

THE CODE
OF THE
CITY OF SAVANNAH,
CONTAINING
The Charters of the City of Savannah
AND THE
Ordinances Adopted by the Mayor and Aldermen
of the City of Savannah.

(Georgia Laws down to and including Acts of 1887.)
(Ordinances down to and including July 11th, 1888.)



PREPARED BY
A. H. MACDONELL, of the Savannah Bar.

COMPILED AND PUBLISHED BY AUTHORITY.

SAVANNAH TIMES PUBLISHING CO.
1888.

MAYOR AND ALDERMEN
OF THE
CITY OF SAVANNAH,
1887-88.

HON. RUFUS E. LESTER, MAYOR.
ALDERMAN JOHN SCHWARZ, CHAIRMAN.
ALDERMAN JOHN J. McDONOUGH, CHAIRMAN PRO TEM.

ALDERMEN.

- | | |
|---------------------------|-----------------------|
| 1. WILLIAM DUNCAN, M. D., | 7. JOHN J. McDONOUGH, |
| 2. CHARLES S. ELLIS, | 8. GEORGE N. NICHOLS, |
| 3. GEORGE S. HAINES, | 9. WILLIAM F. REID, |
| 4. WILLIAM B. MELL, | 10. JOHN SCHWARZ, |
| 5. GEORGE J. MILLS, | 11. DANIEL R. THOMAS, |
| 6. HERMAN MYERS, | 12. DAVID WELLS. |

RESOLUTIONS OF COUNCIL.

[EXTRACT FROM MINUTES OF COUNCIL OF MARCH 21, 1888.]

"WHEREAS, By direction of His Honor the Mayor, under authority of the Resolution of Council of Jan. 28, 1885, the work of codifying the ordinances of the city of Savannah has been completed by the codifier, A. H. MacDonell, Esq.

Resolved, That the said work be referred to a committee of five, of whom His Honor the Mayor shall be Chairman, and the Corporation Attorney shall be a member, with power to examine and report upon the same with their recommendation as to adoption, publication, compensation etc.

Adopted."

REPORT OF COMMITTEE.

[EXTRACT FROM MINUTES OF COUNCIL OF MAY 2, 1888.]

"The Special Committee to whom was referred the matter of examining the Code of the laws and ordinances of the city prepared by Alex. H. MacDonell, have examined the work and recommend that it be accepted by the city and that it be published. They also recommend that bids for publication be advertised for 500, 750 and 1,000 copies, with the privilege of rejecting any and all bids.

RUFUS E. LESTER, Mayor.

GEO. J. MILLS,

D. R. THOMAS,

S. B. ADAMS, City Attorney.

Committee.

Report adopted."

ORDINANCE ADOPTING THE CODE.

An ordinance to adopt and make of force a Code of the City of Savannah prepared under the direction and by authority of the Mayor and Aldermen of the city of Savannah, and for other purposes therewith connected:

SECTION 1. Be it ordained by the Mayor and Aldermen of the city of Savannah in Council assembled, that the Code of the Laws and Ordinances of the city of Savannah, prepared by Alex. H. MacDonell, and examined and recommended by its Committee, and accepted by Council (the manuscript whereof now being on file in the office of the Clerk of Council) be adopted as the Code of the city of Savannah.

SEC. 2. Be it further ordained by the authority aforesaid, that this ordinance shall not have the effect of repealing any ordinance, resolution, rule or regulation of the Mayor and Aldermen of the city of Savannah consistent with the Code hereby adopted, and which was of force at the passing of this ordinance, although such ordinance, resolution, rule or regulation may not be found in the Code hereby adopted.

Ordinance passed in Council Dec. 29, 1888.

PREFACE.

Sixteen years having elapsed since the publication of the Savannah City Code of 1871, during which time numerous ordinances have been passed, the greater number of which are not in print, and can be found only by reference to the records of Council, the publication of a new edition of the city laws is a matter of public necessity.

The Code of 1871, in its order and arrangement, in its indexing, and, indeed, in all that goes to make up a convenient book of reference, was never, even in its own day, entirely satisfactory. Rebarer's Digest, published in 1879, though nominally a supplement to the Code of 1871, was really without reference to the Code, and stood upon its own merit as a publication of ordinances adopted since 1871. Of the ordinances which it contains, more than two-thirds have been amended, superseded or repealed, while the current rate of municipal legislation since its publication has increased over forty per cent.

The present edition of the Code of the City of Savannah was prepared in pursuance of a resolution of Council adopted Oct. 5th, 1885, under which a Committee was appointed to consider the matter of codifying the ordinances then of force. The work was not undertaken by the compiler until March, 1887, when the Mayor, Hon. Rufus E. Lester, who had been Chairman of the original Committee, directed it to be commenced.

That part of the work comprised under the title of "Charters of the City of Savannah," was originally codified by the then City Attorney, Judge E. J. Harden, and made a part of the Code of Georgia by the Act of Dec. 19, 1860. In the present work it has been brought down to date, and contains all the recent Acts of the General Assembly on the subject. In this connection, also, it may be stated that the corporate powers of the city will be found for the first time to be fully and specifically indexed.

In regard to the ordinances, the compiler has changed the entire order of arrangement from that observed in the Code of 1871. This change has been made with a view to secure as far as possible a more logical sequence, and, at the same time, to group cognate subjects according to the practical distribution which has grown up in the administration of the various municipal departments.

Much of the old law the city has outgrown, and though fallen into disuse it still remains on the statute books; much, again, has been repealed. The compiler has been careful not to usurp the prerogative of Council. Generally only such ordinances as have been expressly re-

pealed or clearly superseded, have been omitted. All doubtful questions have been saved by retaining the ordinances in question.

Along with certain ordinances and to be construed with them, have been placed such acts of the Legislature or sections of the Code of Georgia as contain the general State law applicable to all municipal corporations. In some instances sections from the charters have been, for convenience, repeated with the ordinances.

The tax ordinance is also inserted in this work. The rates and special subjects of taxation will, of course, vary from year to year with the necessities of the city. Such parts of this ordinance, however, as relate to returns of property for taxation, and the various duties of the Treasurer and Marshal in receiving, collecting and enforcing payment of taxes, should be made permanent. There is no necessity for their re-enactment every year.

With the exception of grants of privileges to railways, (since Rebarer's Digest) which in their exercise affect the public, all private ordinances have been omitted.

The decisions of the Supreme Court of Georgia construing or bearing upon the laws and ordinances have been put in notes to the sections to which they relate.

It has been sought to make the Index full, and it is believed that it will bring to light many ordinances which of late years have escaped attention. Should this result in their enforcement, amendment or repeal, it will not furnish regret either to the city officials or the public. The compiler cannot expect that in its new shape the Code will prove free from imperfections; not the least hope is that it may make patent whatever of imperfection or confusion there yet remains in the laws themselves,

Savannah, Ga., July 11, 1888.

A. H. MacDONELL.

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MARGINAL REFERENCES EXPLAINED.

In Part First, the marginal notes refer to Acts of the Legislature.
In the rest of the book, except where otherwise stated, the marginal notes refer to Ordinances.

"R." refers to Rebarer's Digest.

"c." refers to the Savannah City Code of 1871.

CODE OF THE
City of Savannah.

PART FIRST.

CHARTERS OF THE CITY OF SAVANNAH.

CHAPTER 1.

THE CITY OF SAVANNAH.

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|---------------------------------------|--|
| SECTION 1. The city as a corporation. | SEC. 11. Elections and hours of voting. |
| 2. Mayor and Aldermen. | 12. Registration of voters. |
| 3. Election of Mayor and Aldermen. | 13. Tax list, registration, books, etc., |
| 4. In case of a tie. | 14. Publication of list of voters. |
| 5. Organization after election. | 15. Management of election. |
| 6. Chairman shall be elected, | 16. Penalty for illegal registration, etc. |
| 7. Rules and regulations. | 17. Who to manage elections. |
| 8. Compensation of Mayor. | 18. Vacancies, pay, etc. |
| 9. Mayor and Aldermen, eligibility. | 19. Oath of voters. |
| 10. Qualifications of voters, | 20. Voting illegally. |
| | 21. Creating riot, etc. |
| | 22. Posse may be called out. |

1 (4822). Style of the city as a corporation. The city of Savannah, as a corporation, shall continue to exist under the name and style of the Mayor and Aldermen of the city of Savannah, and by its corporate name may sue and defend in any case where a natural person might.¹

2 (4823). Mayor and Aldermen, election and term of office. The board of Mayor and Aldermen of said city shall consist of a Mayor and twelve Aldermen, to be chosen by ballot, on the third Tuesday of January, biennially, or once in every two years, by votes of those entitled to vote at such elections; and the board of Mayor and Aldermen shall hold their offices until their successors are duly elected and qualified; a quorum for business shall consist of seven Aldermen, and the Mayor or presiding Chairman, except in the months of August, September and October, when a majority of the Aldermen in the city shall suffice.

Acts of 1872
p. 254.

(1). May appear in *forma pauperis* through chief executive officer, 64 Ga. 229. Liable for neglect to perform ministerial duties: *aliter* as to judicial or legislative duties, 69 Ga. 542, 65 Ga. 376. Not liable for failure to perform discretionary acts, e. g. to light streets where no statutory obligation, 73 Ga. 746. Cannot be garnished for salary of officer, 54 Ga. 399. Not liable for tort by one convict on another, 72 Ga. 233.

3 (4824). Mayor and Aldermen, how elected. 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 the first meeting, and after their qualification, to elect the number necessary to constitute twelve out of such number as shall have received the equal number of votes as aforesaid.

4 (4825). In case of a tie in election for Mayor. 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.

5 (4826). Newly elected Mayor and Aldermen, organization and oath. 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 "Aldermen."

6 (4827). A Chairman shall be elected. When organized according to law, the Board shall elect a Chairman, who shall, in the case of the absence, death, or resignation of the Mayor, be vested with all his power and authority, and execute all the duties pertaining to the office, and in the absence of both, a Chairman pro tempore, chosen by the Board, shall have the like power and authority.

7 (4828). Rules and regulations. The Mayor and Aldermen shall have power, from time to time, to adopt all rules and regulations for their own government and the orderly dispatch of business.

8 (4829). Compensation of Mayor. The Mayor shall receive such salary or compensation for his services, payable out of the city treasury, as the City Council may determine.

9 (4830). Eligibility of Mayor and Aldermen. No person shall be eligible to the office of Mayor or Aldermen of Savannah who is not, at the time of election, a citizen of the United States, and shall not have resided in the State of Georgia for one year immediately preceding the election, and continued to do so up to the time of election, and within the corporate limits of Savannah at least six months immediately preceding the election; and who shall not have paid all city taxes, or have, in his own right, sufficient real estate to satisfy all such taxes.

10 (4831). Qualification of voters. [The qualification of voters at elections for Mayor and Aldermen of the city of Savannah

shall be those required by this Act and the constitution of Georgia for electors in elections by the people in this State, in addition to those hereinafter prescribed, to wit:] 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 six months immediately preceding 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.

11 (4832). Elections, when held. 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 Ordinary 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.

12 (4833). Board of registration, appointment and duty. The following named five citizens and their successors in office are hereby declared to be and are constituted registration and election commissioners for the said city of Savannah, to wit: one of said citizens to be elected by the grand jurors of the city court of Savannah, at the February term of said court, in the year 1886, and at the same term of said court in every second year thereafter; one of said citizens to be elected by the grand jurors of the Superior Court of Chatham county at the March term of said court in the year 1886, and at the same term of said court in every second year thereafter; one of said citizens to be elected by the board of county commissioners of Chatham county; one by the board of education of Chatham county, and one by the sinking fund commissioners of the city of Savannah, on or before the first day of April in the year 1886, and on or before the same date in every second year thereafter. They shall continue in office until their successors are elected, and should any vacancy occur from the death or resignation of either of said citizens, or from any other cause, then said vacancy or vacancies shall be filled by the same authority, as is hereinbefore provided. The said commissioners, or a majority of them, when duly qualified by taking the same oath of office as is hereinafter provided in section 17, for the registration and election managers, shall appoint three (3) freeholders for, and residing in, each militia district in said city, who shall constitute a board of registration and election managers, in said city; such appointments shall be made not less than one month before each election for Mayor and Aldermen of said city; and no person shall be appointed to serve twice consecutively. Immediately upon their appointment the members of said board from each district shall prepare a suitable book alphabetically arranged, in which to

register the names of voters to vote at the impending election, such books shall contain spaces in which to inscribe the name, age, place of nativity and location of residence, describing the latter definitely by ward, street, number of house, if any, and cross street. The said managers from each district, or a majority of them, shall attend from 9 o'clock a. m., to 2 o'clock p. m., during every day (except Sundays) for two weeks immediately preceding the day before the election, and they shall also attend from 6 o'clock p. m., to 8 o'clock p. m. on each Saturday of said two weeks, and on the last day of registration, at some convenient point in their district (of which notice for three days prior to the opening of the books hereinbefore named, and during the time said books are kept open, shall be given in the official gazette of said city), with the books prepared for that district, so that all persons otherwise qualified may register in the district in which they reside, in order to vote at said election; and the cost of the publication of the notice hereinbefore provided shall be paid out of the city treasury. All applications to register must be made in person, and no person shall be registered until he has first personally answered all questions necessary to the proper filling up of the blanks in said books. Any member of said board may swear any applicant for registration touching his right to do so.

Acts of 1884-5
p. 612.

13. Tax lists, registration books, etc., custody of. It shall also be the duty of said commissioners to cause proper books to be made out from the Tax Collector's books of Chatham county, and the books of the clerk of council of the city of Savannah, of all persons in said city who have paid their poll tax to the county and city authorities since the adoption of the present constitution, and one of the books so prepared shall be given by said commissioners to the three freeholders appointed to preside in each district, the actual cost of preparing said books shall be paid out of the city treasury, and when the name of any applicant for registration does not appear on said books he shall not be allowed to register until he shall have first satisfied said freeholders of the fact that all taxes chargeable against him by law and which he has had an opportunity to pay, have been in fact duly paid, and all books used in or about said election shall be turned over after the holding of the same to said registration and election commissioners. No person whatever, save those appointed by law, shall have access to such books, or any of the information contained therein, prior to the holding of the election at which the same are to be used.

Acts of 1884-85,
p. 612.

14. Publication of list of voters. Said managers shall on the day before and the day succeeding the close of said registration publish in the official gazette of said city a list certified to by them, or a majority of them, of the names only of the voters who have registered in their respective districts up to the dates of publication, and the cost of said publications shall be paid out of the city treasury.

Acts of 1884-85,
p. 612.

15 (4834). Election, how and by whom managed. The said elections for Mayor and Aldermen of said city of Savannah, shall be held as heretofore at the court house in said city at the time prescribed by law for the same, and that it shall be the duty of the said district managers or a majority of them to attend at said court house at the time appointed for the election with the books aforesaid; and there shall be four ballot boxes, one for each of the said districts, so arranged as to be of easy access to

the voters, and each voter shall vote in the box assigned to the district in which he resides, and not elsewhere; and whenever the right of any to vote is challenged, one of said board shall swear him touching his right to vote and propound to him the questions answered by him at his registration, and if his answers do not correspond with those previously given as they appear in the aforesaid book of registration, he shall not be allowed to vote, and upon receiving any vote the name of the voter shall be immediately checked off in said book.

16 (4835). Penalty for illegal registration or voting. Any person fraudulently registering or attempting to register fraudulently, and any person voting or offering to vote at any election for mayor and aldermen of said city who has no right to vote at such election, or counseling, advising, or encouraging any other person so to do, and any member of said board who shall violate the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as prescribed in section 4310 of the Code of Georgia of 1882.

Acts of 1884-85,
p. 612.

17 (4835, a). Who shall manage elections. The said board of registration and election managers, and they alone, shall be the managers of election for Mayor and Aldermen of said city, shall have exclusive charge of all details and arrangements connected with the same, shall alone count the ballots and certify the result of the election, and each member of said board shall, before entering upon the performance of his duties under this Act, take and subscribe an oath before the Clerk of the Superior Court of the County of Chatham, to be filed in that office, that he will well and truly perform said duties.

Acts of 1884-85,
p. 612.

18 (4836). Vacancies filled; compensation. If any member of said board shall become disqualified or unable to perform said duties, his place may be immediately filled by another, appointed as prescribed in section 12 of this Code, and each of said members shall be entitled to receive for services, while actually engaged in the performance of his said duties, the sum of three dollars per day, and each district board shall be allowed the sum of forty dollars to meet all clerical and other expenses, and the actual cost of the books of registration, which moneys shall be paid out of the treasury of the city of Savannah.

Acts of 1884-85,
p. 612.

19 (4837). Oath of voters. The election managers 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 six 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 same tenor.

20 (4838). Illegal voting. 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.

Acts of 1872,
p. 255.

21 (4839). May be committed to jail. 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 10 o'clock on Wednesday, after the third Tuesday in January; 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.

22 (4840). Arrest, by whom made. 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.

CHAPTER 2.

CORPORATE AND JURISDICTIONAL LIMITS.

SEC. 23. Corporate limits of Savannah.	SEC. 27. Exempt from taxes ten years.
24. Limits extended, Oct. 18, 1879.	28. Building across projected street.
25. Citizenship.	29. Jurisdiction, vessels, rafts, etc.
26. Limits extended, Sept. 21, 1883.	30. Jurisdiction, rice culture.
SEC. 31. Jurisdiction, beyond corporate limits.	

23 (4841). Corporate limits of Savannah. 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.

Acts of 1878-79,
p. 276.

24 (4841). (a). Limits extended. The corporate limits of the city of Savannah shall be extended as follows: The present

western limits of the city shall be extended west along the river bank twenty-five hundred feet; thence south from the river bank three hundred feet; thence east to intercept the line of the present western corporate limits of the city; and that the present eastern limits of the city of Savannah shall be extended east along the river bank nine hundred and fifty-eight feet, and thence south from the river bank three hundred feet, and thence west to intercept the line of the present eastern corporate limits of said city.

25 (4842). Citizenship. 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.

26. Limits extended. The corporate limits of the city of Savannah shall be extended as follows: The present eastern limit of said city shall be extended east along the river bank fifteen hundred and forty-two feet (1,542), thence south from the river bank three hundred feet (300 feet), thence west to intercept the line of the present eastern corporate limits of said city, thence over the present corporate limits of said city to the point where the eastern side of East Broad street in said city intercepts the said limits of said city on the north side of Lover's lane, and from said point the eastern limits of said city shall be extended in a southerly direction along the eastern side of said East Broad street extended to the southern line of farm lots in Jekyl Tything, Derby ward, thence in a westerly direction along the southern line of said farm lots in said ward and of the farm lots in Tyrconnel Tything, Derby Ward, and of farm lots in Holland Tything and Slaper Tything, Percival Ward, to the Ogeechee road, thence along the west side of said road to the southern line of the Springfield plantation, and thence to and along the western line of said plantation extended to the Savannah river.

27. Exempt from taxes for ten years. None of the real estate brought into the limits of the city of Savannah, or the improvements thereof, by this Act, lying west of East Broad street extended, shall be taxed by the mayor and aldermen of the city of Savannah for a period of ten (10) years from the first day of January, 1884; but from and after the termination of said period the real estate and improvements thereon, brought into the limits of said city by this Act, shall be taxed as other real estate now in said city is taxed; provided, however, that none of the residents within said extended limits west of East Broad street extended, shall have the right to vote in any municipal election until the right of taxation shall have accrued to said city.

28. Building across projected street, how valued. Any one who shall build across any projected street or lane, after the same shall have been surveyed and laid out by the city surveyor, and shall be designated by sufficient marks and bounds, shall, when the city council proceed to condemn the same, be entitled to compensation only according to the value of the property at the

Acts of 1882-83,
p. 410

Acts of 1882-83,
p. 410.

Acts of 1882-83,
p. 410.

time such survey shall be made.

29 (4843). Jurisdiction, Savannah river, etc. The said Mayor and Aldermen shall have jurisdiction over vessels and rafts lying in the river Savannah, between said city and Tybee, and their respective crews; and all porters working on board such vessels shall be subject to the ordinances of said city in regard to badges, and to porters and laborers.

30 (4844). Jurisdiction, rice culture. The jurisdictional limits of Savannah shall extend one mile beyond the above defined corporate limits, so as to enable the mayor and aldermen, by ordinance, to prohibit the cultivation of rice within said extended limits; and any person aggrieved by the action of council in this respect may appeal from any such proceeding to the Superior Court of Chatham County—the appeal to be tried by a special jury; and the only point in issue on such trial shall be: Is the cultivation of rice in the place prohibited injurious to the health of any portion of the citizens or inhabitants of Savannah? And if such issue shall be determined in the negative, then the prohibition shall be null and void, and not otherwise.

31 (4845). Jurisdiction, stores, shons and bar rooms. 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.

CHAPTER 3.

POWERS AND RIGHTS OF THE CORPORATION.

