engine for driving a flour mill, fifty dollars; every bakery, fifty dollars; every the owner or owners of a job printing office, twenty-five dollars; every master builder, mason, or mechanic, including shoemakers and tailors taking contracts for work, architects, contractors other than builders, twenty-five dollars; real estate collectors and agents, and other collectors and agents, and ticket agents, twenty-five dollars; every the owner or owners of an intelligence office, twenty-five dollars for each; every manufacturer of soda-water selling from founts, twenty-five dollars; and manufacturing and bottling soda-water, fifty dollars; and for selling soda-water from founts, ten dollars for each fount; every soap boiler, tanner and founder, for each establishment, fifty dollars; every gas fitter, twenty-five dollars; every daguerrean artist, photographer and ambrotyper, twenty-five dollars; every steamship, steamboat, vessel or other agency carried on by any other than taxed commission merchants, the sum of fifty dollars for each agency; on every wholesale dealer in ice, one hundred dollars; on each and every museum, twenty-five dollars; on every express company, two hundred and fifty dollars; on every baggage express wagon drawn by one horse, twenty-five dollars—if drawn by two horses, forty dollars; on every gas company, two hundred and fifty dollars; on every restaurant where liquor license is not taken out, twenty-five dollars; on every rice pounding or cleaning mill, one hundred dollars; every lottery office or agency, three hundred dollars; every barber shop, twenty-five dollars.



Specific taxes on certain trades and occupations.

Regulations of junk shops and cotton pickeries.

12. And it is further declared and ordained, that no junk shop or cotton pickery shall, after the tenth day of January next, be used or kept open, unless the owner or owners of such junk shop or cotton pickery shall have previously paid into the city treasury the said tax thereon for the year, and shall have taken out a license from the office of the Clerk of Council, in which license it shall be distinctly expressed that such junk shop or cotton pickery shall always be subject to the visitation of the police of the city; a duplicate of which license, signed by such owner or owners, and expressive of

License. Conditions.

his, her, or their assent to such condition, shall be retained by the Clerk of Council: on refusal of such owner or owners, at any time, to submit to such visitation, such junk shop or cotton pickery shall immediately be closed by the Mayor. And it is hereby declared and ordained, that every such junk shop license shall be subject to the farther condition that the same shall be subject to revocation by the Mayor, if, on examination before him in the Police Court, he shall be satisfied and shall so pronounce that any city property, or any part of any machinery, or any appliance of any railroad company, or gas-light company, or the water-works of Savannah, or of the Savannah fire department, is found in any such junk shop; and such condition shall be expressed in the license of every such junk shop dealer; and any person dealing in junk, or carrying on a cotton pickery, and failing to take out such license, shall be subject to the penalty hereinafter prescribed in regard to failing to take out other licenses and badges.

Revocation of license.

Auctioneers.

13. And it is hereby declared to be the meaning of this ordinance, that the license granted to an auctioneer shall not authorize such auctioneer to sell for any transient dealer or other person, where the sale or sales may not pass regularly through the books of a regularly licensed auctioneer; but every such transient dealer or other person shall be compelled to take out a license as an auctioneer, under a penalty of one hundred dollars for every unauthorized sale or offer to sell. Every licensed auctioneer shall have the privilege of appointing one assistant crier, whose name shall be recorded in the Treasurer's office, and entered on the license issued. And no person shall be permitted to sell as an auctioneer or vendue master, until he shall have complied with the conditions contained in Section 1438 of the revised Code of Georgia, known as Irwin's Code.

Criers allowed

Stipulations.

Drummers. Runners. Solicitors of trade.

14. And it is further ordained, That any drummer, runner, or other person, who may solicit trade for any non-resident merchant or person, or for himself, being a non-resident, either on the street or in a warehouse, a wagon yard, passenger depot, or elsewhere in the city of Savannah, and every peddler or itinerant trader, shall pay a license fee of twenty-five dollars, or more, for such time as the Mayor may, in his discretion, direct or prescribe for such license; and the same

Peddlers or itinerant traders.

Licenses.



rule shall appertain to every non-resident person selling or offering to sell, by sample; and for every violation of these, or any of these provisions, every such person so offending shall pay a fine of not more than one hundred dollars for every day's default, or be imprisoned for not more than thirty days, or both, on conviction before the Police Court.

Non-residents selling or offering to sell by sample.

Penalties.

15. And it is further ordained by the authority aforesaid, that the license for the sale of goods, provisions, wares, or other articles from any vessel or wharf, shall be one hundred dollars; and any ship-master, captain or officer of any vessel selling articles or collecting his own freight money, shall be subject to a tax of not more than one hundred dollars, in the discretion of the Mayor; and, in default of payment, shall be liable to a penalty not exceeding one hundred dollars, or to imprisonment for not more than thirty days, for every unauthorized act of collection as aforesaid. The license fee provided for in this section shall authorize sales only for one year; but the Mayor may graduate such fee for a less time than one year, in his discretion.

Sales from vessels and wharf.

Tax on same.

Penalty.

License fee. Terms of same

How graduated, and by whom.

16. And it is hereby declared and ordained, that any ship-master, captain, supercargo, agent, or other officer of any ship or vessel, who shall purchase a cargo or part of a cargo of timber, lumber, cotton, or any other produce, except through a regularly taxed commission merchant or broker, shall be liable to a penalty of not more than one hundred dollars, or to imprisonment for thirty days, for every act of purchasing as aforesaid.

Collection of freight money.

Penalty.

17. The following persons shall be compelled to take out badges on the first day of January, annually, or within ten days thereafter, at the prices herein designated, that is to say: Every vender of small wares, and every huckster and hawker, and keeper of a cook stove or cook shop, an annual badge at the price of ten dollars, which may be reduced one-half if not required to be taken out until after the first day of July; and any person subject or liable to take out any such license or badge, or any other license or badge required by this ordinance to be taken out, except as may be required by section twenty-two of this ordinance, and failing to do so for ten days after the said person shall have begun business, in each year, shall be liable to a fine of not more than thirty dollars for every day's de-

Badges.

Vender of small wares.

Hucksters and hawkers.

Keepers of cook stoves or shops.

Licenses and badges.

Penalty.

fault, on conviction before the Police Court, or to imprisonment for not more than thirty days. The licenses and badges provided for in this ordinance shall be issued by the Clerk of Council, and the licenses shall be signed by the Mayor, attested by the Clerk, and have impressed on them the seal of the city.

How issued.

Liquor licenses.

18. And it is further ordained by the authority aforesaid, that on and after the first day of January next, the price of a license to retail malt, vinous, or spirituous liquors for one year, shall be one hundred and twenty-five dollars, and the applicant shall be required to submit, as securities, two responsible freeholders of this city as a prerequisite to the issue of said license; and for a wholesale liquor license the price shall be one hundred and twenty-five dollars; and no sale shall be made under a quart by any wholesale dealer, except in an original package, and no license for the sale of malt, vinous, or spirituous liquors shall cover any other business whatever than the sale of malt, vinous, or spirituous liquors, and shall apply to but one place for the sale of said liquors, whether under one roof or otherwise, under a penalty of not more than one hundred dollars. And no bar room shall be licensed which has not an entrance to it separate and distinct from the entrance to the dwelling; and the license shall be forfeited for a second violation of any State law or city ordinance; and, in case of forfeiture, the license shall not be renewed for the space of two years, except by the permission of Council. And it shall be the duty of the Clerk of Council to publish, quarterly, an alphabetical list of all persons licensed to sell liquors as aforesaid. And any dealer in liquors as aforesaid failing or refusing to take out a license to sell liquors as aforesaid, shall be liable to a penalty of not more than one hundred dollars for every day any such person may sell without a license, or to imprisonment for thirty days, or both.

Retail.

Conditions.

Wholesale.

Conditions.

One place only

Bar rooms, entrance to.

Forfeiture of license.

Duty of the Clerk of Council.

Penalty for failing or refusing to take out license.

Badges for vehicles.

19. And it is hereby further ordained by the authority aforesaid, that hereafter the following shall be the prices for licenses or badges for the vehicles and animals hereinafter mentioned:

Rates.

| | |
|---|---|
| For each one-horse dray or truck | $16 00 |
| For each two-horse dray or truck | 24 00 |
| For each three-horse dray or truck | 31 00 |



| | |
|---|---|
| For each four-horse dray or truck | 46 00 |
| For each one-horse cart or wagon | 12 00 |
| For each two-horse cart or wagon | 24 00 |
| For each one-horse cab, hack or buggy | 20 00 |
| For each two-horse cab, hack, or pleasure carriage | 40 00 |
| For each two-horse omnibus | 40 00 |
| For each four-horse omnibus | 60 00 |
| For any break wagon used for exhibiting horses for sale | 40 00 |
| For each horse or mule used for loading or unloading vessels | 31 00 |

20. The taxes on buggies, carriages, and pleasure vehicles shall be paid to the City Treasurer; and, where badges are exacted, they shall be taken out at the office of the Clerk of Council, and the fees paid to him. Such badges or licenses shall be taken out on the first day of January, annually, or within ten days thereafter, and shall be good until the succeeding January; but where the same may not be required to be taken out before the first day of July, the price may be graduated by the Mayor, in his discretion; and any person offending against this section may be fined in a sum not exceeding thirty dollars for each day's default, or imprisonment for not more than thirty days.

Tax on vehicles, how paid.

Badges.

Prices graduated.

Penalty for default.

21. And be it further ordained by the authority aforesaid, that all returns required by this ordinance for real estate, income, and commissions shall be made quarterly, that is to say: On the first day of April, the first day of July, the first day of October, and the first day of January, of each year, or within ten days thereafter, respectively, for the three months immediately preceding such respective days; and that for gross sales and gross receipts of all commercial agencies, and gross receipts of all steamship, steamboat, and vessel agencies carried on by other than taxed commission merchants or brokers, returns shall be made between the first and tenth day of each month for the preceding month, beginning with the month of February next, eighteen hundred and seventy-one.

Tax returns.

How and when made.

22. And it is further hereby declared and ordained, that, in the case of every person or persons liable or subject to make a return under this or any other ordinance (except as may otherwise be by this ordinance provided,) and where de-

Penalties for failure to make returns.

fault may be made, execution shall issue for a double tax on the immediately previous return; and if no return shall have been made, then the party in default shall be liable to a penalty of not more than one hundred dollars, on conviction before the Police Court, for every day's default; and the same penalty shall apply to the cases of persons failing or refusing to take out badges or licenses at the proper time or times. In default of payment of the ordinary or double taxes, or fees for licenses or badges, executions shall be issued, as heretofore, by the City Treasurer; but whenever, under this or any other tax ordinance, a fine or penalty may be inflicted in the Police Court, execution shall be issued by the Clerk of Council, under the seal of the city, and shall be levied and collected in the manner pointed out in the four thousand seven hundred and sixty-third section of the Revised Code of Georgia.

Executions.

How issued, and by whom.

Defining non-residents.

23. And it is further ordained by the authority aforesaid, that every corporation or company taxable under this ordinance shall be considered non-resident, and not local, when the principal place of business of the same is out of the limits of the State; and the term "non-resident," as applicable to natural persons, shall include all those who have no fixed and permanent abode in this State, and also all persons who shall carry on business in Savannah for a part of the year, and shall carry on business out of the State another part of the year.