<p>SEC. 32. May establish by-laws.</p> <p>33. Taxation.</p> <p>34. Debts due city, dignity of.</p> <p>35. Streets, lanes, wharves, etc.</p> <p>36. Paving streets.</p> <p>37. Assessment cost of paving.</p> <p>38. Frontage of intersecting streets, how assessed.</p> <p>39. Renewals or repairs.</p> <p>40. Powers conferred by Act of Sept. 5, 1885, confirmed.</p> <p>41. Lien of assessments.</p> <p>42. Collection of assessments.</p> <p>43. Street railways.</p> <p>44. Privilege may be farmed.</p> <p>45. Transportation of freight.</p> <p>46. Rates of fare and freight.</p> <p>47. System of drainage.</p> <p>48. Construction of sewers and drains.</p> <p>49. Use of existing sewers.</p> <p>50. Apportionment of cost.</p> <p>51. Flushing of drains.</p> <p>52. Drains previously constructed.</p> <p>53. Notice of intended work and appeals.</p> <p>54. "Ts." to be supplied.</p> <p>55. Repairs.</p>	<p>SEC. 56. Right of way beyond corporate limits.</p> <p>57. Penalties.</p> <p>58. Collection of assessments.</p> <p>59. Lazzaretto; jurisdiction over.</p> <p>60. Another Lazzaretto to be purchased.</p> <p>61. Removal of small-pox patients.</p> <p>62. Vaccination compulsory.</p> <p>63. Physicians to report unvaccinated persons.</p> <p>64. Vaccination of paupers free.</p> <p>65. Public market.</p> <p>66. May borrow money.</p> <p>67. May hold real and personal estate.</p> <p>68. Police force.</p> <p>69. Shops, taverns, bar rooms, etc.</p> <p>70. Pains and penalties.</p> <p>71. Fines how collected.</p> <p>72. Mayor and aldermen, powers.</p> <p>73. Pavements and sidewalks.</p> <p>74. Exemptions of persons and property.</p> <p>75. Convicts, how punished.</p> <p>76. Police, exempt from militia duty.</p> <p>77. Erection of jail.</p> <p>78. Aqueduct.</p> <p>79. Ordinances continued.</p>
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80. Ordinances, how evidenced.

32 (4846). May establish by-laws. 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.¹

33 (4847). Taxation. They are also hereby vested with full power and authority to make such assessments and lay such taxes on the inhabitants of said city, and those who hold taxable property within the same, and those who transact or offer to transact business therein, as said corporate authorities may deem expedient for the safety, benefit, convenience, and advantage of said city, and may enforce the payment of such assessments and taxes in such manner as said Mayor and Aldermen may prescribe. Besides real and personal property, the said Mayor and Aldermen may tax capital invested in said city, stocks in money corporations, choses in action, income and commissions derived from the pursuit of any profession, faculty, trade, or calling, dividends, bank, insurance, express and other agencies, and all other property or sources of profit not expressly prohibited or exempt by State law or competent authority of the United States.²

34. (4848). Rank of tax and debts due the city. Taxes and assessments due to said city shall rank as debts due to the public, whether in the administration of the assets of a decedent, or otherwise; and tax executions in favor of the city shall have the same lien on property throughout the state, as judgments have by law.

35 (4849). Power over streets, lanes, wharves, etc. They shall also have power and authority to widen, extend or straighten any street, lane, way or square in said city, and to open, lay out, and establish any new street, lane, way or square, within the limits of said city; to remove all nuisances, and all encroachments by wharves, erections, or obstructions of any kind along the line of the river, or along or upon any street, lane, way, or place; 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

(1). Cannot bind itself and successors to a given line of policy, or prevent free legislation by them in matters of municipal government, 68 Ga. 816. Section construed, 21 Ga. 80. Ordinances have force of laws, 73 Ga. 184.

(2). Statutes levying taxes to be construed most strongly against the government and in favor of the citizen. If there be a real doubt whether the intention of the act was to levy the taxes, that doubt should absolve the tax payer. Hartridge's case, 8 Ga. 23.—Powers of the city of Savannah construed, 53 Ga. 93, 410, 55—33, 309, 56—448, 60—93.—Power of city to classify business tax. Wilder's case, 70 Ga. 760, 69—583. Tax on common carrier not illegal because graduated according to number of vehicles used in the business. Goodwin's case, 53 Ga. 410. Tax on every person or firm transacting the business of the law, sustained. Hine's case, 53 Ga. 616.—Under general authority no power to tax its own city bonds, 67 Ga. 489. City cannot impose tax on railroads, 71 Ga. 158, 74 Ga. 16. Masonic lodge, being a charitable institution, is exempt—Case of Solomon's Lodge, 53 Ga. 94. To recover unauthorized tax paid to the city, it must have been paid under compulsion, to prevent seizure or arrest. Voluntary payment under protest will not suffice, 61 Ga. 228, 62—538, 66—31, 68—119, 69—581. Illegal taxes, paid in former years, whether voluntarily, or by coercion, cannot be set off against executions issued for taxes of later years. Wayne's case, 56 Ga. 448, 57 Ga. 166.

(3). Streets—liability of city for defects in, 75 Ga. 167—658. Duty of city to keep safe, 58 Ga. 238, 76—585, 68—834. Changing grade of—city not liable for consequential damages prior to constitution of 1877; *aliter*, since, 66 Ga. 80, 67 Ga. 386—Grading not enjoined because adjacent lot damaged, 70 Ga. 611. Liable for injuring property by removing earth in front of, 58 Ga. 595. Embankment in, city liable for injury resulting, 70 Ga. 714. Suits for damages from slight elevations or depressions discouraged, 72 Ga. 420. Permission by city to open ditch across makes it liable for injury. Donnelly's case, 71 Ga. 258. Excavation, one voluntarily leaving safe sidewalk and falling into, cannot recover, 66 Ga. 195. Bridge in, city liable for malfeasance in building or neglect to keep in repair, 70 Ga. 193, 73—99, 76—585, 58—238.

or lots fronting on said street, 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.¹

36. Paving of streets and assessment of cost on property owners.

Oct. 1, 1887,
S. 1.

The Mayor and Aldermen of the city of Savannah shall have full power and authority, by a vote of two-thirds of the said Mayor and Aldermen elected to Council (the Mayor being entitled to vote), to adopt at any time an ordinance requiring for the grading, paving, macadamizing or otherwise improving for travel or drainage, any of the streets or lanes of said city, and to assess two-thirds of the cost of such paving, grading, macadamizing and otherwise improving on the real estate abutting on each side of the street or lane improved—a street railroad company now having or which may hereafter have, tracks running through the streets of said city so improved being required to macadamize or otherwise pave, as the said the Mayor and Aldermen of the city of Savannah may direct, the width of its track, and two feet on each side of every line of track now constructed, or that may hereafter be constructed by such railroad company.²

37. Power to grade, pave, etc., and assess two-thirds of cost, etc.

Ibid, S. 2.

The Mayor and Aldermen of the city of Savannah shall have full power and authority to grade, pave, macadamize or otherwise improve any portion of the width of any street in said city, and to assess two-thirds ($\frac{2}{3}$) of the cost of such paving, grading, macadamizing and otherwise improving on the real estate, abutting on each side of the street or lane improved—a street railroad company now having, or which may hereafter have, tracks running through the streets of said city so improved being required to macadamize or otherwise pave, as the said the Mayor and Aldermen of the city of Savannah may direct, the width of its track and two feet on each side of every line of track.

38. Frontage of intersecting streets, etc., how assessed.

Ibid, S. 3.

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

39. Renewals or repairs of street pavements.

Ibid, S. 4.

The said the Mayor and Aldermen of the city of Savannah shall have full power and authority to renew or repair any pavement now laid or that may hereafter be laid, in the city of Savannah, at the expense of said city and of the owners of real estate abutting on such streets, and of a street railroad now traversing or which may hereafter traverse streets, in which the pavements to be renewed or repaired are laid, one-third the expenses of such renewal or repair to be borne by the city, the other two-thirds

(1) Damages for taking land for street cannot be decreased by set off for corresponding benefits. Hartridge's case, 37 Ga., 113. Liability of city for land taken for street. 30 Ga., 154.
(2) Assessment for improving streets is not a tax. 70 Ga., 817. Compared with taxation; and church property, etc., exempted. 76 Ga., 181.

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

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

Ibid, S. 5.

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

Acts of 1884-85,
p. 362, S. 4.

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

Ibid, S. 5.

See public
sales assess-
ments.

43 (4850). Street Railways how constructed and used. [The said Mayor and Aldermen, in council assembled, and as a corporation, are authorized and empowered to lay down, build, and construct in any of the streets of said city of Savannah, (except as hereafter excepted), and to run, operate and work the same, carriage railways for the convenience of persons traveling in and visiting said city; the cars and carriages on such railways to be moved and propelled by animal power and not by steam, together with the necessary turn-outs and switches; provided always, that in any case where the grading for any such railway shall render a bridge or bridges necessary for the convenience of crossing a street by other vehicles, or by persons on foot or on horseback, such bridges shall be built and kept in proper repair; also, that no such railway shall, when it can possibly be avoided, interfere with the usual or natural grade of any street; and further, that the rate of speed on any such railway shall not be greater than that allowed by present or future ordinances of said city for other vehicles; and provided further, that such railways shall, in all respects, be so constructed, laid, built and used, as that other vehicles, and horsemen and footmen, may pass freely in and across the street or streets used by said railway, except at the instant of the passing of a car, carriage, or train; and further, that no such railway shall ever be built or laid in

Acts of 1866,
pp. 133, 134.

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.]

Acts of 1866,
pp. 133, 134.

44 (4851). City may use or farm railway privileges. The said corporation of Savannah, may either build, construct and use such railways on its own account, or let or farm the privilege to individuals or companies, under the conditions and restrictions herein contained, and at such rates of fare and other charges as the City Council of said city may by ordinance determine; provided, however, that the said corporation, in letting or farming the privileges as aforesaid, shall not sell the privilege for any money consideration other than an agreed proportion of the net annual earnings of such railway or railways; and that the rates of fare and other charges must beforehand be fixed by ordinance and published for general information; and Council may, also, by contract, fix the time at which the city's proportion of earnings shall be made payable, and either by ordinance or contract requiring indemnity for the payment of its said proportion.

45 (4852). Question of carrying freight, how determined. It shall be the right of said City Council to determine what transportation, in addition to passengers and baggage, may be made on such railways; provided, that permission to carry freight on such railways by any company or contracting party, or by the city corporation shall not be granted until the question of carrying freight shall have been submitted to the ballot of the legal voters of said city and the county of Chatham, and by a majority of such voters been approved.

Acts of 1866,
pp. 133, 134.

46 (4853). Rates of fare and freight how fixed. After the rates of fare shall have been fixed by said City Council, for and upon such railway or railways, such rates shall never be increased, except by authority from said City Council; and in case the privilege of carrying freight be allowed by ballot of the people as aforesaid, the City Council shall always have the right to fix, limit and change the rates of such freight; and said City Council shall never depute, delegate, or assign the right to construct, operate and use such railway for a longer period than ten years; after which, the City Council may, from time to time, renew the lease, grant, or permission to the same party or parties, or grant the permission to other and different persons, and the City Council may always in advance, fix the terms (other than those hereinbefore prescribed) on which such railways may be built and used and managed.

Acts of 1877,
p. 180.

47 (4854). System of Drainage. The said Mayor and Aldermen shall also have power to establish a complete system of drainage in and around the 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 shall be had as are pointed out in section 35 (4849). [And the said Mayor and Aldermen shall also have entire and absolute control and jurisdiction of all soil pipes, private drains and sewers, water closets, privy vaults, and dry wells in said city, with full power to prescribe their location, structure, uses, and preservation, and to make such regulations concerning them in all particulars, as may seem best for the preservation of the health of the inhabitants of said city, and with power also to require

(1). City liable for injury resulting from sewer though laid by city over four years previous to suit, 73 Ga. 523. Discharging filth on land, city liable for resulting damages, 75 Ga. 110. Laid through private property and endangering health, enjoined when, 74 Ga. 570.

changes in, or the total discontinuance of, any such contrivances and structures already in existence, or that may hereafter be allowed.]

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

Acts of 1884-85,
p. 294.

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

Acts of 1884-85,
p. 294.

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

Acts of 1884-85,
p. 294.

be distributed between the lot owners and the corporation as provided for in section 2 (sec. 47), of this Act.

Acts of 1884-85,
p. 294.

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

Acts of 1884-85,
p. 294.

52. Drains previously constructed. Wherever the owners of the lots abutting any street or lane, or portion thereof, have previously constructed at their own expenses, primary drains of sufficient capacity for the purpose of house drainage, and desire to have such drains received as a part of the general system where their location, grade, structure and capacity are in harmony therewith, or to have them relaid in a proper location and grade when otherwise suitable, so as to secure the benefits provided for the general system in section 4 (sec. 49), of this Act, it shall be lawful for said Mayor and Aldermen to accept such piping on such terms and conditions as shall be just and reasonable, and when necessary to relay said lines in harmony with the general system.

Acts of 1884-85,
p. 296.

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

Acts of 1884-85,
p. 294.

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

Acts of 1884-85,
p. 294.

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

Acts of 1884-85,
p. 294.

56. Right of way beyond corporate limits. The said Mayor and Aldermen of the city of Savannah are further authorized and empowered to build, lay down or extend any of the sewers

of said city, either those laid down in pursuance of this Act, or any now existing in said city, to such point or points beyond the corporate limits of said city, as they shall deem best, so as to connect with any canal or canals leading thence to tide water, in order to secure a proper outlet for the accumulated outflow from said system of drainage, and for that purpose to take and use as a right of way for said sewer or sewers, any land, not exceeding thirty feet in width, between the limits of said city from which said extension or extensions shall begin, and the point or points where it or they shall enter into said canal or canals; Provided, that before such land shall be so taken and used, the owner or owners thereof shall be notified in writing, of the amount and location of the land which it is desired to use, and if such owner or owners and said Mayor and Aldermen cannot or do not agree at once upon the terms and conditions upon which land shall be taken as a right of way as aforesaid, the Mayor of said city shall appoint an assessor, and the owner or owners of such land shall appoint another, and the two so appointed shall appoint a third, or if they cannot or do not agree upon a third within five days of being notified of their election, then the Ordinary of Chatham county shall appoint such third assessor, and if the owner or owners of such land does or do not appoint an assessor as aforesaid within five days after he or they is or are so notified as aforesaid, the said Ordinary shall appoint two assessors, and the three assessors so appointed by any of the foregoing methods shall determine and assess the amount of money to be paid by said city for such right of way through the tract of land for which they are appointed, and the decision of any two of such assessors shall be final and binding on the parties, except that in all cases there may be an appeal by either party to the Superior Court of Chatham county, under the usual rules governing appeals to that court, and the decision rendered in said court shall describe the land as a right of way, and shall fix the amount of money to be paid for the same, and upon the payment of the sum so awarded by the said Mayor and Aldermen, the said payment shall convey an easement in said land so awarded to the said the Mayor and Aldermen of the city of Savannah, which shall continue so long as said land shall be used by the said city for the purpose of said sewer or sewers and no longer.

57. Penalties. Whenever any such drain or drains shall have been fully completed as provided for in section 4 (sec. 49), of this Act, and the said Mayor and Aldermen shall have given notice to the owner or owners of the lots abutting along its or their line or lines, requiring him or them to abolish the privies and dry wells on or attached to his or their said premises tributary to said so completed drain or drains, a failure or neglect of the said owner or owners to comply with the requirements of said notice within thirty days after the service thereof shall subject such owner or owners to all the penalties prescribed by law for creating or maintaining nuisances; Provided, that such notice or requirement may be served on the agent of such owner or owners as may be non resident or absent.

Acts of 1884-85,
p. 294.

58. Collection of assessments. Upon the completion of any such drain and its acceptance by this city, the pro rata assessments upon the owner or owners of the lots abutting along its line or lines, shall be due and payable to the Treasurer of said city, which fact shall be advertised in the official paper of the

Acts of 1884-85,
p. 294.

city for at least three days, and if any owner or owners of any such abutting and assessed lots shall fail or refuse to pay said assessment for such improvement for thirty days after the publication of such notice that such work has been finished and accepted by the city, the City Treasurer of said city may at once issue an execution against such owner or owners, as for unpaid taxes, and shall give the same to the City Marshal of said city, who shall levy the same upon the abutting lot or lots, including the improvements thereon, of the person or persons against whom such execution may have been issued, and shall advertise and sell such property in the same manner and upon the same terms and conditions as are set forth in an Act of the General Assembly of the State of Georgia, entitled "an Act to provide for the manner of tax sales by municipal corporations in this State, and for other purposes," approved February 27, 1877.

Acts of 1831,
p. 245.

59. Lazaretto; corporate jurisdiction over land purchased for. It shall and may be lawful for the Mayor and Aldermen of the city of Savannah, and the hamlets thereof, to purchase for the use of said city, as much land in the county of Chatham as may be deemed by them necessary for the erection of a Lazaretto, or suitable building, wherein persons infected with, or laboring under small pox, or any contagious disease, shall be detained and kept, in pursuance of the quarantine laws of this State, until relieved or permitted to leave the same by the Mayor and Aldermen aforesaid; and the said Mayor and Aldermen shall have the same powers and like jurisdiction over the land so purchased, as they now have within the jurisdictional limits of the city of Savannah, as at present limited, so long as the same shall be used for the purposes herein contemplated.¹

Acts of 1877,
p. 180.

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

Acts of 1877,
p. 183.

61 (4854, (a). Removal of small pox patients. The Mayor of the city of Savannah shall have the power to compel the removal to the small pox hospital, of any person or persons who have small pox in said city, and who do not provide their premises with sufficient guards to completely quarantine them, and the Board of Commissioners of Chatham county have the same power with reference to persons who are in said county, outside of the corporate limits of said city.

Acts of 1877,
p. 183.

62 (4854, (b). Vaccination compulsory. Vaccination shall be compulsory upon all persons living in Chatham county, and any person or persons, who have not been vaccinated, and who, after the 19th of February, 1877, fail to be vaccinated, shall, upon conviction, for the the first offense be punished by a fine of not more than one hundred dollars, or imprisonment in the county jail for not longer than one month, and for each subsequent offense shall be punished as prescribed in section 4705 of the Code of Georgia of 1882.

(1). The Lazaretto or pest house at Thunderbolt, was required to be discontinued by the Act of February 22, 1877.

63 (4854, (c). Duty of physicians and penalty for failure. It shall be the duty of every physician, or other person who knows, or has reason to believe, that any one has not been vaccinated, to report the fact to the Mayor of Savannah, if said person not vaccinated lives within the city of Savannah, and to the Board of Commissioners of Chatham county if he lives outside of said city limits, and for failing to do this, such physicians or other persons shall, upon conviction, be punished as prescribed in the preceding section.

Acts of 1877,
p. 183.

64 (4854, (d). Vaccination of Paupers Free. It is hereby made the duty of the Health Officers of the city of Savannah to vaccinate, free of charge, any person or persons, who, in the judgment of the Mayor, or Board of County Commissioners, are unable from poverty to pay the expenses of their vaccination.

Acts of 1877,
p. 183.

65 (4855). Public market. They shall also have the complete control and management of the present public market, and any other that may be established in said city, and the regulation of the same, and of sales and purchases therein.

66 (4856). May Borrow Money. 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;¹ [provided, also, that said corporation shall not issue any bond or bonds of said corporation until such Mayor and Aldermen, in council assembled, shall first have determined the amount and the occasion or occasions for which such bonds shall be issued, and until the freeholders of said city shall have had an opportunity, by proclamation of the Mayor of said city, published in one or more of the public gazettes of said city for at least ten days, and giving notice of the time, place and objects of such meeting, to express an opinion, favorable or unfavorable, to such issuing of bond or bonds. If such opinion shall be favorable to such issuing, then the amount, determination and time for the maturing of such bonds shall be expressed in such opinion; but no such bond or bonds shall be issued until or unless such action of freeholders shall have been sanctioned by a ballot of the citizens of Savannah liable to taxation, other than the poll tax, and who have actually paid taxes to the city for and during the year immediately preceding the time of such balloting, such balloting to be had at the court house in Savannah, in not less than thirty, and within sixty days after such favorable opinion of such freeholders shall have been expressed, the result to be determined by a majority of the ballots so cast. Notice of such balloting shall be published in a public gazette of said city for at least ten days before the time fixed by said City Council for such balloting, and such notice shall be signed by the Mayor of said city, and countersigned by the Clerk of Council. Such balloting shall be under the supervision of three Justices of the

Acts of 1873
p. 156.

Acts of 1872,
p. 260.

(1). Constitutional limitation of municipal debt construed, 67 Ga. 292.

Peace, and three freeholders of Chatham county, or a majority of them. The returns of such balloting shall be made to the City Council, and, if favorable, the bond or bonds shall be issued at a period of time not earlier than six weeks nor later than three months after the result shall have been declared by Council. The form of the ballots, affirmative or negative, shall be prescribed by said City Council, and be incorporated in the notice aforesaid. At such balloting no person shall be allowed to vote, unless he shall, if challenged, take an oath that he is a tax payer under the ordinance or ordinances of said city, and that he has actually paid taxes to the city, other than poll tax, during the year next immediately preceding the time of balloting.]

Acts of 1873,
p. 156.

67 (4857). May hold real and personal property. The said city, in its corporate capacity, may hold real and personal property, and may sell and dispose of all or any part of the domain, property, land, lots, or any personal property to it belonging, from time to time, on such terms as to said corporation shall seem expedient; but no street, lane, or thoroughfare, after having been dedicated to public uses (including all present dedications) shall be 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.¹

68 (4859). Police officers, appointment and pay. 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.

69 (4859). Shops, taverns, stores and bar rooms. 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.

70 (4860). Pains and penalties. They shall have power and authority to impose and inflict such pains, penalties, and forfeitures, for violation of the by-laws or ordinances of the city, as shall, in their judgment, be conducive to the good order and government of said city; provided, that no fine or forfeiture, for one individual offense, shall exceed one hundred dollars, and

Acts of 1878-79
p. 153.