One tax for a firm or co-partnership.

24. And it is further ordained and declared, that a firm or copartnership of persons carrying on business jointly in the same establishment, and *bona fide* as partners, shall not be compellable to pay more than one tax or take out more than one license for the business of one establishment.

Assessments of real estate and improvements.

When made.

Assessment of valuation.

25. And it is further ordained by the authority aforesaid, that so much of any ordinance of said city as requires that any assessment of the value of real estate and improvements shall stand until the assessment in the third year thereafter, be and the same is hereby so modified as that assessments of the value of land shall be annual, and be made between the first day of January and the first day of February, in each and every year; and the assessment of the value of improvements shall be semi-annual, and shall be made between the



first of January and the first of February, and between the first of July and the first of August, in each and every year; and the written report of the assessors shall, in every instance, be returned to the City Treasurer by and before the said first days of February and August, respectively. And the report of the assessors shall remain open for inspection in the Treasurer's office for thirty days after the report is so returned; and any objections to any assessment shall be made in writing, and filed in the Treasurer's office before the expiration of the thirty days as aforesaid; and, unless otherwise ordered by Council, such assessment shall stand until the succeeding assessment.

Returns of assessors.

Appeal.

Time.

Salaries of city officers.

26. And it is further ordained by the authority aforesaid, that the following shall be the annual compensation, and no more, allowed the following city officers and employees from and after the first regular meeting of Council in January next, and annually thereafter, that is to say:

| | |
|---|---|
| The Mayor | $3,000 |
| Clerk of Council | 2,500 |
| City Treasurer | 2,500 |
| Assistant City Treasurer | 1,800 |
| City Marshal | 2,000 |
| City Printer (by contract.) | |
| Clerk of the Market | 1,200 |
| Assistant Clerk of the Market | 600 |
| City Surveyor | 2,000 |
| Assistant City Surveyor | 1,500 |
| Messenger of Council | 900 |
| Keeper of the Pest House | 450 |
| Jailer, including Deputy | 2,500 |
| Keeper of Forsyth Place | 1,200 |
| Pump Contractor, (by contract.) | |
| Corporation Attorney | 1,800 |
| Harbor Master | 1,500 |
| Harbor Inspector | 1,200 |
| Chief of Police | 2,500 |
| First Lieutenant of Police | 1,800 |
| Second Lieutenant of Police | 1,800 |
| Chief Detective of Police | 1,800 |
| Six Sergeants of the Police, each | 1,200 |

| | |
|---|---|
| Privates of Police, each | 900 |
| Jail Guards, each | 900 |
| Health Officer | 600 |
| Keeper of Laurel Grove Cemetery | 1,200 |
| Commissioner of Streets and Lanes | 1,200 |
| City Dispensary | 1,200 |
| Superintendent and Engineer of Water Works | 1,800 |
| Assistant Superintendent and Engineer of Water Works | 1,320 |
| Second Assistant Engineer of Water Works | 1,080 |
| Secretary and Treasurer of Water Works | 1,500 |
| Turncock of Water Works | 1,000 |

Board of Health. Duties of certain city officers.

27. And it is hereby ordained by the authority aforesaid, that hereafter the Clerk of Council, the City Marshal, and the Messenger of Council, shall, without compensation therefor, perform for the Board of Health the duties heretofore respectively performed by said officers for said Board.

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## ARTICLE LXVI.

## TURPENTINE.

### STATUTES.

1. Not lawful to export any pitch, tar, rosin, or turpentine before the same is inspected and marked.
2. Quality, &c., of turpentine barrels.
3. Barrels of turpentine, how marked.
4. Powers of corporate authorities.

### ORDINANCES.

1. Office of Inspector of Turpentine created.
2. Elected annually.
3. Additional inspectors may be elected when necessary.
4. Regulations.



### STATUTES.

Irwin's Code.

Not lawful to export any pitch, tar, rosin, or turpentine before the same is inspected and marked.

1. §1515. 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.

Quality, etc., of turpentine barrels.

2. §1516. 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 inch 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.

Barrels of turpentine, how marked.

3. §1517. Each barrel of soft turpentine, after inspection, if found in conformity to the foregoing provisions, 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."

Powers of corporate authorities.

4. §1518. The corporate authorities of any seaport town may make such further regulations for 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.

### ORDINANCES, AS AMENDED.

Ordinance 27th October, 1849.

Office of Inspector of Turpentine.

1. The office of Inspector of Turpentine be, and is hereby created.

Elected annually.

2. An inspector of turpentine shall be elected annually at the first regular meeting in January.

Additional Inspectors.

3. Additional inspectors may be elected whenever it shall be necessary to do so in order to carry this article into full effect.

Regulations.

4. The following regulations shall be of force:

Weight of barrel.

1st. Each barrel of soft turpentine shall be of the weight of 350 lbs. gross, and free from water or other extraneous matter.

Formation of barrel.

2d. Each barrel shall be formed of good and sufficient staves, three-quarters of an inch thick, not exceeding five inches wide, not less than thirty or more than thirty-two inches long; the heads not less than one or more than one and a half inches thick, and secured with twelve good hoops; total weight of the barrel not being over sixty pounds.

Fraudulenly mixed.

3d. If the turpentine be fraudulently mixed, it shall be condemned by the inspector and delivered to the owner.

Duty of Inspector.

4th. Inasmuch as it is difficult for the makers of the turpentine so to regulate the size of their barrels and quantity of contents, that each barrel shall weigh precisely the number of pounds required by this article, it is provided that the inspector shall, after careful examination of the barrel submitted, make out two fair bills of the same, the one for the seller and the other for the buyer, in which he shall designate the quantity and quality of the same, after proper deductions for water, &c., and making proportionate allowance to the seller when the barrel shall weigh more than the required number of pounds, and the same allowance to the buyer when the barrel shall weigh less.

Brands and marks.

5th. Each barrel of turpentine, after inspection, if found in conformity to this act, shall be branded or marked by the inspector as follows: the pure or virgin turpentine with the letter V; the yellow dip, S; the hard, H.

Fee.

6th. The fee for inspection of turpentine to be five cents per barrel, to be paid by the purchaser when passed, and by the seller when condemned.

Bond $200.

7th. Every inspector appointed under this ordinance shall give bond and security in the sum of two hundred dollars for the faithful performance of his duty, and be sworn before the Mayor.

Penalty $30.

8th. If any inspector shall inspect any turpentine contrary to the directions of this article, he shall forfeit and pay the sum of thirty dollars for each offence; one half to the informer and one half to the party aggrieved.



# ARTICLE LXVII.

## VESSELS.

### ORDINANCES.


1. No vessel lying at or near the wharf, etc., to have fire in any caboose, etc., unless said caboose, etc., be safely covered, &c.
2. Penalty.
3. Disposition of fines.
4. Fire on board of boats, etc.
5. Boats obstructing wharf, etc.
6. Vessels loaded with timber—certificate of measurement.
7. No landing of ballast, etc.
8. Sales from vessels and wharf. Productions of Florida and S. Carolina excepted.
9. Vessel lying in the stream to keep a lamp burning suspended, etc., all night.
10. Vessel under weigh to keep a lighted lantern suspended, etc.
11. Penalty.
12. Vessel on fire in Savannahr iver. Chief Engineer or Mayor to permit an engine and company to repair to assistance of vessel.
13. Expense to be paid by owner.


### ORDINANCES, AS AMENDED.

Ordinance 28th November, 1803.

No fire on board vessels at wharves.

1. 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 sufficient caboose house, or other convenience or enclosure, to prevent the communication of fire or sparks from the said caboose, fire-place, or other convenience.

Penalty $50.

2. 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 this article, shall, upon conviction thereof before the Police Court, forfeit and pay a sum not exceeding fifty dollars for each offense.

Disposition of fines.

3. All fines and penalties inflicted by this article, shall be recovered as heretofore, before the Police Court, and one half of said fines to go to the informer, and the remainder to the use of the city.

Ordinance 11th June, 1810.

Fires on board vessels, etc.

4. Whenever it shall be made to appear to the Mayor or any one of the Aldermen of said city that any fire or fires been kindled, or lighted, or used, except in a covered caboose, on board of any boat or other small craft, lying at or being near any of the wharves of the City of Savannah, he shall forthwith issue

Warrant for appearance of captain before Council.

a warrant, directed to the Marshal of said city, commanding him to compel the captain or any person on board said boat to give good and sufficient security, by bond or otherwise, to appear before the Police Court, to answer for the said offense and abide by the decision of said Court; and in case it should be made to

If no captain, summons for owner or the lessee of wharf

appear that there be no person on board, or commanding, or having direction of said boat, then to issue a summons requiring the person or persons to whom the said boat shall belong or come consigned, to appear before said Court at its next meeting, and in case it shall appear that there is no such person commanding or having direction on board said boat, and no particular consignee residing in said city as aforesaid, then and in that case to issue a summons to the owner residing within the jurisdiction of the city, or the lessee or lessees of said wharf or water lot, to appear and answer as aforesaid. When the peron or persons so cited to appear shall make default, or after appearance it shall appear to Council that the said fire or fires were lighted, kindled, or used on board said boat or boats, then and in such case Council shall inflict a fine on said persons so summoned in a sum not exceeding thirty dollars, to be levied by distress and sale of the defendant's goods and chattels, in the usual manner of levies in such cases made and provided, or where in cases in which security has been given, then, and in such cases, on the goods and chattels of said security as well as principal.

Fine $30.



Boats obstructing wharf, etc

5. When any of the said boats shall be found moored or lying at any public wharf or wharves of the city, so as to obruct said wharf or wharves, or be found discharging or taking in a cargo, or any part thereof, at such wharf or wharves, contrary to the ordinance in such case made and provided, then, and in such case, the person commanding or having direction on board said vessel or boat, if any such there be, or the owner or owners, consignee or consignees of such boat or cargo, shall be summoned and obliged to appear before Council, to answer for such violation of the ordinance, and, on conviction thereof, shall be fined in a sum not exceeding thirty dollars.

Penalty $30.

Ordinance 15th March, 1827.

Vessel loaded with lumber, certificate of measurement.

6. Every vessel loaded wholly or in part with lumber of any description, cleared at the custom house of this district for any port (other than a port of this State), shall receive a certificate of the measurement of such lumber, to which certificate, when for a foreign port, the seal of the city shall be affixed, and for which the measurer or inspector of said lumber shall receive as his compensation the sum of one dollar, and the Clerk of Council for affixing the seal of the city, the sum of fifty cents, to be paid by the shipper thereof.

Ordinance 19th August, 1839.

No landing of ballast, etc.

7. It shall not be lawful for the master, owner, consignee or any other person concerned, to land ballast from any vessel, unless the same be immediately removed to such place as may be pointed out by the Marshal of the city, or any of the Street and Lane Committee.

Ordinance 22d December, 1870.

Sales from vessel and wharf.