(1). City property in use of city for the public, or held for future use by the public, not liable to levy and sale under execution. Curry's case, 64 Ga. 290.

no imprisonment shall be for more than thirty days; although the said Mayor and Aldermen may impose and inflict several and distinct fines and imprisonments, at the same meeting of Council for several and distinct offenses.

71 (4861). Fines and penalties, how collected. Fines, penalties and forfeitures, shall be levied by warrant or execution of distress, and sale of the offender's goods and chattels, if any to be found; otherwise, of lands and tenements; and in case of no such property, then the defendant may be imprisoned in the common jail, or made to do public work, as hereinafter provided.

72 (4862). Mayor and Aldermen vested with powers of Justices of the Peace. The Mayor, or any one Alderman, shall be vested with the power of a justice of the peace, so as to enable him, within the corporate and jurisdictional limits of the city, to suppress riots or breaches of the peace, arrest, confine, or bind over offenders against the laws of the State, to answer for such offenses before the proper tribunal.

73 (4863). Pavements and sidewalks. Said Mayor and Aldermen shall have power to order such pavements and sidewalks, and repairs of the same, as they may deem proper; and upon the failure of any person to comply with such order within the time prescribed, the said Mayor and Aldermen may have the same done, and levy and collect the expenses thereof by execution against the lands and goods and chattels of the owner of the lot, whether holding the same under lease-hold title from the city, or by title otherwise derived.¹

74 (4864). Mayor, etc., exempt from jury duty. 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.

75 (4865). Persons convicted of offenses, how punished. They shall have power to establish work-houses and treadmills, and to cause labor and confinement therein, and also on the public streets, squares, or lanes, by persons, whether white or colored, convicted of offenses against the ordinances of the city or laws of the State in relation to said city.

76 (4866). Police, etc., exempt from militia duty. The officers and privates of the police or city watch of Savannah, shall be exempt from the performance of militia duty under the peace establishment of this State; and they and the engineer and assistant engineer of the Savannah water-works, shall be exempt from jury duty.

77 (4869). Laws for the erection of a new jail. All laws of force, for the erection of any new jail by the Ordinary of Chatham county, are hereby continued in force.

78. Empowered to build an aqueduct. The Mayor and Aldermen of the city of Savannah are hereby authorized and empowered to build, or construct an aqueduct, or conduit, for the purpose of conveying water from any point of the Savannah river, which they may select, beyond the limits of said city, to such point in said city, as they may think proper, and for that purpose to take and use, as a right of way for such aqueduct, or

Acts of 1878-79,
p. 306.

(1). Notice of defects in, presumed when, 53 Ga. 607. Liability of city for allowing cellars on sidewalks, 55 Ga. 366, 59-151. Bridge over drain used as foot crossing, city liable for defects in same as for sidewalks, 66 Ga. 659. Material left on without proper lights, owner liable for injury, 71 Ga. 484. Warehouseman unnecessarily obstructing, or negligently placing cotton on sidewalk, liable for injury, 68 Ga. 431.

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

79 (4871). Ordinances continued in force. 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.

80 (4872). Ordinances of the city, how evidenced. All ordinances, by-laws; rules and regulations of said city, published by authority of said Mayor and Aldermen, and promulgated as such by said authority, shall be evidence in all the courts 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.

CHAPTER 4.

SPECIAL POWERS OF THE MAYOR AND CITY COUNCIL.

SECTION 81. Special powers of mayor,	SEC. 85. Wharves, control of.
82. Ordinances and police regulations.	86. Wharves, how repaired.
83. Nuisances, quarantine, sanitary regulations, etc.	87. Excepted matters.
84. Paupers.	88. Building certain wharves legalized.
	89. May close up or lease other docks

81 (4873). Special powers of Mayor. The Mayor of the city of Savannah for the time being and during his absence or inability to discharge his official duties, the Chairman of Council or such other officer as may by law, or ordinance, or vote, or rule of Council, of the said city, be at such times his substitute, shall have full power and authority to issue warrants for the arrest of all persons charged, upon affidavit before such officer or other lawful magistrate, with having committed, within the limits of the city of Savannah, offenses against any penal law of this State, and to take the examination of such persons, and the same to discharge or commit to prison, or let to bail, according to law, to answer such charge before the proper court having jurisdiction of the same, in the same manner as Justices of the Peace of the several counties of the State now or hereafter may have by law, and to issue such warrant according to law, to be executed within the jurisdictional limits of Savannah—all which warrants may be executed by the Marshal or Deputy Marshal, or any constable of said city, and be returned before said Mayor or his temporary official substitute, as aforesaid. And the said Mayor or substitute as aforesaid, may by warrant issued as aforesaid, cause suspected places to be entered, in as full and ample a manner as any other magistrate of this State may, with a view to the detection and prevention, or punishment of offenses, within said jurisdictional limits, against the laws of this State, or the ordinances of said city.

82 (4874). Ordinances and police regulations. The Mayor and Aldermen of said city shall have full power and authority to pass all such ordinances and establish such police regulations, not repugnant to the constitution and laws of this State, as in their judgment and discretion may be deemed best calculated to suppress, within the jurisdictional limits of said city, the practice of illicit trading and receiving stolen goods, and of affixing and enforcing such penalties for the violation of such ordinances and police regulations as said Mayor and Aldermen shall deem proper, and as shall not be inconsistent with such constitution.

83 (4875). Nuisances, quarantine, sanitary regulations, etc. The said Mayor and Aldermen shall have power, by ordinance, resolution, or order of Council, to cause to be abated within the jurisdictional limits of said city, which jurisdictional limits shall extend one mile beyond the present corporate limits, or any future extension of the same, any nuisance which may tend greatly to corrupt the manners and morals of the people, or any considerable part thereof, whether the nuisance be such at common law or by statute of this State, or by ordinance of said city passed in conformity with law, and to enforce the order for abatement and removal of such nuisance by the Marshal and

other civil force of said city;¹ and to compel payment of the costs and expenses of such abatement, or removal, by the person, or persons, responsible for the existence of the nuisance, or owning or controlling the property adjudged to be a nuisance, by means of execution, for the same or otherwise as the said Mayor and Aldermen shall ordain. 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 diseases in said city.

Acts of 1877,
p. 182.

84 (4876). Paupers. Said Mayor and Aldermen shall have full power and authority to pass all ordinances and make all such rules and regulations as may, in their judgment, be proper to prevent the influx or immigration of paupers into said city; and nothing in the general laws of the State shall ever be considered in derogation of the powers hereby conferred upon said city authorities on said subject; and any and every ordinance of said city now existing in relation to the influx of paupers therein, shall be considered as hereby confirmed.

Acts of 1872,
p. 257.

85 (4877). Wharves, control of. Said Mayor and Aldermen shall have the control and management of the wharves in the city of Savannah, including the power to regulate the rates of wharfage and dockage, and the mode and manner of building and repairing such wharves, and all matters pertaining thereto within the present and future limits of said city, to as full and ample an extent as appertained and belonged to the General Assembly of this State immediately before the 23d of August, 1872.

Acts of 1872,
p. 257.

86 (4878). Wharves, how repaired. Whenever in the judgment of the City Council any wharf, or part of a wharf, in said city shall require rebuilding or repairing, reasonable notice thereof, not less than thirty days, shall be given to the owner of such wharf, or part of a wharf, or his agent or representative; and the service of such notice shall constitute a lien on such wharf or part of a wharf to the extent in value of the repairing or rebuilding the same, which the said City Council may incur or expend in such rebuilding, or repairing, and all reasonable expenses in the enforcement of such lien, all of which value and expenses may be recovered by said City Council in any court having jurisdiction, and the judgment may be enforced against such wharf or part of a wharf by sale thereof, and no lease or alienation of the premises after such notice shall be good or valid to prevent the sale; Provided, always, that in case of a lease good and valid at the time of such notice, and extending beyond the term of such sale, the officer making the sale shall sell only the reversionary right or interest of the owner in the premises: And provided, further, that no proceeding to enforce the lien aforesaid shall be commenced if the owner of such wharf or part of a wharf shall within thirty days after service of said notice begin to rebuild or repair, as the case may be, and continue in good faith and with reasonable diligence, such work of rebuilding or repairing deemed necessary and proper by said City Council.

(1) Nuisance—power and authority of city as to, 6 Ga. 1, 9—281, 39—725. Before declaring, defendant entitled to full notice of time and place of hearing. Building torn down by Council as nuisance without notice or hearing. Council not liable as individuals unless they acted maliciously, oppressively, corruptly or without legal authority. 67 Ga. 190. City not following law in abating remedy is by certiorari and not writ of prohibition, 70 Ga. 191. Standing wall is nuisance and city liable for, when, 39 Ga. 723—9.

87 (4879). Excepted matters. Nothing in the two preceding sections shall be construed to take away from the Commissioners of Pilotage for the bar of Tybee, and river of Savannah, and the several bars and inlets north of Sapelo bar, the right to sue and recover in any case provided for in the first section of an Act entitled, an Act to amend the laws of the State regulating pilotage, and defining the powers of the Commissioners of Pilotage, and further to protect the navigation of Savannah river, so far as the bar of Tybee and port of Savannah are concerned; to authorize the Judge of the Superior Court of Chatham county to hold special courts in certain cases, and for other purposes, approved December 30th, 1847; Provided, that such Commissioners of Pilotage have already caused to be done, or begun, any work or building of repair in such case as provided in said section of said recited Act.

Acts of 1872,
p. 238.

88. Building certain wharves legalized. The action of the Mayor and Aldermen of the city of Savannah, in building wharves on the water lots at the foot of Abercorn, Drayton, and Whitaker streets, and leasing the same, is hereby declared to be legalized, confirmed and made valid, to all intents and purposes, and the absolute property and control in said wharves is hereby vested in said Mayor and Aldermen, and their successors in office, with power to lease or otherwise dispose of the same, to the commercial necessities of the port of Savannah, as in their judgment the public interest may require.

Acts of 1874,
p. 219.

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

CHAPTER 5.

POLICE COURT OF SAVANNAH.

SECTION 90. Police court a court of record. | SEC. 91. Officers may collect costs.
SEC. 92. Recorder.

90 (4880). Police court a court of record. 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,

Acts of 1871-72,
p. 22.

and to hold sessions thereof as often as to him may appear 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,¹ 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 sitting, or who in any manner may 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 the writ of *certiorari* may issue to the Mayor of said city, or to the person presiding in said court upon the same terms, and under the same rules, as regulate the issuing of said writ in other cases, except that in the case of the imposition of a fine, no *certiorari* shall be allowed until the fine imposed by the Mayor or other person presiding in said court, and all costs shall be deposited in the treasury of the city, to abide the final decision of the case]; 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; [Provided, that nothing in this section shall be construed to deprive any person of the right to appeal to the said City Council under the terms of said section, nor to deprive him of the right to a *certiorari*, after the said City Council has acted upon the appeal, but that the remedies shall be concurrent].

Ibid.

91 (4881). Officers of police court may collect costs. The Clerk of the 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 defendants, as may be established by ordinance of said city.

Acts of 1871-72,
p. 67.

92 (4882). Recorder may be elected; his powers. The Mayor and Aldermen of the city of Savannah, in council assembled, may elect an officer to be called "Recorder," for such time, and for such compensation as they may ordain, who shall, either alone, or with the Mayor of said city, be authorized to preside in, and hold the sessions of, said court provided for by law; Provided, that when the said Mayor and Recorder shall preside together, and differ in opinion, the said Mayor shall pronounce the judgment of the court.

(1). By the Acts of 1878-79, p. 153 it is provided that, "All the police courts of this State, having authority to try offenses against the laws of the cities, towns and villages, in which such courts are located, shall have power and authority to impose fines upon persons convicted of said offenses, with the alternative of other punishment allowed by law, in case said fines are not paid."

CHAPTER 6.

ORGANIZATION OF CITY GOVERNMENT.

SECTION. 93. Organization of city government.

93 (4883). Organization of the city government. The organization of the city government of Savannah, as existing at the time of the adoption of this Code, shall continue until superseded or modified in conformity with the provisions of said code.

CHAPTER 7.

FIRE DEPARTMENT OF SAVANNAH.

SECTION 94. Fire department.

- 95. Officers and regulations.
- 96. Fire marshal.
- 97. Duties of.

SEC. 98. Officers of his court.

- 99. Rules for his government.
- 100. May be joined with another office.
- 101. Fires within Chatham county.

94 (4886). Fire department. The Mayor and Aldermen of the city of Savannah shall have exclusive powers to control, manage and establish the fire department of said city, and to provide for extinguishment of fire within the corporate limits of said city.

Acts of 1877,
p. 183.

95 (4887). Power to appoint officers and make regulations. The Mayor and Aldermen shall have the power to appoint such officers and agents, and make such rules and regulations for such appointments, and for the keeping up of an efficient force for the 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.

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

Acts of 1882-83,
p. 488.

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

Acts of 1882-83
p. 488.

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

Acts of 1882-83,
p. 488.

Acts of 1882-83, p. 488.

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

Acts of 1882-83, p. 488.

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

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

CHAPTER 8.

COLLECTION OF RENTS, RECOVERY OF POSSESSION, ETC.

SECTION 102. Distress for rent,
103. Claim to property distrained.
104. Lien of distress warrants.

SEC. 105. Docket of warrants.
106. Warrant, how obtained, defenses
107. Contracts for rent bear interest.

Acts of 1872, p. 259.

102 (4888). Rent, distress for. Rent due by any person or persons, for lands or tenements lying within the city of Savannah, or the precincts thereof, may be recovered by distress warrant, issuing on the affidavit of the person claiming the same, his agent or attorney at law, or in fact, for the sum claimed to be due. If such sum, exclusive of interest, do not exceed one hundred dollars, such affidavit must be made before a justice of the peace, and the warrant be issued by such justice, and be directed to and executed by any lawful constable of the county and levied on any property of the defendant; and the advertisement and sale shall be as in other cases of sale under execution. If the rent shall exceed one hundred dollars, besides interest, the affidavit must be made before the Judge of the Superior Court or Judge of the City Court of Savannah, or Ordinary of Chatham county, who shall issue a warrant which shall be attested by the clerk or his lawful deputy of the court from which the same shall be issued, and have affixed thereto the seal of said Court authorizing the Sheriff of the City Court of Savannah, or any lawful constable of said city, to distrain on any property belonging to the defendant, and to advertise and sell the same as in the cases of execution or judgment; but in every case of levy under this section a replevy shall be allowed, when the defendant or his agent shall make oath that the rent claimed, or some part thereof, is not due, and shall give security for the eventual condemnation money; and in that case, the levying officer shall return the papers to the court having jurisdiction, and the issue thus tendered shall be there tried and determined by a jury, as in case of claim; and in case of verdict for the plaintiff, judgment shall be entered up and execution against principal and security, as in cases of appeal.

103 (4889). Claim to distrained property. When property distrained shall be claimed by a third person, the claim shall be on oath of such person or his agent, and shall be put in, returned and determined, as in other cases of claim.

104 (4890). Lien of distress warrant. No preference shall be given to persons distressing for rent, where there is a judgment against the person or property so distrained; but the lien of such distress warrant shall be the same as the lien of a judgment on the property of the defendant. And where any person leasing or renting any lot or lots, tenement or tenements, within the city of Savannah, shall fail to pay the rent when the same shall become due, or shall refuse to deliver possession to the lessor at the expiration of his lease or contract for rent, the Judge of the Superior Court, or Ordinary of Chatham county, or the Judge of the City Court of Savannah, or any justice of the peace or notary public, who is ex-officio a justice of the peace, may issue a writ of possession, attested as prescribed in case of distrain warrants, directed to the Sheriff of the City Court of Savannah, or any lawful constable of said city, commanding said sheriff or constable to deliver possession of the premises to the lessor; which writ shall be by such officer immediately executed and returned.¹

Acts of 1865-66 p. 35.

Acts of 1874, p. 24.

Acts of 1872, p. 259.

105 (4891). Dockets of writs and warrants; costs. The clerk of said court shall keep a book, to be called a distrain docket, which shall be kept as an execution docket, in which shall be entered all distrain warrants issued as aforesaid, as now required by law for executions, and also the time of filing the defendant's affidavit and bond, if any, and the term of the court to which the issue shall be returnable, and the same costs shall be chargeable upon said distrain warrants and writs of possession as now provided by law for other cases in said court; Provided, that no cost for city tax and attorney's fees shall attach unless an issue shall be formed.

Acts of 1872, p. 260.

106 (4892). Applicant must make oath. The application to a judge or the Ordinary, under the preceding section, must be on the affidavit of the party applying, or his attorney or agent; but when the tenant shall declare, on oath, in writing, that his lease, whether oral or written, is not expired, or that he does not hold the premises either by lease or rent from such person making such application, or by any one holding under him by rent or otherwise, or where the landlord shall seek to remove the tenant, on the ground that the rent is due and remains unpaid, if the tenant will make affidavit that the rent claimed is not due, he shall not be removed from the possession of said premises, but the sheriff or constable shall return the proceedings to the next City Court of Savannah, unless the same shall be held within ten days; in that case, they shall return the proceedings to the next term thereafter, and the fact shall be there tried; but if determined against the tenant, he shall pay double the rent reserved or to be due, and the party entitled to the possession shall immediately be put in possession by order of said court; but the tenant making oath in order to retain possession shall not be entitled to retain possession, except on giving bond and good security, to be approved by the sheriff or constable, conditioned for paying double the rent reserved, or to

Acts of 1866 p. 57.

(1). See 54 Ga., 128. Defendant entitled to three days in which to prepare and file counter affidavit. Acts 1878-9, p. 145; 67 Ga. 319. Who constables of the city of Savannah, 67 Ga. 319.

Acts of 1865-66, p. 55.

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.

107 (4893). Contracts for rent bear interest. Contracts for rent, whether oral or written, shall bear interest from the time the rent becomes due; and all actions for recovery of rent in arrear, before any court within the city of Savannah, shall be triable at the first term to which the action is returnable.

CHAPTER 9.

PARTY WALLS AND FENCES.

SECTION 108. Agreement to build party walls.

109. Building by one party alone.

SEC. 110. Repairing by one alone

111. City Council may further regulate.

Acts of 1866, p. 194.

108 (4894). Contracts to build and repair party walls and fences.

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

Acts of 1866, p. 194.

109 (4895). One may build alone, on notice to other owner.

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 of any court of competent jurisdiction, and such cause of action shall be a lien on such adjoining lot, or part lot, until payment of said half value: Provided, always, That nothing herein contained shall be so construed as to authorize any person to put up, build, or erect, any wall, fence, or other structure, in said city, contrary to a fire or other lawful ordinance of Savannah,

110 (4896). One party may repair alone and compel other party to pay just proportion. In any case where there shall be a dividing fence between two lots, or part lots, in said city, which may require repair, the party refusing to pay his just proportion of expenditure for any necessary repair made by the other party for the benefit of both, may be compelled to pay such proportion at the suit and on the recovery of such other party before any court of competent jurisdiction. Provided, it be shown on the trial that the said refusing party was duly notified of the necessity of such repair, and by himself, or his agent, declined to pay said proportion.

Acts of 1866, p. 194.

111 (4897). City Council may make further rules as to dividing walls. The City Council of Savannah is authorized to make, by ordinance, such further rules and regulations concerning dividing walls and fences as are not in conflict with this chapter, or with the Constitution and laws of this State.

Acts of 1866, p. 194.

CHAPTER 10.

CEMETERIES IN AND NEAR SAVANNAH.

SECTION. 112. Owners and keepers of cemeteries.
113. Interments to be reported.

SEC. 114. Owners, etc., failing in duty.
115. Exemptions from jury duty.
116. Acts continued in force.

112 (4898). Owners and keepers of cemeteries. It shall be the duty of each and every owner of a cemetery (other than a private cemetery or burial place), within five miles of the extended limits of the city of Savannah, to keep a correct record, or registry, in a well bound book, of all interments made by him, or his assistant or assistants, of the remains of any deceased person, showing his or her name, nativity, age, place of residence and death, day of burial, disease or accident occasioning the death of the deceased, and the name of the attending physician, if any.

113 (4899). Interments to be reported monthly. Each and every such person owning or keeping a cemetery as aforesaid, shall make out and hand to the Clerk of Council of Savannah a regular monthly report of all the interments made by him, or by his assistant or assistants, of all deceased persons dying within the city of Savannah, or elsewhere, and buried as aforesaid, and make out and furnish a weekly report of such interments to the Secretary of the Board of Health of said city, whenever said Board shall meet weekly, and monthly when its meetings shall be monthly.

114 (4900). Penalty for failing to comply. Any person offending against any of the provisions of the two immediately preceding sections shall, on conviction before the Police Court of Savannah (which is hereby invested with jurisdiction in all such cases), be fined in the sum of thirty dollars for each and every offense—

one-half of the fine to the informer, and the other half to the corporation of Savannah; but the defendant may appeal from the decision of said Police Court to the Mayor and Aldermen in Council assembled, under such rules and regulations as are prescribed by law.

115 (4901). Keepers exempt from jury duty. The keepers of public cemeteries in and near Savannah shall be exempt from jury duty in the Superior Court of Chatham county, and the City Court of Savannah.

116 (4902). Acts of 1847 and 1854 continued. The Act of 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 of the deceased members of the Roman Catholic congregation worshipping in the city of Savannah, are continued in full force.

PART SECOND.
ORDINANCES.
DEPARTMENTS AND OFFICERS.

CHAPTER 11.

CITY OFFICERS.