8. That the license for the sale of goods, provisions, wares or other articles from any vessel or wharf, shall be one hundred dollars; and any shipmaster, captain or officer of any vessel selling articles or collecting his own freight money,

Tax on same.

shall be subject to a tax of not more than one hundred dollars, in the discretion of the Mayor; and in default of payment, shall be liable to a penalty not exceeding one hundred

Penalty.

dollars, or to imprisonment for not more than thirty days, for every unauthorized act of collection as aforesaid. The license fee provided for in this section shall authorize sales only for

License fee.

one year; but the Mayor may graduate such fee for a less time

Exceptions. than one year, in his discretion. This section shall not affect nor operate on ships or vessels laden with the productions of the Floridas or South Carolina, nor shall it compel any person to take a license for the sale of tropical fruits, nor for apples and cabbages brought by any ship or vessel into this port.

Ordinance 19th February, 1846.

Vessels lying in the stream to keep lights. 9. 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 dollars, one half to the informer.

Ordinance 16th January, 1851.

Vessels under weigh to keep a lighted lantern suspended. 10. It shall be the duty of the master or commander of every vessel or craft of whatever description, under weigh, within the limits of the city, or below the same, between the city and Tybee, to suspend and keep suspended during the time said vessel or craft is under weigh at night, a lighted lantern at the bowsprit or jib-boom, so that another vessel or craft may know how she is standing.

Penalty $30. 11. For any violation of the above section, the offender shall be fined in a sum not exceeding thirty dollars, upon information and conviction before the Police Court, one half to the informer and the other half to the city.

Vessel on fire in Savannah river. 12. It shall be lawful, on application being made by any ship owner, consignee, agent or captain, for the Chief or commanding Engineer, or in the absence of the Chief or commanding Engineer, for the Mayor or acting Mayor, to detail or give permission to the foreman or manager of any engine company belonging to the Fire Department of the City of Savannah, to repair with his engine and company to the assistance of any vessel which may be on fire in the waters of the river Savannah, between Ray's Hall and the ocean.



Expenses, etc. to be paid by owners. 13. All expenses incurred by said company, and which are now allowed by law in cases of fire, and all damage, injury or loss, which may thereby accrue to engine or apparatus so employed, shall be paid by the owners, agents or consignees of such vessel so assisted: *Provided, further,* that not more than two engines shall be sent out of the city at any one time. Proviso as to engines.

[For speed of steamers passing line of wharves, see section 10, of Article XXIII, title Docks and Wharves, and as to vessels having gunpowder on board, see Article XXXV.]

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## ARTICLE LXVIII.

## WATER WORKS.

### ORDINANCES.


1. Board of Commissioners appointed annually by the Mayor on the third Monday in December.
2. Organization.
3. Vacancies.
4. Power to make rules and regulations.
5. Annual report first Monday of November.
6. Chairman.
7. Bills.
8. Repairs.
9. Board not to be interested in contracts.
10. Power of Board to appoint and remove officers, etc.
11. Water rents to be collected by Secretary.
12. City Treasurer to keep an account, etc.
13. Persons opening hydrants. Penalty $10 to $100.
14. Making connections. Penalty $10 to $100.
15. Turning off or on the water. Penalty $10 to $100.
16. Destroying engine houses or any other property.
17. Board to license plumbers.
18. Duty of plumbers.
19. Neglect of duty.
20. Material of all service pipes.
21. Supply of water.
22. Connections with the distributing pipes.
23. Fee for permit, etc.
24. If connections become leaky, $10 for not repairing in twenty-four hours.
25. Persons using false key, etc.
26. Wasting water, etc.
27. Polluting water, etc.
28. Officers to enter lots for inspection, alterations, etc.

29. Servants, minors, etc., guilty, masters, guardians, etc., liable.
30. Persons taking water not to allow other persons to procure water from their premises, etc.
31. Leaks to be repaired by employees of the Board.
32. Use of private fountains.
33. Supply of water withheld when ordinances are violated.
34. Fines, how credited.
35. Assessed rates.
36. Persons desiring water.
37. Water rates. No house less than five dollars.
38. Water rates.
39. Hotels, etc.
40. Water rates payable semi-annually on 1st May and 1st November. Failure to pay in fifteen days, etc.
41. Not lawful for persons to moor rafts, vessels, etc., alongside line of pilings attached to land of Water Works. Penalty $20 per day.
42. Board of Commissioners Savannah Water Works authorized to issue execution for arrears of water rent.
43. Any right of the Board to enforce the collection of water rent which they now have, not abridged by this article.

## ORDINANCES, AS AMENDED.

Ordinance 4th May, 1854.

**Board of Commissioners.** 1. The Mayor shall appoint two Aldermen and three citizens at large, annually, to constitute a Board of Commissioners for the care and management of the Savannah Water Works.

**Organization.** 2. The persons so appointed shall meet and organize themselves into a Board, by the choice of a chairman from their own number, and may make such rules and regulations for their own government as they may deem expedient.

**Vacancies.** 3. In the event of vacancies in said Board by death, resignation, removal or otherwise, the Mayor shall have power to fill said vacancies.

**Power to make rules and regulations.** 4. The said Board shall have power to make rules and regulations for the government of the Water Works, and to digest a system of revenue to be derived therefrom, all of which shall be subject to the City Council for its approval.

**Annual report** 5. The said Board shall, on or before the first Monday of November, annually, present to the City Council a report of the condition of the Water Works, and of the lands and other property connected therewith; an account of all receipts and expenditures; together with any information or suggestions which they may deem important, and shall, at the same time, submit to the City Council the report of the Superintendent and Engineer, and that of the Secretary.



**Chairman.** 6. The Chairman of the said Board shall exercise a general supervision over the Water Works, the property connected therewith, and over all officers and agents.

**Bills.** 7. All bills for expenditures by the said Board shall be certified by the Chairman, and vised by the Mayor.

**Reports.** 8. The said Board, 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.

**Board not to be interested in contracts.** 9. No one or more of said Board shall be interested directly or indirectly in any contract entered into by them with any other person, nor shall they be interested either directly or indirectly in the purchase of any material to be used for the Savannah Water Works.

**To appoint and remove officers.** 10. The said Board shall have power to appoint and remove the following officers and employees, to prescribe their duties, and to fix their salaries, provided said salaries be approved of by the City Council:

*First.* A Superintendent and Engineer.

*Second.* A Secretary or Water Registrar, who shall also be Clerk of the Board.

*Third.* A First and Second Assistant Engineer.

*Fourth.* Such number of turncocks, firemen, and laborers, as may be found necessary for the proper and economical management of the works.

**Water rents to be collected by Secretary.** 11. The Secretary or Water Registrar shall pay over to the City Treasurer all water rents collected by him in accordance with the rules and regulations for the government of the works, to be hereafter adopted by the Board of Commissioners.

**City Treasurer to keep an account.** 12. The City Treasurer shall keep an account current with the Water Works, and whenever the receipts shall accumulate so that there shall be a surplus not needed for the payment of current expenses, including interest, or the alteration or extension of said works, it shall be the duty of the Mayor to invest the same in some safe stock, so as to make it available for the payment of interest and principal of the city bonds issued for the Water Works.

**Mayor to invest surplus.**

Penalty for opening hydrants.

13. If any person shall open any hydrant within the limits of the City of Savannah, or lift or remove the cover of the same without the license of the said Board, or of the Superintendent and Engineer, or the Secretary, except in case of fire, and then only under the direction of the fire company, he, she or they so offending shall be liable to a penalty of not less than ten, nor exceeding one hundred dollars, one half to be paid to the informer, the other half into the city treasury.

Making unauthorized connections.

14. If any person shall make any opening or connection with any pipe or reservoir without a license, he or she so offending shall be liable to a penalty of not less than ten nor more than one hundred dollars, one half to be paid to the informer, the other half into the city treasury.

Turning off or on the water.

15. If any person shall turn on or turn off the water in any of the pipes or reservoirs, without the license mentioned in section thirteen, he, she or they so offending, shall be liable to a penalty of not less than ten nor more than one hundred dollars, one half to the informer, the other half into the city treasury.

Destroying or defacing property.

16. If any person shall destroy, deface, impair, injure, or wantonly force open any gate or door, or in any way whatsoever, destroy, injure or deface any part of the engine houses, reservoir-building, or other buildings, or the appurtenances, fences, trees or fixtures thereunto appertaining, or any water pipes, gates, cisterns, hydrants, fountains, or any fixtures or other property appertaining to the City Water Works, he, she or they so offending, shall be liable to a penalty of not less than ten nor more than one hundred dollars, one half to the informer, the other half into the city treasury.

Board to license plumbers.

17. The Board of Commissioners of the Savannah Water Works may, from time to time, authorize and license plumbers to make and repair connections with the water pipes under their control, and any person not duly authorized or licensed as aforesaid, who shall make such connection, shall, on conviction before the Police Court, pay a sum not exceeding one hundred dollars, one half of the fine to be paid to the informer, the other half to be paid into the city treasury. Each licensed plumber shall give bond in the sum of two hundred dollars, conditioned for the faithful performance of the duties of his office.

If not licensed $100 penalty.

Bond of plumbers.



Duty of plumbers.

18. It shall be the duty of the plumbers to make returns in writing to the office of the Secretary, on the completion of all connections made by them, giving a description of the premises, location of service cock, length of service pipe, number of feet from the easterly or westerly line of the lot or premises where the pipe enters the same, and the size of the service pipe, number of the hydrants, baths, water closets, fountains, street washers, apparatus for garden hose, or other apparatus supplied therefrom, together with the name of the occupant or owner of such premises. It shall be the duty of the Superintendent to inspect the connections, and upon being approved by him, he will allow the water to be turned on.

Neglect of duty.

19. If any plumber shall neglect or refuse to make the return required by the preceding section, or shall make a false return of connections and fixtures attached thereto, he shall, on conviction, pay a sum not exceeding fifty dollars, and be subject to removal or withdrawal of his license.

Material of service pipe.

20. The material of all service pipe, connected with the distributing pipes, shall be approved by the Board of Commissioners.

Supply of water.

21. No supply of water will be granted to any house, except on the written application of the owner or occupant of the same, at the office of the Board.

Connections with distributing pipes.

22. All connections made with the distributing pipes shall be provided with a good and sufficient stop-cock therein, located at the main pipe, for the purpose of stopping or shutting off the supply of water whenever the same shall be necessary.

Fee for permit

23. Upon receiving a permit to connect the service with the distributing pipes, there must be paid such sum as the Board of Commissioners may require, to cover the expense of the service cock and inserting the same, which service will be inserted by persons employed by the said Board for that purpose; and any person not so employed, who shall tap or bore any main or distributing pipe, for the purpose of inserting a service cock therein, or for any other purpose, shall, on conviction, forfeit for each offense, a sum not exceeding one hundred dollars and costs, one half payable to the informer, the other half into the city treasury.

Who inserted by.

Tapping any main illegally.

Leaky connections.

24. If the connection or branch pipe, stop or hydrant cock, through which the premises of any person shall have been supplied with water, shall become leaky or out of repair, it shall be the duty of such person forthwith to have the same repaired; and if such person shall neglect to have the same repaired within twenty-four hours after notice, he, she or they on conviction before the Police Court, shall be fined in the sum of ten dollars; and if such person shall continue to neglect to have the same repaired, the supply of water on such premises shall be shut off.

False keys.

25. 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 penalty not exceeding one hundred dollars and costs, one half to the informer.

Wasting water

26. If any person shall knowingly and unnecessarily waste the water on his premises, he, she or they shall be liable to a penalty of not less than ten dollars and costs, and the supply of water may be withheld from such premises.

Polluting water.

27. If any person shall wilfully pollute the water in the reservoirs or pipes, he, she or they shall be subject to a penalty of not less than fifty, nor more than one hundred dollars, and costs, one half payable to the informer, the other half into the city treasury.

Officers to enter premises for inspection, alterations, etc.

28. The officers and employees of the Board of Commissioners may, when directed by the Superintendent at any seasonable hours, enter upon any lot or premises to inspect the condition of the Water Works, and make such alterations and repairs therein, or do such other acts as shall be deemed by them necessary and appertaining to their duties; and any person, whose premises are or may be supplied with water in pursuance of this article, shall be deemed and taken to assent to the terms and requirements of the same or any ordinance amendatory thereof.

When servants etc., guilty, master, etc., liable.

29. In all cases where any servant, apprentice, or minor shall be guilty of any breach of this article, the master, mistress, employer, parent, or guardian of such, so guilty, shall be responsible for, and subject to the payment of the penalties imposed for such breach or violation.



Unauthorized taking of water.

30. It shall be the duty of every person whose premises may be supplied with water, to prohibit persons from procuring any water from such premises, under a penalty of twenty dollars and costs; and the supply of water may be shut off from such premises, at the discretion of the Board of Commissioners, and every person who may use the water without paying therefor, upon conviction before the Police Court, shall be subject to a penalty of twenty dollars and costs, one half payable to the informer, the other half into the City Treasury.

Persons using water without paying.

Leaks, etc., to be reported.

31. It shall be the duty of all persons regularly employed on the works, to report to the office of the Board, in writing, any leaks or unnecessary waste of water that may come to their knowledge, also any violations of this article.

Use of private fountains.

32. Private fountains or jets shall not be used more than three hours each day, unless specially permitted, and on additional payment; and the right is reserved to suspend their use, whenever, in the discretion of the Chairman of the Board of Commissioners, the public exigency may require.

Supply of water may be withheld.

33. The supply of water may be withheld from all premises when the ordinances, rules or regulations adopted by the City Council and the Board of Water Commissioners have, in any manner, been violated, and the supply not again let on, except upon a rectification of the cause of withholding the same, and satisfactory assurance given that no further cause of complaint shall arise, and upon payment of the sum of two dollars to cover the expense of shutting off and letting on.

Fines, how credited.

34. All fines received for penalties under this article shall be placed by the City Treasurer to the credit of the Water Works.

Assessed rates

35. The rates when assessed shall be final and conclusive, subject only to revision by the Board.

Persons desiring water.

36. It shall be the duty of all persons who may desire water for building purposes, to make application at the office, in writing, accompanied by an estimate of the amount of brick, perches of stone, or yards of plastering for which it is required, and pay the rate assessed therefor before using the same; and any person using water in violation of this section shall be subject to a fine not exceeding one hundred dollars.

Water rates.

37. The following shall be the rates to be charged annually for the use of the water: *Provided*, that no house shall be assessed at less than five dollars:

WATER RATES.

Dwelling houses.

38. Dwelling houses, when valued for the assessment of taxes, as follows:

| Valuation. | Water Rate. |
|---|---|
| $1,000 | $5 00 |
| Over 1,000 and not exceeding $2,000 | 6 00 |
| " 2,000 " " " 3,000 | 8 00 |
| " 3,000 " " " 4,000 | 10 00 |
| " 4,000 " " " 5,000 | 12 00 |
| " 5,000 " " " 6,000 | 13 00 |
| " 6,000 " " " 7,000 | 14 00 |
| " 7,000 " " " 8,000 | 15 00 |
| " 8,000 " " " 9,000 | 16 00 |
| " 9,000 " " " 10,000 | 17 00 |
| " 10,000 " " " 15,000 | 18 00 |
| " 15,000 " " " 20,000 | 20 00 |

Which latter sum shall be the maximum for any private family. If the houses are occupied by more than one family, an additional rate will be charged.

The Commissioners are hereby authorized to assess the valuation of the improvements upon the fee simple lots.

Hotels, etc.

39. Hotels, taverns, and boarding houses, not including water for baths or for uses within the house, will be charged, for each bed for boarders and lodgers within the same, one dollar.

Stores.

For stores and offices, five dollars. For each water closet more than one, five dollars additional; and for each urinal or wash-hand basin more than one, two dollars and fifty cents additional.

Stables.

Private stables, including water for washing carriages, six dollars; for each horse over two, two dollars; livery stables, including water for washing carriages, for each stall, two dollars; omnibus stables for each horse, two dollars; truckmen's stables, for each horse, two dollars.

Hose.

For the right to attach a hose $\frac{5}{8}$ inch orifice for washing houses and pavements, in addition to the charge for other uses, not less than three dollars.



Printing offices.

For each printing office, according to the number of presses used, not including supplying of steam engine, six dollars to forty dollars.

Refectories.

Confectioneries, eating houses, provision shops, refreshment and oyster saloons, according to the amount of water used, five dollars to forty dollars, each.

Steam engines.

For stationary steam engines, working not over twelve hours per day, on each horse power, six dollars.

Building purposes.

For each thousand brick or perch of stone laid, and for each barrel of lime used for plastering, five cents.

Bakeries.

For the average daily use of flour, for each barrel the sum of three dollars per annum, and in no case less than twenty-five dollars.

Fountains.

Fountains are only to be used at the discretion of the Board of Commissioners, and shall be charged by special contract. No fountain will be allowed when the water is not used for other purposes.

Baths.

Hotels, taverns, and boarding houses shall be charged for each tub exceeding one, the sum of five dollars. Public bathing establishments shall be charged for each tub five dollars. Private families are allowed as many tubs as they may desire.

Water closets.

For every water closet beyond one, the sum of five dollars each.

License for sprinkling streets, watering gardens, and matters not hereinbefore embraced, are reserved for special contracts by and with the Board of Commissioners, who shall have authority to make special contracts, and to make such alterations in the foregoing rates as in their judgment the interests of the city may require.

Ordinance 10th January, 1856.

Water rates, when payable.

40. The rates to be charged for water shall be payable semi-annually, in advance, at the office of the Board, on the first days of May and November, [and on the first Monday thereafter, when the said days shall fall on the Sabbath,] and rateably for any fraction of a term; and, on failure to pay the same within fifteen days, ten per cent. shall be added to the assessment for collection, and if not then paid promptly, the water shall be shut off, and not again let on said premises until all arrearages are paid, and at least two dollars in addition for shutting off and letting on.

Penalty for failure to pay.

Ordinance 29th February, 1857.

No vessel, etc. to be moored alongside line of pilings.

41. It shall not be lawful for any person or persons to moor any vessel or flat, of any description, or any raft of timber, lumber or reeds alongside the line of piling attached to the land belonging to or used by the Board of Commissioners of the Savannah Water Works, near the mouth of the Savannah and Ogechee Canal, on the Savannah river, under a penalty of twenty dollars per day for the first day, or part of day, and ten dollars for each succeeding day, or part of day, such vessel, flat or raft may be moored as aforesaid; and that any person or persons so offending shall be liable to be fined before the Police Court in the said sum or sums, and that said fines shall be collected in the same manner, and under the same rules and regulations as are now provided for the recovery of fines under existing or future ordinances.

Ordinance 29th November, 1865.

Board of Commissioners of Water Works authorized to issue execution for arrears of water rent.

42. Whenever water rent shall be due by any person for using water of the Savannah Water Works, and such rent shall not be paid on demand made by the Secretary, or other agent of said Savannah Water Works, it shall and may be lawful to and for the Board of Commissioners of said Savannah Water Works to issue an execution against such person in arrears for water rent; such execution to be signed by the Chairman of said Board, and countersigned by the Secretary thereof, 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.

Certain rights retained.

43. Nothing in the foregoing section shall be construed to abridge, limit or take away from said Board of Commissioners any right which they now have to enforce the collection of water rents.

[For salaries of officers of Water Works, see Article LXV.]



# ARTICLE LXIX.

## WEIGHTS AND MEASURES—WEIGHING, ETC.

### STATUTES.

1. Ordinary to procure marking instruments for marking all weights and measures.
2. Vendors must have weights and measures marked.
3. Selling by deficient weights or measures, how punished.
4. Standard of weights and measures to be procured.
5. Ordinary to give notice.
6. Any person selling by false weights and measures shall be deem a common cheat.
7. Oath of one weighing cotton or rice.
8. Oath to be recorded and penalty for weighing without oath.
9. Tare on rice.
10. Tare on other articles.
11. No deduction to be made for turn of scales.
12. Corporate authorities may regulate weighing.
13. Powers of Mayor and Aldermen in regard to Market in Savannah.

### ORDINANCES.

1. Clerk of the Market shall be inspector of weights and measures used in the market. His duties.

### STATUTES.

Irwin's Revised Code.

Ordinary to procure marking instrument for marking all weights and measures.

1. §1584. The Justices of the Inferior Court [now the Ordinary] must procure for their respective counties a marking instrument, seal, or stamp, for the purpose of marking all weights and measures, which the Clerk of the Inferior Court [now the Ordinary] may find not to weigh or measure less than the standard established by the Congress of the United States, which is the standard of this State.

Vendors to have measures marked.

2. §1585. All persons engaged in selling by weights and measures, shall apply to the Clerk or the Inferior Court [now

the Ordinary] of their respective counties, and have their weights and measures so marked; and, in default thereof, shall not collect any account, note, or other writings, the consideration of which is any commodity sold by their weights or measures.

Selling by deficient weights and measures, how punished.

3. §1586. Any citizen may complain to the Clerk of the Inferior Court [now the Ordinary], of the deficiency of any weights and measures, whether marked or not, and when done, it is the duty of said Clerk [Ordinary] to notify the person complained of, and give him the name of the complainant, and specify a day, not more than ten days distant, when he shall submit his weights and measures to the test of the Justices of the Inferior Court [Ordinary], and if the complaint is found to be true, within the seller's knowledge, he shall be deemed a person selling by false weights and measures, and shall be presented by the grand jury as such, if no person appears and indicts.

Standards of weights and measures to be procured.

4. §1587. The Governor shall procure standards of weights and measures for each county which does not have them, and they, together with the marks provided by the Inferior Court [Ordinary], shall be kept in the office of their clerk [Ordinary's office] for the inspection of citizens.

Ordinary to give notice.

5. §1588. When such standards are obtained, it is the duty of such Clerk [Ordinary] to give sixty days' written notice thereof at the door of the Court House, and in the public gazette where the sheriff of the county advertises his sales.

Any person selling by false or measures to be deemed a common cheat

6. §4502. If any person shall knowingly buy or sell by false weights or measures, he or she shall be deemed a common cheat, and, on conviction, shall be punished [as prescribed in section 4245 of this Code.]*

*The Constitution of 1868 having prohibited "whipping, as a punishment for crime," and the Act of 27th October, 1870, having stricken from said section 4245 the words, "to work in a chain gang on the public works," and substituted the words, "to work on the city or town streets, or county roads, not longer than six months; but in no case shall such prisoners be chained or otherwise confined in a gang, but shall be guarded;" these last words, with "a fine not to exceed one thousand dollars, imprisonment not to exceed six months," (—"any one or more of these punishments" to be "ordered in the discretion of the Judge"—) embrace the punishments which may be inflicted under said 4245th section.