- SECTION 117.** Election of city officers.
118. Terms of office.
119. Oath of office
120. Bonds of city officers.
121. Security to be given by contractors.
122. Alderman or officer not to be surety.
123. Not to be concerned in contracts.
124. Salaries.
125. Applications for office or contracts.
126. Salaries payable monthly.

- SEC. 127.** Fees of office to be paid into treasury.
128. Penalty for failing to pay over.
129. Returns of public money collected.
130. Suspension of fine for flagrant violation of duty.
131. Absent from city without permission of Mayor.
132. Official correspondence to be preserved.
133. Official acts legalized.
134. Obstructing officer; how punished.

117. Election of city officers. The election of all city officers, unless otherwise provided by a law of the State, or an ordinance of Council, shall take place on the first regular meeting in January, biennially; and all officers and officials of this city shall hold their offices, and perform the duties of the same, until their successors are elected and relieve them; 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 section 4. 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.

Aug. 2, 1839.
c. 124.

Dec. 31, 1884.

Feb. 2, 1881.

Dec. 31, 1884. **118. Terms of office.** The terms of office of all city officers to be elected by the board (except when elected to fill an unexpired term), shall be for the term of two years, and until their successors are elected and qualified.

Aug. 2, 1839, c. 124. **119. Oath of city officers.** Unless a different oath has been or shall be prescribed by any ordinance or law, the following shall be the oath to be taken and subscribed before the Mayor or acting Mayor, by the several officers of the city, viz: "I do swear (or affirm, as the case may be), that I will well and truly demean myself in the office to which I have been appointed, and to the best of my skill and judgment, discharge the duties of the same, so help me God."

Aug. 2, 1839, c. 124. **120. Bonds of city officers.** 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 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 bond of the Clerk shall be in the penal sum of ten thousand dollars; of the City Treasurer in the penal sum of fifty thousand dollars; of the Superintendent of the Scavenger Department in the sum of two 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 of 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.

Feb. 24, 1886. **121. Security to be given by contractors.** In every instance hereafter when the Mayor and Aldermen of the city of Savannah, or any authorized officer or agent of the same, shall enter into any contract for said city, the contractor or contractors so contracting with the said the Mayor and Aldermen of the city of Savannah shall give such security for the faithful performance of the contract as may be satisfactory to the Mayor and Finance Committee of Council.

April 1, 1868, c. 127. **122. Aldermen or officer not to be surety.** No Alderman or officer of the city of Savannah shall be taken or received as the surety of any officer or employe of said city, for the discharge by said officer or employe of official or contract duty, or as surety of any person subject or liable to pay money or do other duty to said city.

Aug. 2, 1839, c. 123. **123. City officers not to be concerned in contracts.** 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 offense, and the person so offending may also be dismissed from office by City Council.

Dec. 29, 1886. **124. Salaries.** From and after the next election of each of the city officers hereinafter named, his salary and compensation shall be as hereinafter set forth, viz:

The Mayor per annum.....	\$2,500 00
Clerk of Council per annum.....	1,800 00
City Treasurer per annum.....	2,400 00
City Marshal per annum.....	1,500 00
City Printer (by contract).....	
Clerk of the Market per annum.....	800 00
Assistant Clerk of the Market per annum.....	600 00
City Surveyor per annum, and shall perform the duties of Inspector of Dry Culture.....	2,000 00
Messenger of Council per annum.....	600 00
Keeper Pest House at the rate per month.....	37 50
Keeper Forsyth Place per annum.....	900 00
Corporation Attorney per annum.....	1,500 00
Chief Fireman per annum.....	1,500 00
Assistant Chief Fireman per annum.....	450 00
Engineers Fire Department per annum.....	1,000 00
Drivers Fire Department at the rate per month of \$60 00 and.....	50 00
Tillerman Fire Department at the rate per month.....	60 00
Superintendent Fire Alarm Telegraph per annum.....	900 00
Harbor Master and to furnish his own deputy whenever required, and shall be responsible for said deputy's official acts, per annum.....	1,500 00
Chief of Police per annum.....	2,000 00
Assistant Chief of Police per annum.....	1,500 00
Sergeants of Police, each at the rate per month.....	83 33
Privates of Police, each at the rate per month.....	65 00
Health Officer, fees and per annum.....	1,500 00
Superintendent of Scavenger Department per annum.....	1,200 00
Keeper Laurel Grove Cemetery per annum.....	1,000 00
Keeper City Dispensary per annum.....	1,000 00
Assistant Keeper City Dispensary per annum.....	900 00
Superintendent and Engineer Water Works per annum.....	1,500 00
First Assistant Engineer Water Works per annum.....	1,100 00
Second Assistant Engineer Water Works per annum.....	1,100 00
Turn Cock Water Works at the rate per month.....	75 00
Two City Physicians, each per annum, and to keep a horse and buggy at his own expense.....	1,000 00
City Scavenger per annum.....	1,200 00

Dec. 29, 1886. **125. Applications for office or contracts, how made, etc.** All applicants for city offices must file with the Clerk of Council, at or before 2 o'clock p. m., on the Monday preceding the day of election, their several applications. For those positions requiring bonds the name of the bondsmen (two in all cases) must accompany the application. All bids for contracts must be filed with the Clerk of Council at or before 2 o'clock p. m., on the Monday preceding the day of election, which bids must be accompanied with the names of sureties or bondsmen who will be required to qualify before a notary public or other officer, such qualification to accompany the bid. No application or bid will receive the consideration of Council unless filed in accordance with the provisions of this ordinance.

Dec. 29, 1886.

May 16, 1888

Dec. 28, 1887.

Dec. 29, 1886.

July 27, 1843,
c. 127.

126. Salaries payable monthly. The salaries of city officers shall be paid monthly instead of quarterly as heretofore.

Dec. 22, 1859,
c. 128.

127. Fees to be paid into the treasury. All fees of office, which by existing ordinances are payable to said officers respectively, 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.

Ibid.

128. Penalty for failing to pay over. All or any failure on the part of any of said officers, promptly to collect and pay over to the city any such fees or other dues, and ail 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.

June 25, 1857,
c. 127.

129. Returns every two weeks of public moneys collected. 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.

Aug. 2, 1839,
c. 125.

130. Suspension for flagrant violation of duty. 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 offense may be inquired 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 the respective offices, when convicted of any offense or misconduct, which Council may deem a sufficient cause for such removal.

Ibid.

131. Not to be absent over twenty-four hours without permission of Mayor. 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.

July 9, 1879,

132. Official correspondence to be preserved. All letters and communications received in any of the public city offices, shall be endorsed with the date of writing, date of reception, name of writer, and a summary of contents, and be filed away in the office at which received as a part of the public property of the city; and all letters or communications written by any city official, on official business, shall be copied in letter-press copy books, and such books shall also be preserved and kept in the

office to which they belong as part of the records of the city; and any city official violating this ordinance shall be subject to such fine, not exceeding one hundred dollars, or to dismissal or suspension from office, or both, by the City Council, upon such violation being reported to it by the Mayor.

133. Official acts legalized. Each and every act done by each and every officer or official of the city of Savannah whose term of office may have expired at the first regular meeting in January, 1881, between the time of such regular meeting and the passage of this ordinance (February 2, 1881), is hereby declared to be legal and valid to the same extent and in the same manner as if such official and officials had been re-elected at such meeting.

Feb. 2, 1881.

134. Obstructing officer; punishment. Any person who shall hereafter obstruct, hinder or resist any city officer in the discharge of any duty incumbent on him under any 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.

Aug. 2, 1860,
c. 128.

CHAPTER 12.

MAYOR.

- SEC. 135. General superintending power.
- 136. Head of Police Department.
- 137. Fire Department under direction of.
- 138. May pull down dangerous buildings, etc.
- 139. To close public resorts, when etc.
- 140. Proclamation for killing of dogs.
- 141. Duty as general supervisor.
- 142. To see that public duties are performed.
- 143. To have an office in Exchange.
- 144. To hold Mayor's Court daily.
- 145. To publish annual report.
- 146. To publish pamphlet ordinances annually.
- 147. To appoint standing committees of council.
- 148. Chairman of committee on finance.
- 149. To appoint police sergeants and privates.
- 150. To select police supernumeraries.
- 151. To appoint police detectives.
- 152. To appoint police sanitary inspectors.

- SEC. 153. To appoint police for theatres, balls, etc.
- 154. To appoint board of sanitary commissioners.
- 155. To appoint commissioners of Massie school.
- 156. To appoint superintendent of gunpowder.
- 157. To appoint brander of wood-racks and wagons.
- 158. To appoint inspector of hides and tallow.
- 159. To approve official bonds.
- 160. Permits of Mayor, when necessary, etc.
- 161. To disperse illegal public shows.
- 162. To close places used for secular amusement on Sunday.
- 163. To negotiate for dedication of lands for new streets, etc.
- 164. To notify to desist from rice culture on prohibited land.
- 165. To enforce rigidly dry culture ordinance.
- 166. To summon before council for impediments to drainage.

135. Mayor, general superintending power over city officers. The Mayor shall possess a superintending power over all the salaried officers of the 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 offense may be inquired into.

Aug. 2, 1839,
c. 125.

25th rule of
Council.

Jan. 5, 1860,
c. 374.

136. Head of police department, and general superintendence over.

The Mayor, as the head of the Police Department, shall have and exercise a general superintendence over the members of the Police Force, and may, at any time, appoint the mode and places in which the policemen shall be stationed, by written orders to the officer in command, by whom such orders shall be obeyed and promulgated. The equipment, disposition, control and management of the Police Force shall be entrusted to the Chief of Police, 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. The Mayor shall have power to fine, suspend, or dismiss members of the Police Force, as provided by law, and whenever any officer is thus suspended, or whenever it may seem to him necessary to fill any vacancy temporarily, the Mayor or acting Mayor shall have the power to fill any vacancies in the same manner as the vacancies of other officers of the city are filled.

c. 371.

c. 374.

Jan. 30, 1884.

137. Fire department under direction of. The equipment, disposition, control and management of the Fire Department shall be entrusted to the Chief Fireman, under the direction of the Mayor or acting Mayor, subject to such rules, regulations and ordinances as may from time to time be made by Council. All vacancies that may occur from any cause in the Fire Department shall be filled by appointment by the Mayor, with the approval of Council, on the recommendation of the Chief Fireman, approved by the Committee on Fire.

Oct. 30, 1856,
c. 257.

138. May cause dangerous buildings, or in violation of the fire ordinances to be pulled down. It shall and may be lawful for the Mayor and Chief Fireman 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 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.

Jan. 24, 1866,
c. 252.

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

April 11, 1839
c. 231.

140. May issue order to kill dogs unmuzzled or unaccompanied by owner. 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, which may or shall be discovered or found in any square, street, lane or other open place within the limits of the city,

Dec. 8, 1838,
c. 365.

141. Mayor's duty, as general supervisor. It is the duty of the Mayor, and it is hereby required of him, to superintend the general police of the city, to have an eye on the officers of the city and others in the employment of the city, to see that they perform the duties required of them by the ordinances of the city, and to report to Council all violations or neglect of duty.

Feb. 10, 1853,
c. 172.

142. To see that public duties are performed. 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.

Feb. 10, 1853,
c. 172.

143. To have an office in the Exchange. It shall be the duty of the Mayor to have an office in the Exchange building.

144. To hold a Mayor's court daily. 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.

Ibid.

June 26, 1845,
c. 172.

145. To publish annual report of receipts and expenditures. It shall be the duty of the Mayor to publish or cause to be published an annual account or report, which shall be made up and published on the first Monday in January annually (or as soon thereafter as the Mayor can procure the report of the Finance Committee), and shall contain an account of the receipts and expenditures of the city for the year ending the thirty-first day of December of each year; and that the account shall undergo the inspection of and be certified by the Committee of Finance before the publication of the same.

Aug. 28, 1872,
R. 124.

Aug. 18, 1869,
c. 173.

146. To publish pamphlet ordinances annually. 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 January of each and every year.

Aug. 28, 1872,
R. 124.

147. To appoint standing committees of Council. It shall be his duty to appoint the standing committees of Council as soon after his accession to office as may be convenient.

Dec. 31, 1884.

Feb. 10, 1853,
c. 172.

148. Chairman of Committee on Finance. He shall be Chairman of Committee on Finance.

Feb. 10, 1853,
c. 172.

Nov. 23, 1881.

149. To appoint sergeants and privates of police force. The Sergeants of Police shall be appointed by the Mayor on the recommendation of the Chief of Police, subject to the approval of Council, and they shall hold their offices during good behavior and capacity to discharge the duties of their office. The privates of police shall be appointed by the Mayor, subject to the approval of Council, for the term of three years from the date of their appointment unless sooner removed for inefficiency or improper conduct.

Jan. 5, 1860,
c. 369.

150. To select Police Supernumeraries; fill vacancies, etc. The Mayor shall select ten suitable persons, whose names shall be registered in the office of 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 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 recom-

Jan. 5, 1860,
c. 370.

mended by the Chief of Police as qualified for the place; and he shall appoint other supernumeraries in the stead of those thus transferred.

Dec. 27, 1865,
c. 377.

151. To appoint police detective force. There shall be appointed by the Mayor, 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.

Feb. 21, 1877,
R. 90.

152. To appoint police sanitary inspectors for each ward. The Mayor shall annually, and at the proper time, by the counsel of the Board of Sanitary Commissioners, appoint at least one of the policemen of the city police force for each and every ward of the city, to perform the duties of visiting and inspecting every lot, enclosure and yard, and every street and lane, thoroughfare and wharf in the ward, for which such policeman or policemen shall be regularly designated and appointed, and to make report weekly or oftener, if required by the Mayor, of all filth or unwholesome collection of any kind in such ward, such report to be made to the Mayor through the Chief of Police.

Jan. 24, 1866,
c. 252.

153. To appoint police to maintain order at theatres, balls, etc. 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, balls or shoutings.

Feb. 21, 1877,
R. 90.

154. To appoint a Board of Sanitary Commissioners. Within ten days after he shall have taken the oath of office, the Mayor shall appoint two Aldermen and three citizens, who, with the Chief Magistrate of the city and the Health Officer as ex-officio members, shall constitute a Board of Sanitary Commissioners for the city of Savannah.

May 25, 1881,

155. To appoint Commissioners of Massie School. At the first regular meeting of Council in January of each year, the Mayor shall appoint three Commissioners of the Massie School, one of whom shall be the Mayor, when he is not a regular member of the Board of Public Education for the city of Savannah; another of whom shall be one of the Board of County Commissioners (provided said Commissioners are not represented on said Board of Public Education), to be appointed on the recommendation of the said Board of Public Education, and the third to be selected from the Aldermen or citizens at large on the recommendation of said Board of Public Education.

Aug. 2, 1871,
R. 77.

156. To appoint Superintendent of Gunpowder, or Keeper of Powder Magazine. Hereafter the appointment of the officer known as the Superintendent of Gunpowder, or Keeper of the Powder Magazine, shall be confided to the Mayor of the city of Savannah, and such appointment shall be for the term of three years; such appointment to be subject to the confirmation of Council, and such officer to be removable for misconduct or unfaithfulness, as in the case of other city officers.

Dec. 1, 1875,
R. 192.

157. To appoint a Brander of wood-racks or wagons. It shall be the duty of the Mayor to appoint some person to brand wood-racks or wagons in accordance with the measurements and certificates made and furnished by the City Surveyor.

158. To appoint an Inspector of Hides and Tallow. It shall be the duty of the Mayor, in conjunction with the Market Committee of Council, to appoint on the first day of January in each and every year, a suitable person, whose duty shall be to weigh and inspect the hides of all beef cattle, the meat of which may be exposed for sale in the Public Market and licensed green groceries of the city of Savannah.

Dec. 5, 1872,
R. 120.

159. To approve bonds of city officers and contractors. It shall be the duty of the Mayor or the Council to approve the bonds given by all the officers of the city and all others holding appointments, as provided by law, for the faithful performance of the duties of the office to which such officer may have been elected or appointed; and of the Mayor, and Finance Committee of Council to approve the bonds given by contractors with the city for the faithful performance of such contract.

Aug. 2, 1839,
c. 121.

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

Feb. 24, 1886.

Sept. 15, 1880,

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

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

Jan. 24, 1866,
c. 22.

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

July 10, 1878,
R. 21.

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

Oct. 19, 1867,
c. 467.

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

Sept. 11, 1872,
R. 127.

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

Feb. 6 1867,
c. 433.

7. To remove any house or building through the streets of Savannah.

Oct. 30, 1856,
c. 258.

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

July 1, 1885.

9. The breaking up of rafts of oak or cypress and loading the same on the north side of the Savannah river. The permit to be obtained through the Harbor Master from the Mayor or acting

Mch. 25, 1885.

Mayor of the city of Savannah, who is hereby authorized to give such permits as he may see fit from time to time under such regulations as he may prescribe.

Aug. 19, 1839
c. 458.

10. The Mayor or acting Mayor may give permission (without which it shall be unlawful) to any owner, consignee, or agent of any cotton or other bulky merchandise which may have been endamaged by rain or water in its transportation to Savannah, to expose the same while in its wet condition, not exceeding three days, in any public place contiguous to the store or warehouse in which it is intended to be deposited when dry: Provided, that nothing herein contained shall authorize any such exposure in any of the lanes; nor of any hides or other article of merchandise whatever, which may be injurious to the health or disgusting to the smell of the citizens, nor of any cotton not packed in bags.

Feb. 14, 1799.
c. 251.

161. Duty to disperse illegal public shows, exhibitions, etc. It shall be the duty of the Mayor or acting Mayor upon information given, or having reason to suspect, that any public representation, exhibition or show, for money, gain or reward, is making, or about to be made, in violation of the true intent and meaning of the city ordinances, to issue his warrant, directed to the City 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 law, and, if necessary, may summon the police or citizens to assist him.

July 3, 1872,
R. 173.

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

June 9, 1869,
c. 467.

163. To negotiate for dedication of lands for new streets, etc. 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, it is hereby ordained, 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.

May 29, 1848,
c. 243.

164. To notify persons to desist from rice culture on prohibited land It shall be the duty of the Mayor, whenever he shall receive information that rice is planted or cultivated upon any of the lands around the city (upon which the cultivation of rice is prohibited), to serve a notice upon the owner, tenant, or cultivator of the said

Mch. 6, 1878.
R. 62.

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.

165. To enforce rigidly dry culture ordinance of May 29, 1848.

Sept. 1, 1869.
c. 244.

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, The true intent and meaning of this ordinance being that under the violation of the dry culture ordinance, rice planted in either dry or wet culture shall be immediately cut down by the order of the Mayor, without any resort to Council.

166. To summon before Council for impediments to drainage.

Aug. 29, 1850,
c. 244.

Whenever information shall be given to the Mayor of any impediment to the drainage of the Springfield tract, or any other tract, having been caused by any person or body corporate, it shall be the duty of the said Mayor to summon 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.

CHAPTER 13.

COUNCIL.

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| SECTION 167. Rules of Council. | SEC. 171. Special committee to superintend public sales. |
| 168. Rules of order. | 172. Not to contract debt for city over \$100. |
| 169. Order of business. | 173. Fiscal year, annual budget, taxation, etc. |
| 170. Standing committees of Council. | |

167. Rules of Council.

Adopted
March 11, 1885.

RULE I. STYLE OF CORPORATION.

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

RULE II. CHAIRMAN.

The Council shall, on the day of its organization, elect a Chairman and Chairman pro tem., as prescribed by section 4827 of the Code of the State, 1882.

RULE III. 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 IV. 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 alterations and amendments, as to the substance, shall be made or entered, unless on motion for reconsideration.

RULE V. MOTIONS, BILLS AND ORDINANCES.

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?" And no resolution providing for the expenditure of money shall be passed at the same meeting at which it is offered, without the consent of three-fourths of the members present, except when such resolution is founded on, or forms a part of, a report of a committee upon some matter referred, in which case it may be passed at the same meeting when proposed. 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. And all ordinances after having been read the first time shall, forthwith, be published for information in the official gazette until the next regular meeting of Council.

RULE VI. 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 AND ABSENCE FROM.

The Council shall meet at their Chamber on Wednesday, in every alternate week, at 8 o'clock P. M., and having met, no member shall absent himself without leave from the Chair. If any member shall absent himself from the city without leave for more than three months at one time, or, being in the city,

shall be absent from three consecutive regular meetings without sufficient excuse, his seat shall be declared vacant, and his place supplied by election in the manner prescribed by law.

RULE 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 noon of the day of meeting.

RULE IX. EXTRA MEETINGS.

The Mayor, or in case of his absence or sickness, the Chairman, or Chairman pro tem., or in case of the sickness or absence of said officers, any three Aldermen shall have the power to call extra meetings. And it shall be the duty of the Mayor or Chairman, or Chairman pro tem., as the case may be, to call extra meetings whenever three Aldermen shall require him in writing so to do; but no appropriation of money shall be made except at a regular meeting of the Board, unless by unanimous consent of the members present.

RULE X. 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 XI. CONTRACTS.

In all cases where there may be proposals to contract for public work, notice shall be given in one or more of the public gazettes of the city for a period of not less than six days, within which time and up to the hour at which the meeting is called, bids, sealed and indorsed 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 transmitted to the Mayor, and by him laid before Council for action. Each standing committee may upon occasions of necessity, immediate and pressing, order repairs to public property not exceeding in cost the sum of one hundred dollars.

RULE XII. ACCOUNTS.

All accounts against the corporation shall be left with the Clerk of Council, by or before 12 o'clock on Monday preceding 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; 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 XIII. 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 XIV. MEMBERS NOT TO BE CONCERNED 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 XV. OFFICERS REQUIRED TO ATTEND.