Oath of one weighing cotton or rice.

7. §1595. It shall not be lawful for any salesman or other person in any of the cities, towns or villages of this State, or at any rail road station or depot, to weigh any bale, bag or package of cotton, tierce or half tierce of rice, or any other article of produce disposed of by weight, without first taking and subscribing an oath before some person authorized by law to administer it, that he will justly, impartially, and without deduction, weigh all such produce, and all other articles of produce disposed of by weight, that may be shown to him for that purpose, and tender a true account thereof to the party or parties concerned, if so required. The weigher may, nevertheless, make such deductions for wet or other cause which may be reasonable, when the seller or his agent shall thereto consent, and for such tare as may by law be allowed; but no tare shall ever be allowed on bales of unmanufactured cotton, except the usual deduction of two pounds from the weight of every bag of cotton having knobs or tugs thereon.

Oath to be recorded and penalty for weighing without oath.

8. §1596. Such oath, when taken, must be filed in the Clerk's office of the Inferior Court of the county [Ordinary], and a minute made thereof; and if any person weighs such produce without having taken and filed such oath, he and the factor, or the person who may employ him, are liable each twenty dollars for every bag of cotton, five dollars for every tierce of rice, twenty-five cents for every bushel of corn, and one-third the value of any other product so weighed—one-half to the informer, the other half to the educational fund of the county.

Tare on rice.

9. §1597. The tare to be allowed on rice shall be the actual tare, as nearly as can be determined, except in cases of the sale of a single tierce, half tierce or barrel, when a tare of ten per cent. shall be allowed, unless otherwise agreed on between the buyer and seller.

Tare on other articles.

10. §1598. In other cases where tare is usually allowed, the actual tare, as nearly as the same can be ascertained, shall be allowed, except where the seller and purchaser may expressly agree upon a different rule.

No deduction to be made for turn of scales.

11. §1599. It shall not be lawful for any purchaser or weigher to make any deduction for the weight of any article for or on account of the draft or turn of the scales or steelyard, under a penalty, for every such offense, of five hundred

dollars, to be recovered in any court having jurisdiction, one half to go to the informer by whom the suit may be brought, and the other half to the use of the county where the offense may be committed.

Corporate authorities may regulate weighing.

12. §1600. 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 object of the foregoing provisions, and the Inferior Courts [Courts of Ordinary] 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 courts, fees for weighing shall be such as are now fixed by law.

Powers of Mayor and Aldermen in regard to market in Savannah.

13. §4757. They [that is, the Mayor and Aldermen of Savannah,] 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.

[For false weights and measures, see Article XLI—title Market.]

### ORDINANCE, AS AMENDED.

Ordinance 27th December, 1865.

Clerk of Market shall be inspector of weights and measures.

His duties.

1. The Clerk of the Market shall be inspector of weights and measures used in the Public Market of Savannah, and shall, once a month, or whenever and as often as the Mayor or acting Mayor shall direct, examine the weights and measures used or offered to be used in said market; and if, upon such examination, any such weights and measures shall be found not to have been adjusted and regulated, and marked and stamped by the Ordinary of Chatham county, to sieze the same as forfeited to the City of Savannah; and the person or persons using or offering to use said weights and measures not adjusted and regulated and marked and stamped by the Ordinary of Chatham county, shall be put on the information docket, and, on conviction before the Police Court, shall be fined not exceeding thirty dollars.



## ARTICLE LXX.

## WHARVES, RIVER, ETC.

### STATUTE.


1. Annual inspection of Wharves on River; repairs, etc.
2. Rafts.
3. Breaking up unseaworthy vessels.
4. Such vessels to be removed.
5. Obstructions sunk or let loose.
6. Erections likely to become injurious.
7. Raft, etc., on shoal, without permission.
8. Commissioners of Pilotage, how to proceed.
9. Ballast and rubbish not to be thrown out.
10. Proceedings against offenders.
11. Obstructing or hindering Commissioners, etc.
12. Fines, how collected.
13. Appropriation of fines.
14. Notice of meeting of Commissioners of Pilotage.
15. Mode of laying out certain wharf lines.
16. Vested rights of property-holders not to be interfered with.
17. Special repealing section, etc.


### STATUTE.

[The following provisions of the Act of 1847, and which are believed to be, in the main, of force now, are here compiled as being of general interest.]

State Law, 30th December, 1847.

Wharves on Savannah river to be annually inspected.

1. That it shall be the duty of the Commissioners of Pilotage to examine, annually, in the month of June, and at such other times as they may deem proper, the several wharves now constructed or hereafter to be constructed on either bank of the Savannah river, from Ray's Hall to the ocean, or along the shores of Hutchinson's Island, and should any of such wharves seem to them to require repair, or be found in such situation as in their opinion to threaten injury to the river, they shall cause the same to be inspected by an Alderman of

Inspectors. the City of Savannah, a wharf owner, and a master carpenter or wharf builder; and if said surveyors shall be of opinion that such wharves, or any one of them, require repair or alteration, or are or is in a situation to threaten injury to the river, then the owner or owners, or tenant or tenants of said wharves or wharf shall, within one week after notice to that effect shall have been served upon her, him or them, begin to

Repair by owners. repair and continue, in good faith, and with reasonable diligence, alter or repair said wharf, or place the same in proper condition; and if he, she or they shall neglect or refuse so to do, it shall be the duty of the Commissioners of Pilotage to cause the same to be done, and they may recover against the owner or tenant of said wharf or wharves, his or her agent or

Expense and damage for refusal. representatives, the expenses incurred by them in effecting said object, together with the sum of two hundred dollars in the nature of damages, the whole to be recovered in a special action of [on] the case, to be brought by said Commissioners of Pilotage, in the Superior Court of Chatham county, and the

Judgment and lien. judgment of said Court shall operate as a lien on said wharf or wharves from the time of the institution of said action, so as to cut out all liens on said wharf or wharves, and all conveyances of the same, which may have accrued or been executed intermediate the institution of said suit, and the filing of said judgment.

Rafts. 2. Nothing in the above and foregoing act shall be so construed as to prevent rafts of any kind from lying in the Savannah river forty-eight hours at or near the wharves on the Savannah.

Breaking up of unseaworthy vessels. 3. If any vessel, wreck or hulk, hauled up as unseaworthy, shall be broken up, or attempted to be broken up, elsewhere in the Savannah river between Ray's Hall and the ocean, than at a spot designated by the Chairman of the Commissioners of Pilotage, the person or persons breaking up the same shall be guilty of a misdemeanor, and on conviction thereof before the Superior Court of Chatham county, shall be fined in the

Fine. sum of five hundred dollars, and the master, owner or consignee of such vessel, wreck or hulk, shall forfeit to said Commissioners a sum not exceeding two hundred dollars, to be assessed by them, and to be recovered by action of debt in the Superior Court of Chatham county.



Such vessels to be removed. 4. Whenever any vessel, wreck or hulk in said river shall be deemed by said Commissioners to be unseaworthy or liable to sink, it shall be the duty of said Commissioners to give notice to the owner, consignee, master or person having charge thereof, or any one of them, to remove the same within three days, to such spot as shall be designated in said notice; and in case of the failure of such person or persons so to remove the same, it shall be the duty of said Commissioners to cause the same to be removed as aforesaid, and the owner, consignee, master or other person, shall forfeit and pay to said Commissioners a penalty not exceeding five hundred dollars, to be as- Penalty. sessed by said Commissioners, and to be recovered by action of debt in the Superior Court of Chatham county.

Obstructions sunk or let loose. 5. If any vessel, boat, flat, hulk, wreck, raft or other erection or obstruction of any kind shall be sunk, or permitted or suffered to be sunk, in the Savannah river, between Ray's Hall and the ocean, or to drift up and down said river, or to lodge, to the annoyance of the navigation thereof, against the wharves, banks or shores of said river, or any of them, the person who shall so sink, or permit or suffer the same to be sunk, or to drift or lodge as aforesaid, shall be guilty of a misdemeanor, and on conviction thereof before the Superior Court of Chatham county, shall be fined in a sum not exceeding two hundred Penalty. dollars, and the owner or owners, consignee or consignees, or master, shall forfeit and pay to the Commissioners, to be recovered by them in an action of debt in said Superior Court.

Vessel, etc., likely to be injurious. 6. Whenever any vessel, wreck, hulk, or other erection, be deemed by the Commissioners to be likely to become an obstruction, or to cause injury to the navigation of the Savannah river, it shall be the duty of said Commissioners to serve a notice on the master or consignee of said vessel, or to the person having in charge, or having last had in charge any such erection, or to their agent or representatives, to remove the same to such spot as may be designated in said notice, within the time therein specified; and on failure of such person so notified so to remove the same, the said Commissioners shall cause the same to be done, and the party so offending shall forfeit and pay to said Commissioners a penalty not exceeding Penalty for failing to remove. the sum of two hundred dollars, to be recovered by action of debt in said Superior Court. And whenever any vessel, wreck,

hulk or flat deemed by the Commissioners an obstruction, or likely to cause injury to the navigation of the river, shall be sold, it shall be the duty of the auctioneer, or other person selling the same, to take, as one of the conditions of the sale, from the purchaser thereof, a bond, with sufficient security, to be approved by the Chairman of said Commissioners, in the sum of five hundred dollars, to remove the same in the manner hereinbefore prescribed; and if said auctioneer, or other person, shall fail to take such bond, he shall forfeit and pay to said Commissioners a penalty not exceeding five hundred dollars, to be recovered in an action of debt in said Superior Court.

Vessel, etc., to be sold. Condition.

Rafts, etc., on shoal, etc.

7. If any person or persons shall lay or place any vessel, wreck, raft, or other erection, on any shoal, bank, bed or bar in said river, between Ray's Hall and the ocean, except by and with the permission of said Commissioners, signified in writing, and secured in the manner specified in and by said Commissioners, such person or persons shall forfeit and pay to said Commissioners a penalty not exceeding five hundred dollars, to be assessed by said Commissioners and recovered by action of debt in said Superior Court.

Forfeiture.

Suits, how brought.

8. Whenever any action or cause of action shall accrue to, or any judicial proceedings be had by, the said Commissioners, under this act, the same shall be had in the name of "The Commissioners of Pilotage for the bar of Tybee and port of Savannah"; and the affidavit of the Chairman of said Commissioners shall be sufficient on which to found such proceedings, or to hold the defendant or defendants to bail. [Bail cannot now be required in a *civil* action.—*Compilers.*]

Quære as to bail.

Throwing out ballast and rubbish.

9. If any master or owner, or other person in charge of any ship or other vessel, shall cast, throw out, or unload, or if there shall be cast, thrown out, or unladen from or out of any ship or other vessel being or riding in the port or harbor of Savannah, any ballast, rubbish, earth, stone or wreck, except above high water mark, (and except the same be thrown out with the consent of the Commissioners of Pilotage, expressed in writing, for the purpose of filling up where wharves may be erecting or erected on the banks of the Savannah river,) every master or owner, or any person acting as such, as aforesaid, shall be deemed the offenders, and shall be guilty of a



misdemeanor, and shall be fined in a sum not exceeding fifteen hundred dollars; one-half of said sum to be paid to the person who shall prosecute to conviction the offending party: *Provided, always,* that no part of such fine shall be paid to the Harbor Master of Savannah, or to any one of the Commissioners of Pilotage. [See, also, page 10 of this compilation, pages 157, 158 and 435 of same; also Article LIX of this compilation.—*Compilers.*]

Penalty.

Proceedings against offenders.

10. Information on oath being made before any civil magistrate of this State, of a violation of the immediately preceding section, it shall be the duty of such magistrate to issue his warrant against the offending party, and oblige him to give bond and security to appear before the Judge of the Superior Court of Chatham county, to answer in the premises; and the said magistrate shall return immediately said affidavit and bond to said Judge of the Superior Court, whose duty it shall be forthwith to direct the sheriff of said county to summon twenty-four jurors to attend a special court to be holden within seven days, for the trial of such alleged offender, and on such trial the State and the defendant shall be each entitled to six peremptory challenges.

Obstructing proceedings under this act.

11. If any person or persons shall obstruct, resist or beat said Commissioners or Surveyors, or either of them, or either of their agents or servants, while engaged in carrying into execution any of the provisions of this act, every such person shall be deemed guilty of a misdemeanor, and on conviction thereof shall pay a fine or be imprisoned in the common jail, or both, at the discretion of the court.

Fines, etc., how collected.

12. All penalties and fines inflicted by the said Commissioners of Pilotage, under and by virtue of this act, unless otherwise herein expressly directed, shall be recovered by warrant of distress, under the hands and seals of any three of said Commissioners, and sale of the offender's goods, which warrant shall be directed to and executed by the Sheriff of Chatham county; and on the failure of said sheriff to execute such warrant, he may be ruled before the Judge of the Superior Court of said county, either in term time or vacation: *Provided,* that in all cases of distress and sale, under the provisions of this act, sixty days public notice of such intended sale be given by said sheriff in one of the gazettes of Savannah.

Appropriation of fines.

13. All fines, penalties or damages, and all portions of the same imposed or recovered in any proceeding under this act, before any tribunal which have not been hereinbefore expressly awarded to the party agrieved or prosecuting, shall be paid to the said Commissioners of Pilotage for the bar of Tybee and port of Savannah, to be by them applied to improving the navigation of said Savannah river.

Notice of meeting, etc.

14. Twenty-four hours notice shall be given to each member of the Board of Commissioners of Pilotage of each and every meeting; and that said Commissioners or a majority of them, shall have the power to make all rules and regulations they may deem necessary for the transaction of their business, and may prescribe any qualifications additional to those mentioned in this act, in relation to the granting of licenses, warrants, and certificates to pilots. [But see Article XLVII of this compilation.—*Compilers.*]

Quære as to rules, etc.

Mode for laying out wharf lines.

15. When any wharf lines are to be laid out in the parts of Savannah river contiguous to the City of Savannah, or on the south side of Hutchinson's Island, opposite the City of Savannah, the Commissioners of Pilotage shall appoint three commissioners, the City Council of Savannah three, and the owner or owners of land four, who shall lay off and decide where such wharf lines shall be; and if they cannot agree, then and in that case the same shall be carried to the Superior Court, to be determined by a special jury of said court, on such terms as said court shall direct.

Not to affect vested rights.

16. Nothing in this act shall be so construed as to interfere with any vested rights of any of the property-holders on Hutchinson's Island.

Repealing section.

17. [Special repealing section.]

# APPENDIX.

# APPENDIX.

## SUPPLEMENTARY ARTICLE.

### STATUTES.

1. Act of 1760, for ascertaining town common, etc.
2. Reference to other statutes in regard to reservations, etc.

### ORDINANCES.

1. Assessors. Compensation.
2. Cemetery—"Old or Brick."
3. Commissioner Streets and Lanes; additional duties.
4. Fines and penalties, how enforced.
5. Police Court; cognizance of causes.
6. Discretion of Police Court in regard to allowance of parts of fines to informers.
7. Police—Force not to exceed 100 privates; pay of.
8. Election of officers of Police.
9. Fire Alarm, duties of Police, etc.; amendments.
10. Sergeants of Police to be six; their horses.
11. Detective force—amendment.
12. Dry Culture Inspector, appointed annually by Mayor, with concurrence of Dry Culture Committee.
13. Privies or Sinks, how built.
14. Privy vault to have flue.
15. Digging or removing sand.
16. Washing or drying clothes in streets, etc.

[For reasons which need not be particularized, the Compilers deem it proper to add this Appendix. It may be sufficient to state, that, owing to the changed condition of things, the Ordinance of 5th January, 1860, in reference to the City Police, required various amendments, which, for unavoidable causes, were not made when Article XLIX was going through the press. Another reason for this supplement may be assigned, to wit, the passing of new ordinances after this compilation had been prepared; together with the desire of the Commissioners or Compilers to codify the ordinances of the city to the very latest date. Still another reason may be suggested: In their desire to codify every thing materially and immediately

relating to Savannah, the Compilers have thought it proper to cite or refer to the Provincial and State laws in regard to the dedication—of whatever sort—of streets, etc. Other parts of this Appendix will explain the further action of the Compilers.]

## STATUTES.

Provincial Act passed May 1st, 1760, entitled "An act for the better regulating the Town of Savannah, and for ascertaining the common thereunto belonging." (*Mar. and Crawf. Dig.* 117.)

Provincial Act of 1760, for ascertaining town common, etc.

1. (§2.) That the common appertaining to the said town, extending southerly from the extremity of the Bluff on the river Savannah to the north line of the garden lots, and westerly from the west line of the garden lots, lying east of the said town to the east line of the lots lately laid out between Musgrove's creek and the said town, including all the squares, streets, lanes, and passages, described in the plan of the said town in the Surveyor General's office, and have been heretofore accustomed or made use of by the inhabitants of the said town, shall be and continue the common property of the lotholders in the said town, and shall not be aliened or granted away for any purpose, whatsoever, than by act of the General Assembly.

Reference as to statutory reservations.

2. [Further as to statutatory reservations or dedications, etc., see Act of 9th June, 1761; of 4th March, 1762; of 6th March, 1766; of 10th March, 1770, (making "the plan annexed to this act" "the true plan of the said Town and Common of Savannah, including the several wharf lots under the bank or bluff of the said Town and Common of Savannah," etc.); of 10th February, 1787; of 23d December, 1789; and of 8th of February, 1799—all contained in Marbury and Crawford's Digest, from page 117 to page 128; also Act of 21st December, 1822—Dawson's Compilation, 443; Act of 24th December, 1825—Dawson's Comp., 464, &c., &c., and §4759 of Irwin's Code—page 13 of this Compilation.]



## ORDINANCES, AS AMENDED.

ASSESSORS OF REAL ESTATE—(See pages 419, 420, 421 of this volume.)

Compensation to be fixed by Council.

1. That hereafter the Assessors of Real Estate and Improvements shall receive such compensation for their services as Council may by resolution or otherwise, from time to time establish; any thing in any former ordinance to the contrary notwithstanding.

### CEMETERY—"OLD OR BRICK."

Ordinance 7th June, 1871.

Title.

An ordinance to declare the rights and duties of the Corporation of the City of Savannah in regard to the Old or Brick Cemetery, to preserve said cemetery from appropriation, in whole or in part, to any use or purpose inconsistent with the original dedication of the area or grounds; to fix the true lines of said cemetery on Abercorn and South Broad streets; and to provide for the keeping of said cemetery in a suitable manner.

Preamble.

WHEREAS, the area of ground, now known as the "Old or Brick Cemetery," was originally set apart for burial purposes only: and whereas, in the year 1853, by proclamation of the Mayor, under the authority of the City Council of Savannah, said cemetery was closed for the purpose of interment, but that purpose only, leaving untouched the question of repose for the ashes of the dead still buried there: and whereas, it is the right and the duty of the Corporation of Savannah to take care of and keep the said cemetery in such way as will forever prevent its diversion from such original dedication, and its appropriation to any other purpose: and whereas, by evident mistake in the original survey of said ground, the wall on the western side encroaches on the line of Abercorn street, and the northern wall does not extend to the true southern line of South Broad street; now, to meet the several exigencies of the case—

No power to alien or convey away "Old or Brick Cemetery."

2. (§1.) The Mayor and Aldermen of the City of Savannah, in Council assembled, do hereby declare and ordain, that the corporate authorities of said city have no power to alien or convey away any part of the ground or area of said "Old or

Brick Cemetery," or to interfere injuriously with the dedication mentioned in the preamble to this ordinance; that, on the contrary, it is the duty of the Corporation of Savannah to use its best efforts to preserve said dedication from injurious intrusion of any sort, and to keep said ground and its enclosures in such way as to beautify that portion of the city, and to make said ground a place of pleasant resort for citizens and visitors.

Ornamental wall or fence.

(§2.) And it is further ordained, by the authority aforesaid, that it shall be the duty of his Honor the Mayor, with the assistance of the Committee on Streets and Lanes and of the City Surveyor, and so soon as the finances of the city will permit, to cause the northern wall of said cemetery to be removed, and an ornamental wall or fence to be put on the true southern line of South Broad street; and also, (if no reasonable objection be made by any person or persons having an interest in the question,) to cause the western wall of said cemetery to be removed, and an ornamental wall or fence to be put on the true eastern line of Abercorn street, care being taken to have decently buried, within the cemetery, the remains of any person that may be exposed or disinterred by such removal of wall or walls; such new walls or fences to have such number and style of gates, hangings and fastenings as said Mayor and Committee on Streets and Lanes may determine.

Committee on Parks to have care and charge.

(§3.) And it is further ordained, by the authority aforesaid, that said cemetery, immediately after the removal of said old walls, and the substitution of other walls or fences as aforesaid, shall be put under the care and charge of the Committee on Parks, whose duty it shall then be to take the same care thereof as of the other parks and the squares of the city; and Council shall, from time to time, make suitable appropriations of money, to be expended by said Committee on Parks in beautifying the grounds of said cemetery, and keeping the fences, walks, trees and shrubbery in proper condition.

## COMMISSIONER OF STREETS AND LANES.

**Ordinance 24th May, 1871.**

To superintend all work pertaining to parks and squares.

3. (§1.) That in addition to the duties of the Commissioner of Streets and Lanes, as defined in the ordinance creating such officer, he shall be required to superintend all work pertaining to parks and squares, under the direction of the Committee on Parks and the City Surveyor, in the same manner as required of said Commissioner in regard to other work in said departments.



Office in Exchange.

(§2.) That the Commissioner of Streets and Lanes shall have an office in the City Exchange Building, and it shall be his duty to attend at said office from 9 to 10 o'clock, A. M., daily (Sundays excepted), unless prevented by sickness or absence from the city.

Other duties.

(§3.) That the said Commissioner shall hire and discharge all workmen employed in his department, under the direction of the Chairman of Streets and Lanes and Parks and Squares, separately or conjointly.

## FINES AND PENALTIES.—POLICE COURT.

Fines, how collected and enforced.

4. Fines, penalties and forfeitures shall be collected and enforced as provided in sections 4763 and 4767 of Irwin's Revised Code, [see pages 14 and 15 of this work] which are hereby adopted as parts of the ordinances of the city—subject, of course, to the law of the State, of 27th October, 1870, [see note to page 504 of this volume.]

Police Court.