The officers whose regular attendance will be required during the sitting of Council, are the Treasurer, Marshal, Corporation Attorney, Clerk, City Surveyor 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 XVI. SESSIONS 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, or upon the occasion of Council resolving itself into a committee of the whole.

RULE XVII. OFFICES IN EXCHANGE.

The following officers, viz.; Clerk of Council, City Treasurer, City Marshal, City Surveyor and Messenger of Council are required to keep their offices in the Exchange, and the hours of business with said officers shall be from 9 o'clock A. M. to 2 P. M., and from 4 P. M. to 6 P. M. daily, Sundays and holidays excepted.

RULE XVIII. SUBJECT MATTER OF ORDINANCES.

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

RULE XIX. 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, unless a vote of two-thirds of the members present shall determine otherwise.

RULE XX. COPIES OF RESOLUTIONS FURNISHED TO COMMITTEES.

The Clerk of Council shall furnish each committee with copies of all resolutions relating to the concerns of said committees, or

with papers referred to said committees, which shall be served or left at the dwelling of the chairman of such committee within forty-eight hours after the passage of the same, or immediately thereafter in case of emergency.

RULE XXI. MEMBERS NOT TO BE SURETIES ON BONDS.

No member of this Board shall be accepted as security on the bond of an officer appointed by its authority; nor for the fulfilment of any contract made with Council; nor shall any officer of Council be accepted as security on the bond of any officer appointed under it.

RULE XXII. WHAT RULES MAY BE DISPENSED WITH.

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

RULE XXIII. RULES, HOW ALTERED.

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 XXIV. SPECIAL MEETINGS.

It shall be within the discretion of the Board to hold adjourned or special meetings for the trial of appeal cases from the Police Court.

RULE XXV. POWERS OF MAYOR.

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 afterward, by whom the said alleged offence may be inquired into.

168. Rules of Order.

Adopted
March 11, 1885,

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 interest has appeared, his voice has been disallowed, even after a division.

3. No motion shall be debated or put until the same shall be seconded. It is then, and not till then, in possession of the Board, and cannot be withdrawn but by leave of the Board.

4. No motion for adjournment can be made by one member while another is speaking.

5. When a question is under debate no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit, to amend, to postpone indefinitely; which several motions shall have precedence in the order they stand arranged, and the motion for adjournment shall always be in order, and be decided without debate.

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

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

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

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

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

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

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

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

14. When a question has been once made and carried in the affirmative or negative, it shall be in order for any member 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.

15. 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.

16. 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.

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

169. Order of Business.

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

170. Standing Committee of Council.

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

- Committee on Accounts.
- Committee on Assessment.
- Committee on City Lots.
- Committee on Drainage.
- Committee on Finance.
- Committee on Fire.
- Committee on Harbor and Wharves.
- Committee on Health and Cemetery.
- Committee on Market.
- Committee on Police.
- Committee on Streets and Lanes.
- Committee on Water.

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

171. Special Committee to Superintend public sales. All sales of real estate made by the Marshal or sold under any ordinance of the city, shall be superintended by a special committee of Council, whose duty it shall be to attend such sales, and direct the Marshal or officer selling as circumstances may require.

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

173. Fiscal year, annual budget, taxation, etc. The fiscal year of said city shall hereafter end on the thirty-first day of December annually, and hereafter the committee of this Council known as the Committee on Finance shall submit to Council, at the fourth regular meeting preceding the opening of each fiscal year, or at any subsequent meeting of Council prior to the adoption and passage of the tax ordinance for such fiscal year, a budget of the expenditures of that year, and the same shall be approved and adopted by Council and then set forth in a preamble to the tax ordinance of each year as a condition precedent to the enforcement of said ordinance. All taxation of the inhabitants of Savannah, whether specific or ad valorem, shall be accompanied by a statement of the purposes of such taxation and amounts required for such purposes as a condition precedent to the enforcement of any tax.

Dec. 31, 1884.

Dec. 20, 1816.
c. 409.

Feb. 20, 1878.
R. 126.

Aug. 28, 1872.
R. 124.

Dec. 26, 1877.
R. 43.

Nov. 9, 1881.

CHAPTER XIV.

CLERK OF COUNCIL.

SECTION 174. Bond.

- 175. Office hours and duties.
- 176. Proceedings of Council to be furnished to City Printer.
- 177. Fine docket, attendance upon Council, records, etc.
- 178. Records to be kept in safe.
- 179. Removing records from office unlawful.
- 180. Annual report of records and conditions.
- 181. To record bonds of certain officers in Clerk's office of Superior Court.
- 182. Failure to deposit for record penalty.
- 183. To keep a book of city property
- 184. Petitions.
- 185. Officers.
- 186 Licenses.

SEC. 187. To register street hawkers.

- 188. City accounts.
- 189. Titles to city lots.
- 190. Dry culture contracts.
- 191. Cemeteries.
- 192. City bonds.
- 193. Building notices to be filed and recorded.
- 194. Diagrams of sewer connections.
- 195. Informations.
- 196. Police Court.
- 197. Executions against persons mooring rafts.
- 198. To issue scire facias upon appearance bonds.
- 199. To issue executions against principal and sureties.
- 200. Fees of Clerk.
- 201. Fees in Police Court.

Aug. 10, 1864.
c. 140.

174. Bond. 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.

Aug. 2, 1839.
c. 138.

17th Rule of Council.

175. Office hours and duties. The Clerk of Council or City Clerk shall keep an office in the Exchange, which office he shall attend from 9 o'clock A. M. to 2 o'clock P. M., and from 4 P. M. to 6 P. M. daily, Sundays and holidays excepted, and to which all persons having business with him in the line of his duty may repair, and in addition to the duties which are prescribed by the 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.

March 24, 1853.
c. 140.

176. To furnish copy of proceedings to City Printer. It shall be the duty of the Clerk of Council to furnish the City Printer or Printers, a copy of proceedings of Council, within forty-eight hours after the adjournment of the meeting of the City Council.

Aug. 2, 1839.
c. 138.

177. Fine docket, attendance upon Council, records, etc. 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, offenses, 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

(1). In what cases action of Council should appear of record, 58 Ga. 102.

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.

Sept. 3, 1857,
c. 140.

178. Records, etc., to be kept in safe. 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.

Ibid.

179. Removing records from office unlawful. While said books of minutes, records of ordinances, and other valuable documents shall be always free and open to the inspection of each and every citizen, it shall not be lawful for any person, whether an officer of the city or otherwise, to remove from the Clerk of Council's office any of said books of minutes, records of ordinances, or other valuable documents, and every person so offending, by removing any of the same, shall be fined the sum of fifty dollars, and the Clerk of Council shall be liable to the same fine for permitting them so to be removed.

Ibid.

180. Annual report of city records. It shall be the duty of the Clerk of Council to report in writing a list of the book of minutes, records of ordinances, and other valuable documents deposited in said iron safe, and their condition annually hereafter on the first meeting in January, if so required by the Mayor.

Dec. 13, 1830.
c. 140.

181. To record bonds of city officers in Clerk's office of Superior Court. 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.

Ibid.

182. Failure to deposit for record, penalty. 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 bonds 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.

Aug. 16, 1860,
c. 407.

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

Sept. 3, 1857,
c. 142.

184. Petitions. It shall be the duty of the Clerk of Council to receive all communications and petitions, and place the same before Council.

Ibid.

185. Officers. It shall be the duty of the Clerk of Council to receive all applications for office and proposals, and lay the

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

Sept. 3, 1857,
c. 142.

186. Licenses. It shall be the duty of the Clerk of Council to receive all applications for licenses, and place the same before the Mayor, issue licenses for measures 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 indorse on such license the place of removal when they change their place of business. To publish quarterly an alphabetical list of all persons licensed to sell liquors. To issue license certificates for persons selling from vessels or wharves, and for pedlers. To issue licenses of all descriptions as required by ordinance.

Tax ord. 1857,
§ xiv.

March 12, 1884,

187. To register street hawkers, etc. All street hawkers of poultry, game, fish and green garden truck shall first pay to the Clerk of Council the license tax as now required by ordinance for street hawkers, and register with the Clerk their names and places of residence, and obtain from said Clerk a badge to be worn by them while hawking upon the streets, so as plainly to be seen, which said badge shall be made in such shape and dimensions as the Clerk of Council may determine.

Sept. 3, 1857,
c. 141.

188. City accounts, gas bills. It shall be the duty of the Clerk of Council: 1. 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. 2. 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 allowed by the gas company.

Nov. 25, 1858,
c. 286.

Ibid.

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

Ibid.

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

Ibid.

191. Cemeteries. It shall be the duty of the Clerk of Council to make out and record the title 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 neglect 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.

192. City Bonds. It shall be the duty of the Clerk of Council to attest all bonds issued by the city.

Nov. 28, 1858,
c. 286.

193. Building Notices to be filed and recorded. All persons before beginning to build any house or structure in the city of Savannah shall give notice in writing to the Mayor and Aldermen of the city of Savannah of the general character of the work intended to be done, which notice shall be filed with the Clerk of Council before such work is begun; and it is hereby made the duty of the Clerk of Council to keep record of all such notices, but he shall receive no fee for any service under this ordinance.

Jan. 27, 1886.

194. Diagrams of sewer connections. The Clerk of Council shall furnish all persons making applications for sewer permits a printed diagram showing the outline of the adjacent lot and the streets in blank, which shall be filled up by the applicant in conformity with the requirements of the first section of the ordinance of July 14th, 1886; and the same shall be kept by the Clerk of Council in a proper book, which book shall be indexed for ready reference.

July 14, 1886.

195. Informations. It shall be the duty of the Clerk of Council to receive all informations against persons violating the ordinances, and place the same before the Police Court; to issue subpoenas for informers and witnesses to attend Police Court or Council.

Sept. 3, 1857,
c. 141.

196. Police Court. It shall be the duty of the Clerk of Council 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.

Ibid.

197. Executions against persons mooring rafts. It shall be the duty of the Clerk of Council to issue executions against persons mooring rafts contrary to ordinance, when the fines are not paid within twelve hours.

Ibid.

198. To issue scire facias upon appearance bonds. When any bond is given by any person charged with any offense against the ordinances of said city for his or her appearance at any session of the Police Court of Savannah, and such persons so giving a bond as aforesaid shall fail to appear at the time appointed in said bond for his or her appearance, then the Clerk of Council shall issue a scire facias, which shall be served by any policeman of the city of Savannah two days before the return thereof against the principal, and his or her sureties, calling on them to show cause within five (5) days from date of said scire facias in the said Police Court why said bond should not be forfeited, and if at the return time of the said scire facias no sufficient cause be shown to the contrary, judgment shall be entered upon said bond against said principal and his or her sureties or such as have been served with copy of scire facias.

Feb. 13, 1884.

199. To issue executions against principal and sureties. On the entering up of judgment on any such bond the Clerk of Council shall issue executions against the principal on said bond, and his or her sureties, in conformity to said judgment, and the same shall be placed in the hands of the City Marshal, who shall proceed to collect the same as other executions in favor of said city are collected,

Ibid

200. Fees of Clerk. The following fees of office to be paid by the individual requiring the service, or liable for the same, viz: Aug. 2, 1839. 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. Each measurer of wood, each measurer of salt, peas, corn and other grain, each weigher of cotton, rice, tobacco and hay, each inspector and gauger of liquors, and each measurer and inspector of lumber shall pay to the Clerk of Council for his fees the sum of one dollar.

Mch. 15, 1827,
c. 327.
Mch. 23, 1843,
c. 329.

201. Fees in Police Court. The Clerk of Council, or other officers of the Police Court of Savannah, rendering the services or performing the duties hereinafter specified, shall be entitled to the following fees for said services, to be collected of the defendant, or defendants, in the manner now pointed out by law to the use of the officer rendering such services:

Aug. 16, 1882,

For drawing up a bond for appearance of any person committed to jail by the officer presiding in the Police Court, for an offense against the laws of the State, three dollars; qualifying the surety to same, one dollar; for drawing up affidavit and warrant to hold to bail, one dollar and twenty-five cents; for making out commitment, thirty-five cents.

CHAPTER 15.

MESSENGER OF COUNCIL.

SECTION 202. Duties.

SEC. 203. To keep offices clean.

202. Duties. 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 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.

Aug. 2, 1839,
c. 174.

Resolution,
April 21, 1853.

203. To keep clean Mayor's, Clerk's and Treasurer's offices.
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.

CHAPTER 16.

CORPORATION ATTORNEY.

SECTION 204. Corporation Attorney, duties.

205. Attendance upon Council.

SEC. 206. Opinions, how obtained.

207. Reports of matters in hand.

SEC. 208. Vacancy, how filled.

204. Corporation Attorney, Duties. It shall be the duty of the Corporation Attorney to represent the city in all cases brought by or against the city in any of the courts of Law or Equity, to give his legal opinion upon any subject connected with the interests of the city, whenever desired by the Mayor or either of the Aldermen, to revise any ordinance submitted to him, to attend the meetings of Council upon the trial of appeal cases whenever so requested in writing by the Mayor or two Aldermen, and generally to be legal adviser, counsellor and advocate of the corporation of the city of Savannah.

July 24, 1856,
c. 147.

205. Attendance upon Council. 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.

Jan. 23, 1867,
c. 148.
15th Rule of
Council.

206. Opinions, how obtained. 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.

Ibid.

207. Reports of matters in his hands. 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.

Ibid.

208. Vacancy, how filled. 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.

July 24, 1856,

CHAPTER 17.

CITY MARSHAL.

SECTION 209. Bond.

- 210. General duties.
- 211. City purveyor.
- 212. To attend all fires, riots and elections.
- 213. Duties on Lord's day.
- 214. Duties as to fires.
- 215. Duties as to market.
- 216. Duties as to sanitary regulations.
- 217. Duties as to streets and lanes.

SEC. 218. Duties as to encroachments, obstructions, etc.

- 219. Duties as to pavements.
- 220. Duties as to impounding, etc., animals.
- 221. Police Court.
- 222. Collection of taxes.
- 223. Three deputy marshals may be appointed to collect taxes.
- 224. Execution of legal process.
- 225. Fees.

Aug. 2, 1839, c. 184.

209. Bonds. The City Marshal shall give bond in the penal sum of \$5,000 for the faithful performance of the duties of his office.

Ibid. c. 181, 17th Rule of Council.

210. General duties. 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 offenses 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.

July 11, 1855, c. 181.

211. City Purveyor. 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.

Ibid. c. 182.

212. To attend all fires, riots and elections. 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.

April 11, 1839, c. 431.

213. Duties on Lord's day. 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 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.

214. Duties as to fires:

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

c. 184.

2. 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.

c. 184.

3. 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.

Mch. 11, 1825, c. 185-276.

4. To arrest and bring before the Mayor or any of the Aldermen any person or persons, who not being ordered and commanded by the Chief Fireman, 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.

Mch. 11, 1825, c. 277.

5. To inform against all persons discharging or attempting to discharge any guns, pistols or other firearms, crackers, or any other combustible preparation.

c. 184.

6. To compel persons making fires (unless in a covered ca- boose), on board any boat or other small craft, to 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.

c. 184.

215. Duties as to market.

1. The Mayor may, at any time, order the City Marshal, to attend at the Market House to render assistance to the Mayor, or any Alderman, or the Clerk of the Market in the performance and execution of any of the duties devolved on any or either of them under the market ordinances of the city of Savannah.

May 23, 1872, R. 110.

2. It shall be the duty of the City Marshal to enforce and carry into effect any order of the Market Committee respecting the rules and regulations prescribed in the market ordinances; and any person or persons offending against the same shall be fined in a sum not exceeding thirty dollars, and executions 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 not more than 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.

Ibid. R. 108.

3. 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 the City Marshal, on complaint being made

Ibid.

to him, or upon his own view, 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 immediately buried under ground, burnt, or otherwise destroyed.

216. Duties as to sanitary regulations.

June 11, 1885,
c. 181.
1. 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.

c. 191.
2. To see that no damaged cotton or any bulky merchandise, endamaged by rain or water in its transportation to Savannah, is 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.

Aug. 2, 1839,
c. 187.
3. 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.

Ibid.
4. 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.

Aug. 25, 1823,
c. 41.
5. 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.

Mch. 17, 1880.
July 18, 1883.
6. Whenever any lot, tract of land or enclosure of any kind within the corporate or jurisdictional limits of the city of Savannah shall be, or is likely to become injurious to the public health by reason of its undrained or imperfectly drained condition, or by reason of accumulation thereon of animal or vegetable matter in a putrefactive state or likely to become so, it shall be the duty of the City Marshal, when directed by the Mayor and Aldermen, forthwith to abate or remove said nuisance and to collect or enforce the execution to be issued for costs and expenses upon the person responsible for the existence of the nuisance, or owning or controlling the property whereon the same may be, by levy and sale in accordance with the law governing Sheriff's levies and sales in this State

May 29, 1848,
c. 185.
7. To notify the owner or owners of low lands to remedy the evil complained of within fifteen 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, etc.; 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.

Mch. 6, 1878,
R. 62.
To remove the rice and destroy the same effectually, wherever it may be planted or growing on the land whereon its cultivation is prohibited: Provided, he is so ordered by the Mayor and Aldermen.

217. Duties as to streets and lanes, etc.

Aug. 19, 1839,
c. 459.
1. To aid the Committee on Streets and Lanes and the City Surveyor in graduating and leveling the several squares, streets, and lanes within the city, or such parts thereof as to the said committee may seem necessary, and in causing the said squares, streets and lanes to be cut down or raised up, as may be necessary, in order to produce a proper level.

Ibid.
c. 191.
2. 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 anywhere 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.

Ibid.
3. 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.

Feb. 24, 1853,
c. 427.
4. 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.

Aug. 15, 1883.
5. In the event that any carriage railway company or corporation using the streets of said city shall permit its road bed, tracks or rails to become an impediment to the crossing over the same of carriages and other vehicles with ease, facility and comfort, or of the free passage of water at the points designated as aforesaid, then in that event, the said company or corporation shall be notified by the Marshal of said city of the condition of such road bed, tracks or rails so offering an impediment to crossings or passage of water, and the same shall be forthwith repaired by said company or corporation, and if not so repaired within forty-eight hours after service of said notice, said company or corporation shall be put on the information docket of the Police Court.

Oct. 30, 1856,
c. 258.
6. To remove, as a nuisance, any building passing through the streets, whenever he receives the written instructions of the Mayor.

c. 188.
7. 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.

c. 186.
8. 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 material whatsoever, upon any public or private building, or cutting, destroying or injuring in any manner any of the public trees, pailings benches,

boxes, any other city property, or casting, throwing or flinging any stones, brickbats or any other thing in the squares, streets, lanes or alleys, or in any other public place in the city of Savannah, or in or at, or against any of the trees or boxes around the trees in said city.

218. Duties as to encroachments, obstructions, etc.

Aug. 19, 1839,
c. 190.

1. To remove from the squares, streets, lanes and alleys, any timber, brick, stones or other materials for building, or firewood, 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 horseback, 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 shall 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.

Ibid.

2. To employ any number of carts and wagons that may be necessary to remove, at the expense of the person 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.

Ibid.

3. 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.

Ibid.

4. 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.

Aug. 4, 1869,
c. 463.

Aug. 19, 1839,
c. 62.

See R. 172.

Aug. 19, 1839,
c. 456.

5. If any owner or lessee of any lot, or part of a lot in the city of Savannah shall encroach by open garden or fence on any part of a street, lane or other thoroughfare, or if the steps or any vault or cellar shall be built, contrary to the ordinances in such case made and provided, and 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.

6. 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.

7. 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.

Aug. 19, 1839,
c. 188.

8. 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.

Ibid,
c. 191.

219. Duties as to Pavements.

1. Every owner of a lot, piece, or parcel of ground within the corporate limits of the city of Savannah, whether the same be owned in fee simple, or held under the usual title from the city, shall be bound within thirty days 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 or wood 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 Marshal shall, under the order of the Mayor and Aldermen of the city of Savannah, passed at any regular meeting, 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.

Aug. 28, 1851,
c. 459.

July 14, 1875,
R. 163.

April 6, 1887.

June 22, 1881.

2. All persons who have hitherto neglected or refused to have their sidewalks paved in front of their lots, under the present ordinances of the city, shall be forthwith notified by the Marshal to do so, within thirty days of the notice given, and on failing to comply, the Marshal shall proceed, as in case of default, as above provided.

Aug. 28, 1851,
c. 460.

June 22, 1881.

3. 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

Aug. 28, 1851,
c. 460.

July 14, 1875.
R. 163. pavement is in bad order or requiring repairs. And if the same is not attended to within ten days, then the City Marshal shall proceed as is directed in paragraph one of this section in case of default under the same.

June 22, 1881. 4. The notice provided for in the first, second and third paragraphs of this section shall be in writing, signed by the Marshal (who shall retain a second original thereof), and shall be served upon the person or persons to be notified, either personally or by leaving the same at his or their most notorious place of abode, provided said person shall reside within the corporate limits of the city of Savannah, but should said person or persons be non-resident, then the same shall be mailed to his or their post office address, or served upon the agent or agents of such person or persons, in the same manner as is provided for the service upon residents, and said notice so served as aforesaid shall be deemed and held valid and sufficient.

Ibid. 5. The Marshal shall make a return of service upon the first original of said notice, in which he shall specify the date and the mode of service, and shall file the same in his office, and said return when made shall be prima facie evidence of the fact therein contained.

Ibid. 6. It shall be the duty of the Marshal to report in writing at the regular meeting of Council occurring first, after the expiration of the time allowed by the ordinance first aforesaid, or any amendment thereof, for the regulation of the laying down and repairing of the pavements and sidewalks, all cases where notice has been given and the party or parties are in default, and the said the Mayor and Aldermen shall, by resolution to be passed at the meeting when said report is made, order the Marshal to proceed as directed by said ordinance.

Nov. 3. 1886. 7. If the paving or grading of the sidewalks in any of the ten sidewalk divisions of the city of Savannah is not completed by the dates prescribed by law, and said work is done under direction of the Committee on Streets and Lanes, and if the owner or owners of the abutting property fail to pay the cost of the same within thirty days from the date of the completion of the same, then and in that event the Treasurer of said city shall issue execution for the amount of the cost of such work, and place the same in the hands of the City Marshal, by him to be levied on the property of such owner or owners of the abutting property, and satisfied by the sale of such property according to the laws of Georgia governing Marshal's sales.

220. Duties as to impounding, removing and destroying animals.

Mch. 10, 1843,
c. 60. 1. 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 until 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.

Aug. 2. 1839,
c. 186, 284. 2. 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.

3. 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.

4. To sell at the pound all goats impounded by the city police, if not claimed by the owners within three days, after giving three days notice in one of the public gazettes of the city of the time of such sale, and to pay the net proceeds of sale, deducting costs, into the city treasury.

5. 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.

6. To collect from the Superintendent of Streets and Lanes the fees or moneys collected for delivering up impounded cattle or other animals.

7. To kill and destroy, when ordered by the Mayor in writing, for such time as the order shall specify, any dog or dogs not accompanied by the owner thereof, or muzzled, which may be discovered or found in any square, street, lane or other open place within the limits of this 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 offense shall be fined in a like sum, and may be dismissed from office.

221. Police Court.

1. It shall be the duty of the Marshal to serve subpoenas on informers and witnesses to attend Police Court or Council.

2. To summon before the Mayor, during the hours prescribed for holding Police Court, all persons offending against the ordinances of the city.

3. To collect executions against the principal and sureties on bonds forfeited in the Police Court.

222. Collection of Taxes.

1. It shall be the duty of said Marshal, upon receiving any execution for taxes under any of the provisions of any ordinance from the said Treasurer, to proceed forthwith to execute the same by levying on any property, real or personal, belonging to the person or persons, or corporation, against whom the same may have been issued, to be found within the said city, whether such property be, or be not itself, subject to taxation, and he shall advertise and sell the property so levied on, in the same manner as

Aug. 2, 1839,
c. 186, 284.

June 25, 1857,
c. 293, 192.

May 8, 1861,
c. 463.

Dec. 26, 1866,
c. 439.

April 11, 1839,
c. 231.

May 30, 1808,
c. 185, 367.

Dec. 8, 1838,
c. 187, 366.

Feb. 13. 1884.

Oct. 29, 1857,
c. 182.

Dec. 28, 1887,
s. 12.

a sheriff does under the executions of the Superior Courts of this State, subject to the provisions of the act of the General Assembly of the State of Georgia, passed February 27, 1877; and in all cases the amount to be collected on any such execution so placed in his hands as aforesaid, shall include interest at seven per cent. thereon from the first day of June next preceding the date of such execution, unless such execution shall have been issued at some other time, 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 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 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.

Ibid.

2. If the Marshal shall neglect or refuse to make a satisfactory return, according to the provisions of the foregoing section, on any execution for taxes placed in his hands by the Treasurer as aforesaid, within three months from his receipt of the same, the said Marshal and his surety and sureties, shall be held liable to the city for the amount due on such execution, including interest and costs: Provided, nevertheless, that the said Marshal shall be at liberty to proceed to collect the same from the person or persons or corporation against whom such execution may have been issued, within the time allowed by law.

Tax ord. 1871.
Nov. 16, 1843,
c. 232.

3. It shall be the duty of the City Marshal to ascertain all persons who have failed to return their dogs for taxation.

Aug. 2, 1839,
c. 185.

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

Ibid.

5. 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.

Ibid.

6. To seize as forfeited to the use of the city all articles which may be exposed for sale by vendors of small wares without the proper license, and to immediately expose such articles for sale at the market, by order of the Mayor.

May 3, 1855.
Dec. 11, 1857,
c. 301, 302, 192.

7. 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.

Feb. 14, 1799,
c. 251, 184.

8. 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.

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

Oct. 31, 1877,
R. 55.

224. Execution of other legal process.

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

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

Nov. 29, 1865,
c. 502.

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

Aug. 27, 1884.

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

Aug. 21, 1867,
c. 235.

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

Mch. 17, 1880.

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

July 18, 1883.

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

Nov. 14, 1883.

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

Feb. 20, 1867,
c. 338.

225. Fees of Marshal. 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 in 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. For each tax execution placed in his hands, fifty cents. Such commissions upon sales as are allowed to Sheriffs under the laws of the State.

Oct. 29, 1857,
c. 182.

When the City Marshal shall be engaged in the removal of any encroachment or obstruction, under any ordinance, he shall

Aug. 19, 1839,
c. 457.

be entitled to receive ten dollars per day, while thus employed, and that all 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.

CHAPTER 18.

CITY MARSHAL—PUBLIC SALES.

<p>SECTION 226. Sales for assessments. 227. Marshal's advertisement. 228. How offered for sale. 229. Tax sales; time, place and manner. 230. Redemption. 231. City may purchase, when. 232. Property sold by city, how. 233. Tax sales, manner prescribed. 234. Ground rents, sales of property re-entered.</p>	<p>SEC. 235. Minimum price to be fixed by Council. 236. Selling on reservation of ground rent forbidden. 237. Notices of re-entry. 238. Sales of city lots, etc., under lease. 239. Property to be advertised in one column. 240. Superintended by special committee. 241. City property, how sold. 242. Sale of Dillon tract provided for.</p>
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226. Sales for assessments. No sale of lots or other property by virtue of any ordinance for the collection of assessments, shall take place but on the first Tuesday of each month, at the Court House in this city.

227. Marshal's advertisement. The Marshal, before selling any lots or property in arrears for 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.

228. How offered for sale. The sale of all real estate advertised for 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.

229. Tax sales, time, place and manner. The time, place and manner of the sale of property, both real and personal, for taxes due to the municipal corporations in this State, shall be the same as that provided by law for sheriff's sales for State and county taxes.

230. Redemption. Whenever any land is so sold, the owner thereof shall have the privilege of redeeming said land, thus sold, within one year by paying the purchaser the amount

Dec. 20, 1816, 408.

Ibid.

Ibid.

Act of 1877, p. 125. Code of Ga., § 3656 (a).

Ibid., § 3656, (b).

paid by said purchaser for said land, with ten per cent premium thereon, from the date of the purchase to the time of the payment.¹

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

232. Property sold by city, how. Neither the governing body of any such municipal corporation, whether known as Mayor and Councilmen, Mayor and Aldermen, or by any other name, during whose term of service any such sale shall take place, nor any subsequently elected, or appointed governing body, shall be capable of diverting or alienating the title of the corporation to any property so purchased, except by a public sale of the same to the highest bidder.

233. Tax sales, manner prescribed. All proper, real, personal or mixed, which may have been, or may hereafter be, levied on by the City Marshal under and by virtue of any tax executions received or to be received by him from the City Treasurer, shall be advertised and sold by the City Marshal in the manner now or hereafter to be prescribed for Sheriff's sales under the laws of the State of Georgia.

234. Sales for ground rents. All lots re-entered for non-payment of ground rent shall be held to be a part of the city domain, and may be sold in the same manner as is provided for the sale of the city domain, or in such other manner as the Mayor and Aldermen of the city of Savannah or in Council assembled may by resolution from time to time direct.

235. Minimum price to be fixed by Council. In all sales of property re-entered by the city for non-payment of ground rent, the Mayor and Aldermen shall determine by resolution duly passed in Council, the minimum price for which said re-entered property shall be sold, and in no event shall said sale be made except for a sum sufficient to cover all arrearages of ground rents, taxes and unpaid purchase money in the event that the fee in the said property is sold.²

Acts of 1877, p. 125. Code of Ga., § 3656 (c).

Ibid., § 3656, (d).

Mch. 6, 1878, R. 137.

April 28, 1880.

April 13, 1881.

(1) The ten per cent. premium, in the latter part of this section, is two per cent. in the enrolled act, which was approved by the Governor, and is now of file in the office of the Secretary of State. The engrossed copy has it as given. Acts of 1877, p. 126.

(2) The right of re-entry and re-sale was for the purpose of securing the amount due the city; and after the payment of this the holder under the original grantee had an equitable claim to the balance, and a bill for the purpose of enforcing such claim was not demurrable. Lawrence's case, 71 Ga., 393.

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

237. Notices of re-entry. In all notices given by the Marshal for the re-entry of lots, the name or names of the owner or owners, or of the person or persons who last paid rent, shall be inserted (with a full description of said lots) in the advertisement.¹

238. Sale of city lots, etc., under lease. 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.

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.

239. Property to be advertised in one column. 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.

240. Sales to be superintended by special committee of Council. All sales of real estate made by the Marshal or sold under any ordinance of the city, shall be superintended by a special committee of Council, whose duty it shall be to attend such sales, and direct the Marshal or officer selling, as circumstances may require.

241. Sales of city property, how made. All sales of property belonging to the Mayor and Aldermen of the city of Savannah shall be made at public outcry by the City Marshal, before the Court House of Chatham county upon the first Tuesday in each month, and shall be between the legal hours of sale fixed by the laws of the State, and all property so offered for sale shall be advertised by publishing the resolution of Council under which it is sold for five days before the day of sale, in a public gazette published in said city.

242. Sale of Dillon tract provided for. The tract of land recently purchased by the city of Savannah, known as the Dillon Tract in the city of Savannah, except so much thereof as is laid out in streets and squares according to the present plan of said city, may be sold at such time, place, and in such manner and on such terms as the Mayor and Aldermen of the city of Savannah in Council assembled may determine, notwithstanding the ordinance passed in Council the 13th day of April, 1881, entitled an ordinance to regulate the sale of the lots re-entered by the city for non-payment of ground rent, said ordinance being so far amended as to permit such sale of said tract notwithstanding any other ordinance of the city of Savannah.

(1) Posting a notice of re-entry on the lot according to the terms of the deed, would constitute a re-entry thereon, and after the expiration of ten days would defeat the title of the purchaser. *Swoll vs. Oliver*, 61 Ga., 248.

CHAPTER 19.

CITY TREASURER.

SECTION 243. Bonds.	SEC. 251. Deduction on water rents, etc.
244. General duties.	252. Yearly balance sheet.
245. Accounts to be kept.	253. Executions,
246. To receive and deposit public moneys.	254. To collect wharfage on canal lots.
247. To deposit in bank designated by Mayor.	255. To furnish badges for vehicles.
248. City Dispensary.	256. Badges for dogs.
249. Gas bills.	257. To report quarterly expenditures of committees.
250. Water Works.	258. Fees.
	259. Extra compensation for tax digest.

243. Bond of Treasurer. The bond of the City Treasurer, for the faithful performance of the duties of the office of City Treasurer, shall be in the penal sum of fifty thousand dollars.

244. General duties.¹ The City Treasurer shall also keep his office at the Exchange, and attend thereat daily (Sunday and holidays excepted), from 9 A. M., to 2 P. M., and from 4 P. M., to 6 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.

245. Various accounts to be kept. It shall be the duty of the City Treasurer to receive from the Clerk of Council all accounts passed by Council, register and pay the same.

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, etc., 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 sale of lots.

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 payment of ground rents.

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 vessels and the charges against each to be specified.)

To receive from the City Marshal a statement of the rents or sales (together with the moneys) of market stalls, and every week receive from the Clerk of the Market all moneys which he may receive as such clerk.

(1) The various duties of the Treasurer, as receiver of tax returns and collector of taxes, are to be found in the tax ordinance, which is re-enacted every year.

Jan. 31, 1872,
R. 52.

Dec. 20, 1816,
c. 409.

June 19, 1820,
c. 409.

Dec. 20, 1816,
c. 409.

Ibid,

April 13, 1881.

April 8, 1887.

Dec. 31, 1884.

Aug. 2, 1839,
c. 198.

15th Rule of
Council.

Oct. 29, 1857,
c. 202.

May 28, 1872,
R. 115.

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

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.

Oct. 1, 1879. To hold all fines, collected in the Police Court of Savannah and paid over to the Treasurer of said city, as a fund to pay for the uniforms of the police force, and if the amount any one year exceeds the cost of such uniform, such excess shall be carried into the common funds of the city.

June 25, 1857,
c. 127. **246. To receive and deposit public moneys.** 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 money 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.

Feb. 19, 1857,
c. 200. **247. To deposit in bank designated by Mayor.** 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.

Nov. 25, 1858,
c. 149. **248. City Dispensary.** It shall be the duty of the City Treasurer to pay into 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.

Nov. 25, 1858,
c. 286. **249. Gas bills.** It shall be the duty of the City Treasurer to pay the gas bills for lighting with gas the public buildings and the police barracks of the city of Savannah, upon the same being signed correct by the Chairman of the Committee on Accounts and handed to the City Treasurer, in such manner as will save to the city of Savannah the discount allowed by the Gas Company for prompt payment.

Dec. 7, 1881. **250. Water Works.** The duties of Secretary and Treasurer of Water Works shall, after the first regular meeting of Council in January, A. D. 1882, be performed by the City Treasurer.

July 30, 1884. **251. Deduction of ten per cent. on water rents, etc.** Every person or corporation who shall pay his or her water rents and assessments for water, and bills due the city of Savannah for cleansing, cementing or repairing privy vaults, dry wells and surface drawers, promptly within fifteen days after the same shall become due, shall be entitled to a deduction of ten per centum of the amount thereof, and the City Treasurer is hereby directed to make such deduction upon the receipt of the amount due within the time above prescribed.

Aug. 28, 1872,
R. 124, c. 203. **252. Yearly balance sheet.** It shall be the duty of the City Treasurer to make out and hand to the Mayor a yearly balance sheet or statement of all moneys received and paid through the city treasury, from the first day of January to the thirty-first day of December, inclusive, so as to enable the Mayor to make his annual report on the first Monday in January.

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

Nov. 14, 1883. 1. For the costs and expenses of the City Marshal for removing encroachments on the lanes of the city of Savannah; to be

issued against the party putting up or continuing such encroachment.

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

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

4. In all other cases required by ordinance

254. To collect wharfage and storage on city canal lots. 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.

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 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 offense, on conviction before the Police Court, be fined in a sum not exceeding thirty dollars.

255. Treasurer to furnish badges for vehicles. Every person transacting or offering to transact the business of transporting or carrying goods, etc., passengers or baggage for hire, by means of wagons, drays, trucks, street railway cars or other vehicles; and every keeper of a public or livery stable employing such vehicles in his business, and every other person keeping and using street railway cars or other vehicles in other kinds of business, shall, upon paying the tax prescribed by the tax ordinances, take out a badge, which will be furnished by the City Treasurer for each street car or vehicle to be employed in such business (the number of street cars or vehicles to be employed to be stated on oath), which shall be placed in a conspicuous place on such vehicle or street car—except vehicles kept by keepers of public or livery stables, to be let for hire, and vehicles

Aug. 27, 1884.

Nov. 3, 1886.

Dec. 1, 1881,
c. 199.

Dec. 28, 1887,
s. 15.

used for pleasure or convenience—and any person using or employing any vehicle or street car on such business, without badge affixed, except as aforesaid, shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred dollars or imprisonment not more than thirty days, or both, in the discretion of the court.

Dec. 23, 1887,
s.s. 7 and 16.

256. To furnish badges for dogs. 1. The occupant of any premises where a dog or dogs is or are kept, shall pay for every dog so kept the tax as prescribed in the tax ordinances. Upon payment of this tax a badge shall be issued to the person paying the tax for the dog; and every dog found running at large without such badge shall be impounded, and if not claimed within forty-eight hours shall be disposed of.

Nov. 16, 1843,
c. 231.

2. 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 dog, having the name of the owner legibly stamped or engraved thereon: And provided, also, that if at any time it shall be deemed unsafe to permit dogs to go at large, it shall be the duty of the Mayor to issue a proclamation forbidding the same; and any dog found going at large, after such notice, and until such proclamation shall be revoked, shall be killed, and the owner or keeper thereof shall moreover be liable to a fine of ten dollars; and any dog found in any lot, or going at large contrary to this article, may be lawfully killed. Any person keeping any dog contrary to this article shall be liable to a fine of ten dollars for every such offense, and for failing to make return of every dog liable to taxation, the owner or keeper thereof shall be liable to double tax as in other cases.

3. The following oath, in addition to the oath now prescribed by law, shall be taken by all persons making a return of taxable property in the city, viz: "And I, A. B., do further swear that there is no dog kept by me on my premises, (to which shall be added the following, where a dog or dogs have been returned), except such as have been duly returned. So help me God."

4. 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 City Marshal, city constables, and police force to ascertain all such persons as have failed to make the return required by this article.

Dec. 28, 1887,
s. 18.

257. To report to Council every quarter the amount expended by each committee. The City Treasurer shall report to Council at the first meeting in every quarter, the amount of money expended by each committee up to date of report, and soon as any committee making any disbursements shall have reached the limit provided in the budget, the Treasurer shall at once notify the chairman of such committee.

Aug. 2, 1839,
c. 199.

258. Fees of Treasurer. 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. Each

measurer of wood, each measurer of salt, peas, corn and other grain, each weigher of cotton, rice, tobacco and hay, each inspector and gauger of liquors, and each measurer and inspector of lumber shall pay to the City Treasurer for his fees the sum of fifty cents.

Mch. 15, 1827,
c. 327.
Mch. 23, 1843,
c. 329.

259. Fees of officers; Treasurer's extra compensation for Tax Digest. 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: 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.

Dec. 22, 1859,
c. 128.

CHAPTER 20.

CITY SURVEYOR.

SECTION 260. Bond and oath.

- 261. To superintend public improvements.
- 262. To perform duties required by committees of Council.
- 263. To keep maps of lots and improvements.
- 264. To run lines of lots.
- 265. To fix grades for buildings.
- 266. Unlawful to build until grade fixed.
- 267. To direct repairs of wooden buildings.
- 268. To submit plans of drainage to Mayor.
- 269. To grade squares, streets, lanes, etc.

SEC. 270. To grade sidewalks.

- 271. To grade street pavements.
- 272. To mark out encroachments, etc.
- 273. To supervise sewer connections.
- 274. To supervise street excavations.
- 275. To superintend party walls.
- 276. Repairs of party walls.
- 277. May require greater thickness of.
- 278. To run lines of wharves.
- 279. To fix grades of street railways.
- 280. To measure wood-racks, etc.
- 281. To direct foreman of street gangs.
- 282. Inspector of Dry Culture.
- 283. Appeal from acts of.
- 284. Fees.

260. City Surveyor, bond and oath. The City Surveyor shall before he enters into the duties of his office, enter into bond, with two sureties, in the penal sum of two thousand dollars, for the faithful and correct performance of the duties prescribed by the ordinances of the city, and the said Surveyor shall take the usual oath prescribed by the ordinances of the city to the officers thereof.

Aug. 19, 1839,
c. 194.

261. To superintend public improvements. 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.

Dec. 29, 1853,
c. 197.

262. To perform duties required by committees of Council, etc. 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.

Aug. 29, 1852,
c. 197.

263. To keep complete maps of buildings, sites, etc. It shall be the duty of the City Surveyor to keep a complete map of each thing 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 di-

Aug. 19, 1839,
c. 195.

mensions 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.

Aug. 19, 1833,
c. 195.

264. To furnish lines of lots, etc. No lot holder or occupier of any lot, shall lay the foundation of any building or fence on the line of any lot or part of 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, to as to affect the right of the city, and unless the said Surveyor is present (except as 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.

Mch. 7, 1866,
c. 234.

265. To ascertain grades for buildings. 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.

Ibid.
c. 235.

266. Unlawful to build until grade ascertained. 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 preceding 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.

May 12, 1859,
c. 55,

Nov. 15, 1883,

Mch 7, 1866,
c. 235.

267. To direct improvements made upon wooden buildings. Whenever permission has been granted by Council to material alterations or repairs to any wooden house now erected in said city, the work shall be done under the direction of the City Surveyor and the Committee on Fire.

268. To submit to Mayor plan of drainage. 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.

269. To grade squares, streets, lanes, etc. 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.

Aug. 16, 1839,
c. 195.

270. To direct the grade and level of sidewalks. No person shall be permitted to increase or lower the height of the sidewalk 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.

Ibid.
c. 196.
June 30, 1886.

271. To grade pavement of streets. 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.

Ibid.

272. To mark out encroachments, obstructions, etc. 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.

Aug. 19, 1839
c. 195.

Aug. 21, 1867,
c. 235.

273. To supervise the making of sewer connections. Whenever a sewer connection is made by permission of Council, 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.

Jan. 18, 1871,
c. 472.

274. To supervise excavations in streets. 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 party causing such excavation, and immediately after the object of such excavation shall have been completed; and in no event shall any such excavation be so made or be continued so as to interfere needlessly with travel through any street, lane or thoroughfare. 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.

Feb. 20, 1867,
c. 338.

275. Party walls, City Surveyor to superintend, etc. 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 be set 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,

Ibid.

276. To superintend repairs of. Every case of repair of a dividing fence between two lots or part lots, as mentioned in the third section of this 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.

Feb. 20, 1867,
c. 338.