5. Nothing contained in any ordinance of the city, whether published in the printed Code of the city, or not, shall be so construed as to mean that the Police Court is or was ever intended to be deprived of the cognizance and jurisdiction conferred on said court by the law of this State. [See Article I of this Code, page 19; Article XLVIII of this Code, beginning at page 363, and the corresponding sections in Irwin's Revised Code.]

Discretion of Police Court in regard to portion of fines.

6. Nothing contained in any ordinance of the city, whether published in the printed City Code, or not, shall be construed to interfere with the right of the Mayor, or other officer presiding in the Police Court, to award to an informer, (whether policeman or otherwise,) the half or other portion of a half of any fine; but the whole matter is hereby left to the sole discretion of the Mayor or acting Mayor to give or withhold such half, or other portion of such half, in his discretion.

## POLICE.

Ordinance 5th January, 1860, as already and now amended.

Police force—100 privates.

7. That the second section of said ordinance [page 369 of this Code] be so amended, as that, instead the word "fifty-six," there be inserted *not more than one hundred;* and that immediately after the words "whose pay shall be," there be added the words *at the rate of.*

Pay.

Election of officers of Police.

8. That section 9 of said ordinance [see section 9, page 371 of this Code] is superseded by the ordinance of 27th December, 1865, in regard to the election of city officers [see section 9, page 127, of this volume.]

Fire Alarm—duty of police.

9. That section 3, the third paragraph of section 14, and the whole of sections 17 and 18, of said ordinance of 5th January, 1860, [see section 3, page 369 of this Code; section 15, page 372, of same; and sections 20 and 21, page 373 of the same,] are and shall remain superseded by the ordinance establishing the Fire Alarm Telegraph, [see pages 273 and 274 of this printed Code,] and shall so remain superseded until Council shall otherwise determine.

Sergeants of Police to be six

10. That, in place of the word *four* before "sergeants," in section 4 of said Police ordinance, [see section 4, page 369, of this volume,] there be inserted the word *six;* and that, instead of four horses for the sergeants, there shall be six. [See section 6, page 370, of this printed volume.]

Detective Force.

11. That the second section of the ordinance of 27th December, 1865, in relation to the Detective Force, [see section 34, page 377 of this printed volume,] be so amended, as that immediately after the words "Mayor of Savannah," the words "and Chief of Police," be inserted.

## DRY CULTURE INSPECTOR.

Appointment of Dry Culture Inspector.

12. Hereafter the Dry Culture Inspector shall be annually appointed by the Mayor, with the concurrence of the Dry Culture Committee; and such Inspector must be a person well qualified for the duty.



## PRIVIES OR SINKS.

Ordinance 2d August, 1839, as amended by Ordinance of 25th August, 1853. (See page 43 of this Code.)

Privy, how built.

13. No privy shall be hereafter erected within the limits of the city, unless the same shall be built or sunk, with brick or stone, at least six feet below the surface of the lot upon which it is sunk, and be built at least one foot above the surface. And if any person shall violate this section, he, she, or the owner or lessee of the premises shall forfeit and pay a sum not exceeding fifty dollars for each and every offence; and the said privy shall be rebuilt in the manner prescribed by this ordinance, or be filled up.

Privy vault to have flue.

14. When any privy [is] built within the corporate limits of this city, with a vault under it, [it] shall have a flue connecting with said vault and extending one foot or more above the roof of said privy; and the floor of the privy shall be one foot above the surface of the earth; and if any person shall violate this section, he or she, or the owner or lessee of the premises, shall, on conviction before the Mayor, forfeit and pay a sum not exceeding fifty dollars for each and every offense, and for each and every day that the privy remains without the aforesaid flue.

Penalty.

## SAND—DIGGING OR REMOVING OF.

Ordinance 19th August, 1839, as amended by Ordinance 2d May, 1844.

Digging or removing sand from streets, etc.

15. It shall not be lawful for any person to remove any sand from the bank or bluff of this city. That any person who shall dig or remove sand or earth, or deposit sand, earth or other material, at any point hereafter under the bluff, or any where else upon the public domain, or in the streets or lanes of the city, without authority previously obtained in writing from the Chairman of the Committee of Streets and Lanes, shall be fined five dollars for the first, ten dollars for the second, fifteen dollars for the third, twenty dollars for the fourth offense, and so on in the discretion of the Mayor; the half of which fines shall go to such Marshal, Constable, or other public officer as may report the offender for breach of this ordinance.

Penalty.

## WASHING OR DRYING CLOTHES IN STREETS, ETC.

Ordinance 2d August, 1839. (See pages 410, 411 of this Code.)

No clothes to be washed or dried in streets, etc.

16. That if any person shall wash or dry any articles of clothing, or expose the same for the purpose of drying, in the streets, lanes or squares of the city, he or she shall be fined in

Penalty

a sum not exceeding thirty dollars.

# INDEX.

# INDEX.


PAGE.

ALARM OF FIRE—
See Fire Alarm Telegraph.. ..... 273, 274
ANIMALS—
Cruelty to, etc. ..... 211
Impounding ..... 59, 60, 61, 293
APPEALS ..... 10, 19, 421, 485
ASSEMBLIES AND PROCESSIONS IN STREETS, ETC., AT NIGHT ..... 467
ASSESSMENTS—
Real estate ..... 419 to 421, 517
And see Real Estate Taxes ..... 484, 485
AUCTIONEERS AND AUCTIONS ..... 27 to 31, 478, 480
BALLS, SHOUTINGS, ETC ..... 252, 253
BADGES ..... 31 to 37, 481 to 484
BARBERS' SHOPS ..... 434, 479
BAR ROOMS ..... 295 to 303, 430 to 434
BASINS FOR LUMBER ..... 57 to 59
BILLIARD ROOMS, TABLES, ETC. ..... 38 to 39, 478
BOARD OF HEALTH ..... 39 to 44
*BONDS ..... 12, 13, 44 to 48
Of certain officers to be recorded. ..... 139
BOWLING ALLEYS ..... 38 to 39, 478
BREAD ..... 49 to 51
BUILDINGS ..... 51 to 56
BUTCHERS—(See Market.) ..... 308 to 319
CANAL BASINS ..... 57 to 59
CATTLE—
Limits. ..... 59 to 61, 463
Running at large ..... 60 to 61
Fees for impounding ..... 60, 61, 285
CELLARS AND DOORS ..... 61 to 63
CEMETERIES AND KEEPERS ..... 26, 27, 64 to 76, 517, 518
CHIMNEY CONTRACTORS ..... 76 to 79
CHIMNEYS ..... 76 to 79
CHURCHES—
Disturbing worship at (see Sabbath) ..... 430


*See Constitution of Georgia, of 1868, Art. III, Sec. VI, Clause IV.

CITY CHARTER, ETC.....1 to 25
" Clerk of Council.....138 to 142
" " of Market.....142 to 146
" Court of Savannah.....80 to 84
" Deposites.....200
" Domain.....86 to 122
(And see Streets and Lanes.)
" Limits.....7, 8
" Marshal.....180 to 192
(And see Police Court and other titles)
" Officers.....123 to 204
" " hindering, etc.....128
" " not to be taken as sureties or concerned in contracts.....124, 124, 125, 127, 133
" " Leave of absence.....125
" " Neglect of duty by.....125
" Ordinances.....128, 129, 131, 173
" Printer.....193
" Property, book of.....407, 408
" Surveyor and Deputy.....194 to 197
" Treasurer and Assistant.....198 to 204
COAL AND WOOD.....204 to 206
(And see Measurers and Inspectors, etc.)
COMMISSIONERS OF PILOTAGE.....343 to 362, 507 to 512
COMMITTEES OF COUNCIL.....129
CONSTABLES, CITY.....19, 82, 83
(And see other titles.)
CORPORATE AND JURISDICTIONAL LIMITS.....7, 8
CORPORATION ATTORNEY.....147, 148
COTTON, RICE, etc.....207 to 211
" Etc., not to be thrown out of windows.....53
" Pickeries.....294, 295, 478, 479, 480
COUNCIL—
Rules and order of business.....130 to 137
CRUELTY TO ANIMALS.....211, 212
DEDICATIONS.....13, 467, 468, 515, 516
DISORDERLY CONDUCT, AND AT FIRES.....116, 212, 213
" Driving and riding.....214
" Houses.....212, 213
DISPENSARY.....149 to 152
DISTURBING PUBLIC PEACE, ETC.....212, 213
DIVISION OF LOTS.....118
DOCKAGE—
Rates of.....220 to 225
DOCKS AND WHARVES—
Fastening vessels.....227



DOCKS AND WHARVES—*Continued.*
Fires on.....225, 259
How built.....226
Landing and shipping from.....226, 227
DOGS.....230 to 232
DRAINAGE—
Of city.....12, 233 to 236
Of Springfield Plantation.....113
DRAINS—
How and on what terms constructed.....233 to 236, 461
Keeper of.....234
DRAYS, ETC.....31 to 37
(And see taxes, vehicles.)
DRY CULTURE—
Contracts, inspection, etc.....8, 237 to 245, 520
DRY WELLS.....461
EDUCATION.....245 to 249
ELECTIONS—
Mayor and Aldermen.....1 to 6
City Officers.....124 to 127
(And see titles of various officers.)
ENCROACHMENTS—(see Streets and Lanes).....10, 453 to 474
ENGINES, FIRE, STEAM—(see Fire Department).....262 to 278
EXHIBITIONS.....250 to 253
FEES—
Chimney Contractor.....79
City Court, payable to city.....81, 82
City Marshal.....181
City Surveyor.....195
City Treasurer.....199, 202
Clerk of Council.....139
Clerk of Market.....144, 146
(And see Market.)
Harbor Master.....155, 156
Health Officer.....162
Inspector of Flour.....280
Inspectors of Liquor.....325
Inspector of Turpentine.....488
Inspector of Weights, etc.....506
Jail.....165
" Prisoners from other counties.....165
Keeper Laurel Grove Cemetery.....70, 75
Keeper Powder Magazine (see Gunpowder).....291
Measurers and Inspectors.....323, 325, 328, 329, 330, 331, 332
Payable into Treasury.....128
Pilots.....361

FEES—*Continued.*
Port Wardens....179
Pound....60, 61
Scavenger, for cattle, etc....61, 440, 441
Sink Contractor....442
Weigher of Coal....205
Weighers of Cotton, Rice, etc....210
" " Hay....332
FIG ISLAND....118
FINES—
Policemen and informers....519
Not to exceed $100....14
And penalties....14, 15, 519
FIRE—
Alarms of....273, 274, 275
Apparatus....265, 269, 274, 275
Alarm Telegraph....273, 274
Boiling Pitch, etc....225, 254
Buildings, how constructed, (and see Buildings)....253 to 260
" how removed....257, 258, 259
Department....262 to 278
Founderies....260
Limits....259, 260
Proof Buildings....254, etc.
Wood....205, 206, 257
Works, etc....117, 289, 473
FIREMEN—
Examination of Apparatus....271
Hall of....273
Interfering with....212, 213
FIRING GUNS, ETC....117, 289, 473
FLOUR INSPECTION AND INSPECTORS....278 to 283
FORSYTH PLACE....113, 116, 117
FOUNDERIES....260
FREE OR PUBLIC SCHOOLS (see Education)....245 to 249
GAS BILLS....286
GIFT ENTERPRISES....307
GOATS—
Running at large....293
GREEN GROCERIES....287, 288
GROUND RENTS....86 to 119
GUNPOWDER—
Laws and Ordinances....122, 157, 288 to 292
GUTTERS AND DRAINS....461
(And see Drains.)
HARBOR FEES....155, 156