277. To determine thickness of. 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.

Sept. 9, 1874,
R. 190.

278. To establish lines for building or repairing wharves. Whenever any wharf within the limits of said city shall be built or repaired, it shall be the duty of the owner or occupant of the lot upon which such wharf is to be built or repaired, to have the lines of said wharf established by the City Surveyor, who shall receive therefor the same fees as are provided in the case of the establishment of the lines of other lots in the said city, and all new wharves hereafter built shall be built in accordance with the plan drawn by John B. Hogg, City Surveyor, dated September 9th, 1874, and now on file in the office of the City Surveyor, or such other plan as may hereafter be adopted by the said the Mayor and Aldermen.

Aug. 15, 1883,

279. To furnish grades and levels for street railways. Whenever any corporation authorized by law shall use the streets of the city of Savannah for the purpose of laying down and operating street railways, the City Surveyor will furnish the lines and levels for the road, and shall supervise the entire construction of the road until completed.

Dec. 1, 1875,
R. 192.

280. To measure and certify dimensions wood racks, etc. It shall be the duty of the City Surveyor, upon the application of sellers of wood, to measure and furnish certificates of the dimensions of wood racks or wagons, when the same are in compliance with the city ordinances.

Dec. 20, 1871,
R. 58.

281. To direct foremen of street gangs. The three foremen of the street gangs shall be under the direction of the City Surveyor, and the Chairman of the Committee on Streets and Lanes, shall be responsible for the proper and efficient working of the men under their control, and may be removed at any time for incompetency or inattention to the discharge of their duties.

Dec. 29, 1886,
§ 125.

282. To perform duties of Inspector of Dry Culture. The City Surveyor shall perform the duties of Inspector of Dry Culture.

July 2, 1840,
c. 196.

283. Right of appeal from acts of City Surveyor. 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.

284. Fees. 1. The City Surveyor shall be entitled to demand and receive the following fees to wit:
For surveying a lot and finding and placing stakes
eighteen inches long at the angles of said lot. . . \$2 00
For attendance and directing the placing a house or fence. . . 2 00
For sub-dividing a lot already laid off. 1 00
For supervising tapping of sewer personally or by person
deputed by Surveyor, to supervise, per day. 3 00

Aug. 19, 1839,
c. 195.

Aug. 21, 1867,
c. 236.

2. The fees hereafter collected by the said Surveyor shall belong to the city of Savannah, and shall be paid by the said Surveyor to the City Treasurer.
May 16, 1888.

NOTE. Assistant City Surveyor—The following from the proceedings of Council of June 15, 1887, is here inserted :

REPORTS OF COMMITTEES.

The Committees on Streets and Lanes and Drainage, having been authorized to employ an assistant for the City Surveyor, respectfully report that they have engaged Mr. Julien De-Bruyn Kops to commence July 5 at \$125 per month. While it is expected that his employment will be permanent, neither party is bound beyond January 1, 1888.

D. R. THOMAS,
Chairman Committee on Streets and Lanes.
W. B. MELL,
Chairman Committee on Drainage.

CHAPTER 21.

CITY PRINTER.

SECTION 285. Bond.

285. To publish minutes, ordinances, etc.

285. Bond. 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.
Dec. 24, 1857, c. 193.

286. To publish minutes, ordinances, etc. It shall be the duty of the City Printer to publish the minutes of Council, whenever they shall be furnished to him by the Clerk, and as soon thereafter as practicable, and also to publish all new ordinances and old ordinances when required, all notices, orders, proclamations issued by or under the authority of Council or committees thereof, or the officers thereof, the Mayor or acting Mayor.
Jan. 26, 1854, c. 193.

287. To publish Mayor's annual report, etc. In addition to the duties prescribed by the existing ordinances, it shall be his duty to publish the Mayor's annual report, and the Treasurer's annual fiscal statement, and all new bills or ordinances when read the first time. Also to publish the registry list of voters at the times and in the manner prescribed by the laws of the State of Georgia.
Dec. 24, 1857, c. 193.

288. Copy, when to be furnished by the Clerk of Council. The Clerk of Council shall furnish to the City Printer copies of every ordinance passed by Council, within one week after the final passage thereof, and a copy of the proceedings of Council within forty-eight hours after the adjournment of the meetings of the City Council.
Aug. 2, 1839, c. 138.
March. 24, 1853, c. 140.

SEC. 287. To publish Mayor's annual report etc.

288. Copy, when furnished by Clerk of Council.

CHAPTER 22.

CITY COURT.

SECTION 289. Clerk and Sheriff elected by Council.

- 290. Books to be furnished by city.
- 291. Constables, their duties and pay.
- 292. Illegal constables, how punished.

SEC. 293. Solicitor's fees, how paid.

- 294. What expenses borne by city.
- 295. Convicts to labor in city work-house or streets.
- 296. Clerk and Sheriff, bonds, oaths, etc.

289. Clerk and Sheriff, elected by Council. 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].

Code of Ga., § 4912.

The Sheriff of the said City Court and his deputies may serve the process of the court in any part of said county of Chatham.

290. Books to be furnished by city. 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.

Ibid, § 4950.

291. Constables, their duties and pay. The Constables,¹ 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 offense 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.

Ibid, + 496'.

292. Illegal constables, how punished. Any person who shall in any manner perform, or attempt to perform, the duties of a constable in the city of Savannah, and who has not been elected, appointed and qualified as directed by the statute of

Ibid, § 4962.

(1) Who constables of the city of Savannah, 67 Ga. 319.

this State, shall be guilty of a misdemeanor, and, on conviction, he shall be fined for the first offense in the sum of one hundred dollars, and for the second offense shall be fined and imprisoned, at the discretion of the court, and, upon the fact of the commission of such offense being brought to his notice, it shall be the duty of the Solicitor General to present a bill of indictment against the offender in the Superior Court for the county of Chatham or in the City Court of Savannah, for the said offense of misdemeanor.

Code of Ga.,
§ 4975.

293. Solicitor's fees, how paid. 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 offenses 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 offenses 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.

Acts of 1882-3,
p. 532.

294. What expenses of City Court borne by city. All the expenses of said court except the payment of the Judge's salary, providing a court room and offices for the officers thereof, and the payment of the jury fees, shall continue to be borne and paid by the Treasurer of the city of Savannah.

Ibid, § 4987.

295. Convicts to labor in work-house or on streets of city. Whenever, in any case, the said court shall be authorized to sentence a person to imprisonment, such imprisonment may, as part of the sentence of the court, be in any work-house established by the city authorities of Savannah; and the Judge may sentence such prisoner to work in such place, or work on the streets of Savannah, under the direction of the city authorities.

Dec. 8, 1825.
c. 84.

296. Clerk and Sheriff, bonds, oath, etc. The persons elected clerk and sheriff of said court, shall, before they enter upon the duties of their office, give bond, with two good and sufficient emergency, such additional number of supernumeraries as shall 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 bond 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.

(1) 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 stopped from again raising the question.

CHAPTER 23.

POLICE COURT.

SECTION 297. Sessions, jurisdiction, appeal, certiorari.
298 Recorder.
299. Officers.
300. By whom held; when, where and purpose.
301. Jurisdiction and powers of Mayor.
302. May bind over to appear before Council.
303. Failure to furnish bond; may commit to jail.
304. Arrests; in default of bail, committed to jail.

SEC. 305. Record of proceedings; Council may remit fines.
306. Informers.
307. Witnesses, and fines of.
308. Summons, how served.
309. Fines, how collected.
310. Appeals from fines.
311. All fines paid over to City Treasurer.
312. Appearance bonds, forfeiture of.
313. Forfeited bonds; executions on.
314. Punishment may be imprisonment with labor.
315. Fees of officers.

Code of Ga.,
§ 4880.

297. Sessions, jurisdiction, appeal, certiorari. 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,¹ 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 of 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 the writ of *certiorari* may issue to the Mayor of said city, or to the person presiding in said court upon the same terms, and under the same rules, as regulate the issuing of said writ in other cases, except that in case of the imposition of a fine, no *certiorari* shall be allowed until the fine imposed by the Mayor or other person presiding in said court, and all costs shall be deposited in the treasury of the city, to abide the final decision of the case;] 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: [Provided, that nothing in this section shall be construed to deprive any person of the right to appeal to the said City Council under the terms of said section, nor to deprive him of the right to a *certiorari*, after the said City Council has acted upon the appeal, but that the remedies shall be concurrent.]²

Act of 1871-2,
pp. 22, 23.

(1) Sentence in the alternative.—All the Police Courts of this State having authority to try offenses against the laws of the cities, towns and villages, in which such courts are located, shall have power and authority to impose fines upon persons convicted of said offenses, with the alternative of other punishment allowed by law, in case said fines are not paid. Acts of 1878-9, p. 153.

(2) Certiorari.—Decision of recorder reversed. Costs awarded against city. 71 Ga., 696. No right of jury trial, for infraction of municipal police laws. 4 Ga., 509; 14-354, 18-586, 72-319.

Code of Ga.,
§ 4882.

Acts of 1871-2,
pp. 67, 68.

298. Recorder may be elected; his powers. The Mayor and Aldermen of the city of Savannah, in Council assembled, may elect an officer to be called "Recorder," for such time, and for such compensation as they may ordain, who shall, either alone, or with the Mayor of said city, be authorized to preside in, and hold the sessions of, said court provided for by existing law: Provided, that when the said Mayor and Recorder shall preside together, and differ in opinion, the said Mayor shall pronounce the judgment of the court.

Code of Ga.,
§ 4881.

299. Officers of Police Court; may collect costs. 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.

Dec. 8, 1838,
c. 365.

300. By whom held; when, where and purpose. 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 he 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.¹

Jan. 5, 1860,
c. 375.

301. Jurisdiction and powers of Mayor. 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; 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.

Jan 4, 1847,
c. 366.

302. May bind over to appear before Council. 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 offense against any of the ordinances of said city of Savannah, and whose trial and punishment for said offenses 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.

(1) Acquittal of assault and battery in State court will not bar conviction in Police Court for disorderly conduct in fighting, 59 Ga. 168.

303. Failure to furnish bond; may commit to jail. 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.

Jan. 4, 1847,
c. 366.

304. Arrests; in default of bail, committed to jail. 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.

Dec. 8, 1838,
c. 365.

305. Record of proceedings; Council may remit fines. 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.

Ibid.

306. Duty of informers to attend and testify. 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.

May 30, 1808,
c. 367.

307. Witness; subpoenas and fines for non-attendance. 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 subpoenas 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 subpoenas, 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.

Ibid.

308. Marshal and police to serve summons. 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 and Chairman, during the hours prescribed for holding his court, all person or persons offending against the ordinances of the city.

Dec. 8, 1838,
c. 366.

309. Fines, how collected. All fines imposed by the Mayor shall be collected in the same manner as if they were imposed by Council.

Ibid.

310. Appeals from fines. 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.

Ibid.

311. All fines to be paid to City Treasurer for police uniform fund. All fines collected in the Police Court of Savannah shall be paid over to the Treasurer of said city, and shall be held by him as a fund to pay for the uniforms of the police force, and that if the

Oct. 1, 1879.

amount any one year exceeds the cost of such uniforms, that such excess be carried into the common funds of the city.

Feb. 13, 1884,
s. 1.

312. Forfeiture of appearance bonds. When any bond is given by any person charged with any offense against the ordinances of said city for his or her appearance at any session of the Police Court of Savannah, and such persons so giving a bond as aforesaid shall fail to appear at a time appointed in said bond for his or her appearance, then the Clerk of Council shall issue a scire facias, which shall be served by any policeman of the city of Savannah two days before the return thereof against the principal, and his or her sureties, calling on them to show cause within five (5) days from date of said scire facias in the said Police Court why said bond should not be forfeited, and if at the return time of the said scire facias no sufficient cause be shown to the contrary, judgment shall be entered upon said bond against said principal and his or her sureties or such as have been served with a copy of scire facias.

Ibid, s. 2

313. Executions to be collected, etc., by City Marshal. On the entering up of judgment on any such bond the Clerk of Council shall issue executions against the principal on said bond, and his or her sureties, in conformity to said judgment, and the same shall be placed in the hands of the City Marshal who shall proceed to collect the same as other executions in favor of said city are collected.

368.

314. Punishment may be imprisonment with labor. 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 4865 of the Code of Georgia of 1882; and section 4865 of said Code is also hereby expressly adopted for the purposes therein stated.

Aug. 16, 1882,

315. Fees, of Clerk and other officers of Police Court. The Clerk of Council, or other officers of the Police Court of Savannah, rendering the services or performing the duties hereinafter specified, shall be entitled to the following fees for said services to be collected of the defendant, or defendants, in the manner now pointed out by law to the use of the officer rendering such services:

For drawing up a bond for appearance of any person committed to jail by the officer presiding in the Police Court, for an offense against the laws of the State, three dollars; qualifying the surety to the same, one dollar; for drawing up affidavit and warrant to hold to bail, one dollar and twenty-five cents; for making out commitment, thirty-five cents.

CHAPTER 24.

POLICE.

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SEC. 367. Members disabled in discharge of duty.

316. Mayor, head of Police Department. The Mayor, as the head of the Police Department, shall have and exercise a general superintendence over the members of the Police Force, and may at any time, appoint the mode and places in which the policemen shall be stationed, by written orders to the officer in command, by whom such orders shall be obeyed and promulgated.

Jan. 5, 1860,
c. 375.

317. Committee on Police. It shall be the duty of the Committee on Police to visit and examine the police force and the workings of the same, and to recommend to Council from time to time such modifications as may in their judgment render such force more efficient; and said committee is charged with the duty of purchasing the necessary supplies required for said police force in all its departments.

Mich. 17, 1880.

318. Police force; privates. The Police Force shall consist of not more than one hundred privates, 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.¹

May 24, 1871,
c. 520.

Jan. 5, 1860,
c. 369.

319. Officers; how elected and terms. The officers of the Police Force shall be a Captain or Chief of Police, an Assistant Chief

Dec. 24, 1879,
May 9, 1883,

(1) Police—city not liable for torts of, 65 Ga. 386, 68 Ga. 790; nor illegal arrests by, 61 Ga., 290, 54-468. Mayor of Savannah can try and dismiss in his judicial capacity only, and an appeal to Council will lie from the decision, Brown's case, 64 Ga. 229, 69 Ga. 165. Policeman, officer de facto when sworn in by Mayor, though not elected as prescribed, 45 Ga. 154.

Dec. 24, 1879. of Police, and four Sergeants of Police. The Chief and Assistant Chief of Police shall be elected by Council and for the same term as all other city officers elected by the board, (except when elected to fill an unexpired term). The Sergeants of Police shall be appointed by the Mayor on the recommendation of the Chief of Police, subject to the approval of Council, and they shall hold their offices during good behavior and capacity to discharge the duties of their office; providing, however, that such appointees shall not enter upon the discharge of the duties of the office until their appointments are confirmed by Council; and such Sergeants, when appointed and confirmed as aforesaid, shall be removed only by and with the consent of Council.

Jan 5, 1860, c. 371. **320. Qualifications of members of force.** 1. No member of the Police Force, whether officer or private, shall, during his term of service, hold any other civil office under city, State, or Federal authority.

Sept. 21, 1887. 2. No person shall ever be appointed or re-appointed to membership in the Police Force of the city of Savannah, or continue to hold membership therein, who is not a citizen of the United States and a resident of the State of Georgia for at least one year next preceding his appointment, or who has been convicted of crime in this State or elsewhere, or who cannot read and write understandingly in the English language.

Ibid. 3. No person shall be appointed a policeman of the said city who shall be at the date of such appointment over thirty-five (35) years of age.

Jan. 5, 1860, c. 371. **321. Oath and bond of officers and privates.** The officers and privates shall, before entering upon the duties of their office, take and subscribe the following oath: "I do solemnly swear (or affirm, as the case may be) that I will, during my continuance in office, to the best of my skill and ability, faithfully discharge all the duties which may be required of me; and that I will, in all cases, conform to the ordinances of the city and its police regulations, and forthwith report all violations of the ordinances which may come to my knowledge." And a bond for the faithful discharge of his duties shall be required of the Captain of the Police Force, with security, to be approved of by the Mayor, in the sum of four thousand dollars; and of each Sergeant and privates, in the sum of five hundred dollars. The Assistant Chief of Police shall on entering upon the discharge of his duties be required to give a bond in the penal sum of two thousand dollars, with two or more good and sufficient securities to be approved of by Council, or the Mayor, payable to the Mayor and Aldermen of the city of Savannah, and conditioned for the faithful discharge of the duties of his office. 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.

Oct. 12, 1881, s. 1. **322. Police for Central Railroad and Banking Company.** The Chief of Police is hereby authorized, with the consent and approval of the Mayor, to select such persons as may be necessary as policemen, three of whom shall be designated and have the rank of Sergeants in the police force, and the others of whom shall be designated as privates; that said persons so selected shall take the same oath and give the same bond as is now required of other members of the police force, and shall be required to perform such duties as may be prescribed for other

policemen of the city of Savannah, and shall be subject to perform the duties and to conform to all the rules and regulations and ordinances governing the city police, except that they shall be liable to be dismissed at such times as the said the Central Railroad and Banking Company of Georgia shall determine to cease paying for their services.

323. To form part of regular police. The additional policemen, provided for in the foregoing section of this ordinance, shall be taken and held as a part of the regular police force of the city of Savannah, and the sergeants so appointed shall have all the authority of other sergeants in the police force, and the privates so appointed shall be held to be regular policemen of the city of Savannah, and liable to perform any and all of the duties of sergeants or policemen, and subject to the same rules and regulations as govern the city police in all particulars, and subject to obey the commands of the officers of city police, as are the present members of said city police.

324. Police for the Savannah, Florida and Western Railway. The Savannah, Florida and Western Railway Company shall have the power to appoint fit and proper persons to be stationed at its wharves, depots, and yards, who shall be approved by the Mayor, shall take the same oath, give the same bond, as are required of the police, and shall be subject to perform the duties prescribed by the said company, and shall receive from said company such salary as it may deem proper, and said parties so appointed shall be subject to conform to all the rules, regulations and ordinances governing the city police.

325. Police are ex officio constables of the city of Savannah. 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.

326. Exempt from militia and jury duty. The officers and privates of the police of Savannah shall be exempt from the performance of militia duty under the peace establishment of this State, and they shall also be exempt from jury duty.

327. Police supernumeraries. 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 dismissal 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. 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 place 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. And whenever a vacancy shall occur among the regular policemen,

Oct. 12, 1881, s. 2.

Jan. 16, 1884,

Code of Ga., § 4866.

Jan. 5, 1860, c. 370,

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.

328. City detective force. 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.

329. Chief to control Police Force. 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.

330. Chief to station police. 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.

331. Duties of Chief. He shall have charge of the arms and equipments of the policemen, shall inspect them at least once in every week, and shall require them to be maintained in good condition for service. He shall make 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 10 o'clock, in which he shall detail the order and routine of duty of the policemen, note the misconduct or any irregularity of the policemen while on duty, and relate the occurrences of the night. He shall receive from the officers their reports while in command, and shall attend the Police Court. He shall cause to be kept at the Police 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.

332. To preserve property of department. 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.

333. Assistant Chief of Police; duties. He shall assist the Chief of Police in all matters pertaining to the administration of his office, and in case of the death, resignation, removal, disability or temporary absence of the Chief he shall exercise the functions and perform the duties of Chief until such disability or temporary absence is ended, or a new election is had

Dec. 27, 1865,
c. 377.

Jan. 5, 1860,
c. 371.

Ibid.
c. 372.

Ibid.

Ibid.
c. 372.

May 9, 1883.

according to the ordinances of the city in such cases made and provided.

334. Officers; their duties. It shall be the duty of the officers of the Police Force to assist the Chief of Police in the performance of his duties, to superintend the privates on duty, to report all violations of the ordinances of the city, all failures in duty on the part of the men, and to contribute by all their efforts to the maintenance of the peace and order of the city.

335. Privates; their duties. It shall be the duty of the privates of the Police Force to report for duty, regularly and punctually, at the time and place designated by the Chief of Police, or officer in command. They shall place upon the Information Docket the names of all persons violating any of the existing ordinances of the city; they shall arrest and take into custody all felons and rioters, all disorderly or suspected persons, who may be found misbehaving themselves, or in any manner disturbing the public peace, and all persons who may, in any way, assault, oppose, or resist them when engaged in the discharge of their duties.¹

336. Mayor may make contracts with privates as to resignation. 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 to do so, 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.

337. Suspensions for bribery and other offenses. If any member of the Police Force shall receive a bribe for liberating any person duly arrested for violation of the city ordinances, or of the laws of the State, or if he shall be guilty of violent, injurious or improper conduct, whilst on duty, to any person, or if he shall in any manner misbehave in or neglect his duties, the offender, if a private, may be fined or dismissed, or both, at the discretion of the Mayor or acting Mayor, and his bond may also be put in suit; if an officer, he may be fined or suspended, or both, at the discretion of the Mayor or acting Mayor, who shall report every suspension to Council at the next regular meeting thereof, or sooner, if he shall deem it advisable; and the Council shall act on such information, and reinstate or dismiss said officer, as may seem to them proper. And whenever any officer is thus suspended, or whenever it may seem to him necessary to fill any vacancy temporarily, the Mayor or acting Mayor shall have the power to make such appointment, and to fill such vacancy until the next meeting of Council, and shall at all times have the power to fill any vacancies in the same manner as the vacancies of other offices of the city are filled; and if any policeman shall, without satisfactory cause, abandon his station, or leave his division before the appointed hour, or if he shall neglect to inform against any person who may, within his knowledge, violate any of the ordinances of the city,

Jan. 5, 1860,
c. 373.