HARBOR INSPECTOR....152, 158
HARBOR MASTER....13, 153, 154
" " Rules of....156 to 160
HAY....332
HEALTH—
Board of....39 to 44
Officer....161 to 163
Quarantine....161, 162, 411 to 416
HEARTHS....79
HIDES—
Curing of....334, 335
HITCHING ANIMALS TO TREES, ETC....406, 407, 461, 463
HOGS—
Limits, etc....293, 294
HORSES, ETC.—
Running at large....60, 61, 284, 285
Cruelty to....211, 212
Diseased, etc....284, 285
Taxes on....477
HOUSES NUMBERED....53, 54, 55
IMPRISONMENT NOT TO EXCEED THIRTY DAYS....14
IMPROPER AND DISORDERLY CONDUCT....212, 213, 214
INDIGENT SICK—
Dispensary....149 to 152
INFORMATIONS AND INFORMERS....367, 368, 519
INSPECTION....278 to 283, 320 to 332, 486 to 488
INSPECTORS—
(See Measurers and Inspectors)....278 to 283, 320 to 332, 486, etc.
INSPECTOR OF DRY CULTURE....240, 241, etc., 520
INTERNAL IMPROVEMENT—
Subscriptions for....12, 13
(And see Bonds.)
JAIL....15, 16, 163 to 169
" Fees....165
" Guard....376
" Rules....167 to 169
JAILER AND DEPUTY....163 to 167
JUNK SHOPS....294, 295, 478, 479, 480
JURISDICTIONAL LIMITS—(see Corporate Limits.)....7, 8
KEEPER CITY CLOCK (by contract.)
" LAUREL GROVE CEMETERY....69, 70
" OLD BRICK CEMETERY....71
" OTHER CEMETERIES....71
" PEST HOUSE....485
" POUND....440, 441
" POWDER MAGAZINE....288 to 291

LAMPS AND LAMP POSTS.....85, 406, 407
LANES—
Driving through.....33
LICENSES—
Exhibitions.....250 to 253
Market.....312
Peddlers, etc.....342
Retailers, etc.....298 to 303, 482
Sales from vessels, etc.....481, 491, 492
Vehicles, and taxes on.....482, 483
LIGHT HOUSE—
On Bay.....304 to 306
LIQUOR INSPECTION.....324 to 326
LOANS FOR INTERNAL IMPROVEMENT.....12, 13
LOCOMOTIVES GOING OVER PAVED ROADS.....428, 429
LOTS—
Division of.....118
LOTTERIES AND RAFFLES.....307
LUMBER—
Basins.....57 to 59
Inspection.....321, 322, 323, 324
Yards.....257
*MARKET.....12, 308 to 319
Bringing offal to.....311
Buying to sell again.....318
Butchers.....310, 311, 317
(And see Butchers.)
Clerk of.....142 to 146, 308 to 319, 506
Committee.....312, 313, 315, 316, etc.
Dogs not allowed in.....315
Fees.....144, 317, 318, 319
Injuring Stalls.....315
Poultry, dead, sold by weight.....317
Regulations.....308 to 319
Scales and Weights in.....313, 314, 319, 506
Sleeping on stalls, in.....314
Smoking in.....315
Stalls, assessment of.....316
Vehicles about.....312
MAYOR—
General duties of.....170 to 173
Justice of Peace, *ex officio*.....17, 170
Power to borrow money.....171
Power to suspend officers.....171, 172

*See 12 Ga. Rep., 404.



MAYOR AND ALDERMEN—
Powers of.....9 to 18
MEASURERS, INSPECTORS AND WEIGHERS.....320 to 332
Of lumber.....321 to 323
Of salt, corn, etc.....331
Of wood.....323
(And see flour, liquor, turpentine, etc.)
MESSENGER OF COUNCIL.....174
NAKEDNESS IN STREETS, ETC.....186, 334
NON-RESIDENT VENDERS, ETC.....13, 14, 341, 480, 481
NUISANCES.....10, 18, 257, 332 to 335
OBSTRUCTING AND HINDERING OFFICERS.....40, 128, 375
" FREE PASSAGE OF CITIZENS
210, 211, 455 to 458
OBSTRUCTIONS—
Railings, steps, etc.....464, etc.
Streets, lanes, etc.....463, 464, 468
OPENING STREETS, ETC.....10
OPPOSING POLICE AND OFFICERS.....128, 375
ORDINANCES.....16, 131, 173
PARAPET WALLS.....227
PARKS AND SQUARES.....116, 129
PARTY WALLS AND FENCES.....24, 25, 336 to 339
PAVED ROADS—(see Roads.).....427 to 429
PAUPERS.....18
PAVEMENTS—(see Streets and Lanes.).....14, 458 to 474
PEDDLERS AND ITINERANT TRADERS.....13, 14, 341, 480, 481
PEST HOUSE.....162, 427
PHYSICIANS—(see City Dispensary.).....149 to 152
PILOTAGE AND PILOTS.....343 to 355
Rates of.....361
Rules of Commissioners of.....355 to 362
PITCH, ETC.—
Boiling, burning, etc., (see Fire).....225, 226, 254
POLICE AND WATCH.....13, 15, 19, 368 to 404, 447, 448, 520
POLICE COURT.....19, 363 to 368, 519
PORTICOS.....464, 472
(And see Streets and Lanes.)
PORT WARDENS.....13, 175 to 179
POUND.....60, 61, 440, 441
POWDER MAGAZINE.....122
PRINTER.....193
PRIVATE AND PUBLIC PROPERTY.....405 to 408
PRIVIES.....43, 441 to 445, 521
PROCESSIONS, ETC.—
At night.....467

340

PUBLIC BUILDINGS AND PROPFRTY.....405 to 408
" EDUCATION.....245 to 249
" MONEYS.....200
" PROPERTY, BOOK OF.....407, 408
" SALES.....189, 408, 409
PUMPS—
Contractor.....410, 411
Washing or watering at.....411
QUARANTINE.....161, 162, 411 to 416
RAFTS.....416 to 419, 508, 510
RAILINGS.....464
(And see Streets and Lanes.)
RAILWAY—
Street.....10 to 12, 423 to 427
REAL ESTATE—(see Assessments.).....419 to 421, 484, 485, 517
RECORDS AND DOCUMENTS OF CITY—
(See City Clerk of Council).....138 to 142
REGISTRY OF INTERMENTS.....26, 72, 73, 140, 141
" OF VOTERS.....3, 4, 5, 421
RELIGIOUS WORSHIP—
Disturbing.....430
REMOVAL OF BUILDINGS.....255, 256, 257, 258
RENTS—(see Ground Rents.).....86 to 119
REPAIRS OF BUILDINGS—(see Fire.).....255 to 260, 456
RESISTING OFFICERS.....40, 128, 375
RETAILERS OF LIQUORS.....295 to 303, 430 to 433
RICE.....207 to 211
Chaff, offenses relating to.....434, 435
Cultivation of.....8, 237 to 245
RIDING AND DRIVING—
Disorderly.....214
RIVER—(see Savannah river.).....225, 434, 435, 507 to 512
ROADS.....422 to 429
RULES—
Of Council.....130 to 137
Of Dispensary.....150 to 152
Of Harbor Master.....156 to 160
Of Fire Department.....267 to 272
Jail.....167 to 169
SABBATH, OR LORD'S DAY.....303, 430 to 434
SALARIES—
Payable monthly.....127
Of officers, etc.—(see designation of various officers, etc.)..485, 486
SALES—
Public.....189, 408, 409
SAND—
Removal of.....191, 456, 472, 521



SAVANNAH RIVER.....434, 435 507 to 512
SAVANNAH WATER WORKS.....493 to 502
SCAVENGER.....277, 436 to 441
(And see Cattle Limits.)
SEAMEN.....446 to 448
SEWERS AND SEWER CONNECTIONS—(see Drains).....235, 236
SHEDS—(see Fire.).....255
SHIPPING—(and see Vessels).....8, 489 to 493, 507 to 512
SHOPS, STORES AND BAR ROOMS.....295 to 303
(And see Sabbath.)
SHOWS.....250 to 253
SIDEWALKS—
Obstructing, etc.....210, 211, 455, 458, 466
(And see Streets and Lanes.)
SINK CONTRACTOR.....441 to 445
SMOKING IN MARKET.....315
SPRINGFIELD PLANTATION.....111 to 113
SQUARES AND PARKS.....86 to 118, 455 to 474
Washing or Drying Clothes in.....410, 411, 522
STEAMERS—
Rate of speed of.....228, 449
STEAM ENGINES.....448, 449
STEPS.....464
(And see Streets and Lanes.)
STEVEDORES.....450 to 452
(And see Taxes.)
STORAGE ON WHARF PROPERTY—
Rates of.....220, etc.
STOVES.....261
STREETS AND LANES.....453 to 474, 518, 519
Digging holes in.....456, 472
Dirt thrown into.....457
Encroachments on.....10, 455, etc.
Lights to be put in, when.....472
Obstructing.....10, 463, 464, 468
SURVEYOR—(see City Surveyor.).....194 to 197
SWIMMING IN CANAL AND RIVER.....334, 335
TAVERNS.....13, 478
TAXABLE LIMITS.....7, 117
TAXES.....9, 10, 475 to 485
TENEMENT BUILDINGS—
Preservation from fire.....52, 53
TRANSIENT DEALERS, ETC.....13, 14, 341, 480, 481
TREES.....405, 406, 407, 455, 461, 471
TURPENTINE.....324, 487, etc.
UNDERTAKERS—(see Cemeteries.).....72, 73, etc.

UNOCCUPIED BUILDINGS—
Ventilation of.....40, 41
UPPER STORIES—
Throwing from.....53
VEHICLES.....31 to 37
(See Taxes, vehicles.)
VELOCIPEDES.....466
VENDUE MASTERS.....27 to 31, 478
VESSELS—
Having improper fires.....489, etc.
In the stream, light on board.....492
Landing ballast, etc.....158, 491
Not removing gunpowder.....290, 291
Obstructing wharves.....491
Selling from, without license.....481, 491
Under weigh, without lights.....492
VOTERS—
Registry of.....3, 4, 5, 421
WARDS—
Names of, etc.....119, etc.
WASHING, ETC.—
In squares, etc.....410, 411, 522
WATER LINE OF HARBOR.....215, etc.
WATER WORKS.....493, 502
WEIGHERS OF COTTON, ETC.....207 to 211, 320 to 332
WEIGHTS AND MEASURES.....503 to 506
" SALES BY.....503 to 506
WHARF HEADS.....215, etc.
" LINE.....215, etc., 512
WHARFAGE—
Rates of, etc.....220, etc.
WHARVES—
Building, examination, etc.....507, etc.
Encroachment by.....10, 215, etc., 507, etc.
Water line.....215, etc., 507, etc.
WOOD AND COAL.....204
WOODEN BUILDINGS.....253, etc.
(See Fire.)
WORK SHOPS AND FOUNDERIES.....254, 260
(See Fire.)