Ibid.

Jan. 10, 1866,
c. 376.

Jan. 5, 1860,
c. 374.

(1) Arrest of a violator of the city ordinance without warrant, when not unconstitutional. 46 Ga. 80, 68-740. Illegal arrest by police, city not liable, 54 Ga. 468; 62-290; not liable for torts committed by, 65 Ga. 387.

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.

May 23, 1872.
R. 110.

338. Market detail; duties. It shall be the duty of the policeman detailed for such service, to attend at the market every day at sunrise, and continue their attendance at market until 9 o'clock of the morning, and also every Saturday afternoon until the closing of the market, for the purpose of aiding and assisting the Mayor, or any Alderman, Clerk of the Market, or Marshal, in the performance and execution of any of the duties devolved on any or either of them under the market ordinances of the city of Savannah, and in case of neglect or default of duty or attendance as aforesaid in any policeman, he shall be fined in a sum not exceeding thirty dollars.

Ibid.
R. 114.

339. To report persons re-selling articles bought at market. It shall be the special duty of the City Police to report and put on the information docket any person selling, or offering or attempting to sell, at or near the public market of Savannah, any meat, fish or poultry, game or wild fowl, eggs, vegetables, fruit, butter, or any other article or commodity, or provisions of any kind usually brought to market for sale there, and which such persons may have bought at or near said market at any time before such re-sale, or offer, or attempt to re-sell; Provided, nothing herein contained shall be construed to apply to persons purchasing hogs, sheep or calves for the purpose of cutting up and exposing for sale in the public market, as provided in the ordinance passed the second day of January, 1840.

Jan. 8, 1870,
c. 468.

340. Obstructions to streets, etc. It shall be the special duty of every officer and member of the Police Force to report any person who shall obstruct by any dray, wagon, cart or other vehicle, having or not having an animal or animals attached thereto, the free passage of persons through any street or other thoroughfare in said city, or the free access of any person to his or her property, or to any sidewalk in said city; or who shall so place any vehicle in any such street or thoroughfare, as to cause injury to any shade tree; or who shall keep any dray, wagon, cart or other vehicle except on his or her premises, or opposite thereto for such time only as may be allowed by existing or future ordinances.

Jan. 18, 1871.
c. 36.

341. At depots, wharves, etc., to keep open way for passengers. The police on duty at every depot, wharf or landing, during the time passengers are being landed, or are getting out of the car or cars, shall keep free and open way to and from the entrance to such wharf or depot, and in case the wharf or depot is not open to the omnibuses and hacks, no hackman or drayman shall be permitted within such enclosure. Drivers or runners of carriages, omnibuses or hacks, shall not be permitted to leave the doors of their vehicles, during such time, except only and strictly for the purpose of putting on baggage.

Aug. 19, 1839,
c. 195.

342. To aid in removing encroachments or obstructions. Whenever the City Marshal is ordered to remove any encroachment or obstruction, 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, 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.

343. To report all persons firing off guns, pistols, etc. It shall be the duty of the City Police to report every person found within the city limits, discharging or attempting to discharge any guns, pistols or other firearms, crackers or any other combustible preparation, or selling or using within said limits, any detonating or fulminating preparation, or instrument made or composed, wholly or in part of nitro-glycerine or other detonating or fulminating substance whatever, or any other like detonating or fulminating preparation or instrument: Provided, that nothing herein contained shall be construed to prevent the sale of ammunition for legitimate purposes.

Dec. 8, 1869,
c. 117.

344 Police for theatres, exhibitions, balls, etc. 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.

Jan. 24, 1866,
c. 252.

345. To be paid by the acting manager. The policeman 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.

Ibid

346. Disorderly houses; to arrest offenders. Whenever any riotous, boisterous, noisy or disorderly conduct shall occur in any house or inclosure in said city, to the annoyance of the people of said city, or any portion of them, it shall be the duty of any officer or private of the police force, who may know of, or whose attention may be called to, such conduct, to request admission into the premises for the arrest and removal of the offender or offenders; and if such request, when made, be not complied with by the person or persons having the management, control or government of such 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 in a sum not exceeding one hundred dollars, or be imprisoned not more than thirty days, or both, at the discretion of the said Police Court.

Feb. 16, 1870,
c. 214.

347. Unmuzzled dogs, to be killed or impounded, when. It shall not be lawful for any dog or dogs to run at large in the corporate limits of said city without being securely muzzled, after the first day of June, in each and every year until the first day of the next succeeding October, and it shall be the duty of the members of the police force under regulations to be fixed by the Chief of Police, to cause all unmuzzled dogs so running at large to be killed, or caught, where the latter may be easily done. When killed, to have their bodies at once removed beyond the corporate limits, and when caught, to impound them for twenty-four hours, and then, if they are not called for and redeemed by the payment of a fee of two dollars, to be disposed of by the most expeditious method.

July 23, 1879.

348. Goats, to be impounded or killed, when. 1. It shall be the duty of the police of said city to take every goat or goats

June 25, 1857,
c. 293.

found at large within the limits of this city, and impound the same until the sum of two dollars and the costs of impounding shall be paid.

April 2, 1879;
R. 70.

2. Whenever any goat or goats so running at large shall damage or destroy the trees or any other property of the city, it shall be lawful for any policeman to kill the same.

April 13, 1881.

349. Other animals, when impounded. It is hereby made the duty of the city police to take up and impound any horse, mule, cow, heifer, bull, steer or calf running at large in any part of said city: Provided, nothing herein enacted shall be construed as to prevent horses, mules, or cattle being driven through the streets to pasturage in charge of a competent driver, or with a view to bring them into or remove them from the city.

Aug. 2, 1839,
c. 407.

350. Animals hitched to trees. It shall be the duty of the city policemen, discovering any animal hitched to any tree planted in or on any street, lane, or square in said city, or to any part of the fences, railings, gates or enclosures of the public squares, places or buildings, or to any one of the public pumps or lamp-posts, not only to file an information against the owner, rider or driver of such animal, but to take the animal itself and impound it, until the payment of all fines and costs which may fall upon the offender, as well as the expenses of impounding, or until good and sufficient security shall be given for the payment of such fines, costs and expenses.

Feb. 21, 1877,
R. 90.

351. Police Sanitary Inspectors. The Mayor shall annually, and at the proper time, by the counsel of the Board of Sanitary Commissioners, appoint at least one of the policemen of the city police force, for each and every ward of the city, to perform the duties of visiting and inspecting every lot, enclosure and yard, and every street and lane, thoroughfare and wharf in the ward, for which such policeman or policemen shall be regularly designated and appointed, and to make report weekly or oftener, if required by the Mayor, of all filth or unwholesome collection of any kind in such ward, such report to be made to the Mayor through the Chief of Police.

July 13, 1877,
R. 94.

352. To report walls or fences in an unwholesome condition. It shall be the duty of the police officers inspecting the ward in which any fences or walls in a decayed, mouldy or other condition likely to cause disease, may be found, in the month of June or July, or in the months of December and January, in any year, to include the same in his report of the condition of his ward, giving notice to the owner or owners, occupant or occupants, at the time of making such inspection of his intention to make such report, and that such owner or owners, occupant or occupants, may appear before the Board of Sanitary Commissioners to show the contrary, if he or they shall so desire, stating in his report that such notice has been given.

April 5, 1865,
c. 447.

353. To arrest persons abducting seamen. It shall be the special duty of the City Police, and all and every one of them, whether by day or night, if they shall be credibly informed or shall be assured of their own personal knowledge, that any person or persons within the port of Savannah, or the jurisdictional limits of the said city of Savannah, have been or are violating any of the State laws in regard to the abducting or attempting to abduct, or harboring article seamen, forthwith, and as an ex-officio constable of the city of Savannah, and the extended limits thereof, to arrest such person or persons and carry him or them before the Mayor or some other magistrate

in the city of Savannah. And if any officer or member of the said police shall be guilty of neglect of duty in arresting any person or persons who may have violated any of the provisions of the State law, when the same shall come within his or their own knowledge, such officer or private shall be liable to a fine not exceeding fifty dollars, and to be dismissed from office at the discretion of the Mayor, to be approved of by Council at its next regular meeting.

354. Scavengers to have carts subject to order of the Police Department. The Superintendent of the Scavenger Department shall, on Sundays, have one cart for each of his sections, ready and subject to the order of the Police Department for the removal of any garbage or offensive matter that it may be deemed necessary to remove.

Dec. 25, 1878,
R. 160.

355. Arrests; detentions; recognizances. Whenever any person shall be committed to the police station, for violation of the ordinances of the city, he or she shall be detained until the next morning, and be brought before the Police Court: Provided, nevertheless, 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 offence, at the Police Court at its appointed hour of meeting, unless it shall appear to the officer in command that the peace and good order of the community will be endangered by his or her discharge.

Jan. 5, 1860,
c. 373.

356. Opposing or resisting police; may demand aid of citizens. If any person shall be convicted of resisting, opposing or molesting any member of the police force, while in the discharge of his duty, he or she may be fined in a sum not exceeding one hundred dollars for each and every offence, 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.

Ibid.
c. 375.

357. Blowing of duplex or police whistles by other persons prohibited. It shall not be lawful for any person, other than police officers, or persons entrusted therewith by the police authorities, to use or blow within the corporate limits of the city of Savannah, any duplex or police whistle of the kind now used by the police force as a police call.

June 22, 1881,
s. 1.

358. Penalty for violation. Any person violating the provisions of this ordinance shall, upon conviction before the Police Court of Savannah, be punished by a fine not to exceed one hundred dollars, or by imprisonment not to exceed thirty days, at the discretion of the court.

Ibid.
s. 2.

359. Horses for police to be furnished by city. The city shall furnish, for the use of the Sergeants of the Police, six horses, and not exceeding fifteen for the use of the privates; the Captain and Lieutenants shall furnish their own horses, and all of the horses used by the Police Force shall be kept at the expense of the city.

Jan. 5, 1860,
c. 370.

May 24, 1871,
c. 520.

Jan. 5, 1860.
c. 370.

360. Health officer to give medical aid to privates. 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.

March 17, 1880.

361. Rules for government of the Police.

The following rules and regulations of the police force shall be observed until otherwise directed by the said Mayor and Aldermen of the city of Savannah in Council assembled:

RULES AND INSTRUCTIONS FOR THE GOVERNMENT OF THE POLICE.

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 shall be the duty of the Chief of Police to visit and inspect the police force while on duty three times during each week, the visits to be made at night, and each member of the force on duty shall be visited in the ward, district or street in which he may be stationed.

4. It shall be the duty of the Chief of Police to visit the Police Barracks every morning and night at such hours as he may deem best, or as may be prescribed by the Mayor.

5. He shall 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 to prepare and sign the estimates for the pay of the police force, at the expiration of each month. 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 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.

11. The Chief of Police shall have power to suspend or arrest any of his subordinates, but shall within twelve (12) 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.

12. The Chief of Police shall turn over all money or moneys he may receive for fines or other causes on account of the city to the City Treasurer weekly.

13. 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 or the Lieutenant on duty 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.

14. The Chief of Police shall divide the city 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 on the main thoroughfares.

15. The Chief of Police shall have authority to grant leaves of absence to the privates remaining in the barracks, but not more than eight shall be permitted to leave any one night, and no leave shall be granted for a later hour than 11 o'clock P. M.

LIEUTENANTS OF POLICE.¹

16. The Lieutenants of Police shall have general charge of the Police Barracks; 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 Barracks.

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 Barracks.

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.

⁽¹⁾ The offices of Lieutenants of Police were abolished May 9, 1883, but the rules are here inserted as defining duties now performed by other officers.

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 Sergeant of the platoon to which they belong, and that all negligence in attire, want of cleanliness, or unfitness from 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 policeman 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 Barracks, the name at full length of each and every person taken into custody by the officers and policeman, 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 Police Barracks, 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 subpoenas 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 Police Barracks, 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, drunkennes, 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 any 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 Police Barracks to muster and detail the police at such times and in such manner as may be directed by the Chief of Police, in conformity with these rules and regulations.

33. He shall inspect the wards, officers and privates of the Police Barracks, and will be held responsible for the cleanliness and 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 the 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 offense 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 embezzlement, 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 officer presiding in the Police Court may direct.

39. The tour of duty of each of the Lieutenants of the police force shall be from 6:30 P. M. to 6:30 P. M. of the following day, the Lieutenants alternating. The Lieutenant on duty shall visit the force at different points where stationed once during the night and once during the day while on duty for the purpose of inspecting and seeing that the members of the force are mindful of their duties.

40. The Lieutenant on duty at the Barracks shall not retire for the night at an earlier hour than half-past one, and in no event shall he absent himself from the Barracks, except when in the discharge of his duties during his tour of duty, but nothing herein contained shall prevent the Lieutenant on duty from taking the first or second relief.

41. 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.

42. 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.

43. The Lieutenants will duly attend the Police Courts to give such information as they may of the matters before the court.

SERGEANTS OF POLICE.

44. Shall have general charge and supervision of the patrol force on duty in their respective districts, and shall arrest and carry to the Police Barracks 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.

45. 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.

46. 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.

47. The Sergeants shall visit the whole of the police force on duty, once at night and once by day, during their watch, inspecting the conduct and activity of the men on duty.

48. 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 officer on duty, to be by him reported to the Mayor at the holding of the Police Court.

49. 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.

50. 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.

51. The Sergeants must carefully study and thoroughly understand the rules and regulations.

52. 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.

53. In case of fire, burglary, riot, or any other emergency, the Sergeants on duty nearest the scene of fire, burglary, riot, etc., will immediately send information to the officer in command at the Police Barracks, and in the meantime take such action as the circumstances of the case may require.

54. 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 officer in command the name of the man, and the cause of absence, if ascertained.

55. 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.

56. Umbrellas and walking canes are not to be worn or used by Sergeants or policemen while on duty.

57. The Sergeants shall be so detailed on duty by the Chief of Police so that each Sergeant shall be off duty for twenty-four hours consecutively every fourth day.

DUTIES OF POLICEMEN.

58. 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.

59. 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.

60. He must acquire a knowledge of the inhabitants within his beat, so as to enable him at once to recognize them.

61. 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.

62. 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.

63. 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.

64. 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 Barracks or Court, as the case may be, and return with as little delay as possible to his beat.

65. 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.

66. He shall take particular notice of hacks, cabs, or any other vehicle, at night, which, under any circumstances, excite suspicion.

67. He shall report all gas lamps that may not be lit or cleaned, or that may in any way be out of order.

68. He shall give his name or number to all persons who may inquire.

69. He must never use his club or weapon, except in most urgent cases of self-defense.

70. 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.

71. It shall be the duty of sentinels and doormen to obey all orders received from the officers, and to keep the Police Barracks clean and in good order.

72. 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 9 o'clock A. M. of the succeeding day.

73. Policemen, when called upon by the Chief Fireman or his representative, to aid in preserving order, shall render all assistance in their power.

74. 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.

75. He must readily and strictly obey the orders and instructions of his officers.

76. 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.

77. He should see every part of his beat in the time allotted, and this he will be expected to do regularly. The 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.

78. 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.

79. 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.

80. He will be civil and attentive to all persons of every rank and class. Insolence or incivility will not be passed over.

81. While on duty he will not enter into conversation with any one, except on matters relating to his duty.

82. 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.

83. 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.

84. 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.

85. He shall, when about to arrest an offender, or to examine any suspicious person or circumstance, declare him a policeman in the execution of his office, and shall then proceed to perform his duty.

86. 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.

87. 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.

88. 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.

89. 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 Police Barracks, 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 may assault, oppose, or resist them in the exercise of their functions.

90. No policeman shall leave his station until properly relieved, except in case of extreme illness, when he shall report himself at the Police Barracks to the officer in command; or in case of the arrest or conveyance of a prisoner to the station.

91. 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.

92. 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.

93. 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 Police Barracks, as the case may be, with the person arrested, unless otherwise ordered by the Mayor or Chief of Police.

94. All property which may be stolen or lost, that may come into the possession of a policeman, shall be carried to the Police Barracks 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.

95. 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.

96. 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.

97. 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.

98. 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.

99. Members must inform themselves on these rules, as ignorance will not be received as an excuse.

100. 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.

101. Policemen appearing in the Mayor's Court must be neatly attired, and must, on all such occasions, display their badge of office.

102. 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.

103. 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 upon by the Mayor or presiding magistrate to state it.

104. 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.

105. When money and other articles are taken from a prisoner, they must be at once delivered to the officer on duty at the Police Barracks. The policeman 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.

106. Any policeman may stop and detain, until due enquiry 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 good grounds for believing that such removal is made for the purpose of theft.

107. 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.

108. 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.

109. 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.

110. 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 Police Barracks.

111. Every policeman is required to prevent the deposit of coal upon the sidewalks, and all obstructions of the footways, 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.

Aug. 10, 1887.

112. 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 it shall be discretionary with the Chief of Police, whether or not to recommend pay for the time thus lost, and his recommendation for such payment shall secure the same if the recommendation is concurred in by the Police Committee, but not otherwise. Time lost in every case shall be so stated on the pay roll.

113. Every policeman will exercise the right of a citizen at all elections unquestioned, but there shall be no discussions of any political subject at the Police Barracks, or by any officer, Sergeant or private of the police force while on duty.

114. 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 Police Barracks.

115. When he discovers a pickpocket in a crowd at railroad stations, theatres, or any 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.

116. 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.

117. 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 defense. 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 deprivation or abuses of prisoners will meet with reproof and punishment.

118. 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.

119. 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.

120. 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.

121. He shall especially be watchful of vacant houses, to prevent depredations, and be vigilant to prevent fires.

INSTRUCTIONS TO OFFICERS.

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 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 that 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 burglars' 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 children ; 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, etc.
- G.—Riotous conduct.
- H.—Brawls tending to riot.
- I.—Assaults.

GENERAL RULES.

1. The officers shall assemble at the Police Barracks 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 Police Barracks, 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 circumstances calculated to excite suspicion.
5. If any officer observes anything in the street likely to produce danger or public inconvenience, or anything 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 Police Barracks ; 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 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 the Police Barracks, 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-defense, 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 toward the police in the by-standers ; he must not use more violence than is absolutely necessary to take the prisoner safely to the Police Barracks.

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 any sudden death the police will notify the Lieutenant on duty, who will report the same to the Coroner, and will make a note of same in their morning report.

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 Police Barracks 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 Police Barracks 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, etc., 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 handbills 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 cannot 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 Police Barracks. 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. Members of the police force 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 member of the police force 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 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 a 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, in the canal, or on the river front 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 Barracks are exclusively for the transaction of police business, and no persons not connected with the department will be permitted to loiter at the Barracks. 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 the Police Barracks 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 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. 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 at once to the Mayor.

51. 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.

52. Members of the police force off or on duty must be respectful and obedient to their commanding officers and all superiors and properly salute them; 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.

53. That it shall be the duty of the Committee on Police forthwith to prescribe such uniforms as shall be worn by the officers, sergeants and privates of the police force while on duty; the respective designations of rank of the same; and what badges are to be worn by the respective officers and members of the force.

54. That if any member of the police force shall be guilty of any dereliction or neglect of duty, if an officer, he shall, on conviction thereof, be fined or suspended, at the discretion of the Mayor; if a private, he shall, on conviction thereof, be fined or dismissed from the force, at the discretion of the Mayor.

55. That all officers and members of the police force shall wear their uniforms while attending any place of public amusements or other large public assemblages of the people.

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 open to him 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 to 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 are 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.

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 a 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 per-

son 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 becomes fully convinced that the property has been stolen, he will make the arrest and take charge of the goods.

March 17, 1880.

362. Violation of rules; penalty. Any violation of any of the rules and regulations provided for in the third section of this ordinance, or any breach of good order or discipline on the part of any member of said police force, shall, upon conviction in the Police Court of Savannah, where all offenses against the rules and regulations provided for in this ordinance are alone cognizable, be fined in the sum not exceeding twenty dollars, or be suspended or dismissed, at the discretion of the Mayor or officer presiding in said Police Court.

Sept. 21, 1887, s. 1.

363. Pension for thirty years of service. Any member of the said police force who has or shall have performed duty therein for a continuous period of thirty years or upwards shall, upon the certificate of the Surgeon of Police, concurred in by Council, that such member is permanently disabled, physically or mentally, so as to be unfit for duty, be placed on the retired roll, and shall receive an annual pension from the treasury of the city of Savannah during his lifetime of a sum not less than one-half of the full salary or compensation of such members so retired.

Ibid. s. 2.

364. Pension for twenty years of service. Any member of the said police force who has or shall have performed duty therein for a continuous period of twenty years or upwards and less than thirty years shall, upon the certificate of the Surgeon of Police, concurred in by Council, that such member is permanently disabled, physically or mentally, so as to be unfit for duty, be placed on the retired roll, and shall receive an annual pension during his lifetime of a sum not less than one-third of the full salary or compensation of such member so retired.

Ibid. s. 3.

365. Term of service, how reckoned. In determining the term of service of any member of said police force no service rendered prior to the organization of the present police force on the first day of November, 1865, shall be counted.

Ibid. s. 4.

366. Funeral expenses, etc., when allowed. Every member of said police force who dies in service from natural causes, shall be buried at the expense, not to exceed fifty (\$50) dollars, of the said city of Savannah, and the dependent family of such member shall receive his monthly salary for three months after his death. Every member of said force who is killed while in the discharge of his duty, or dies from the effects of wounds received in the discharge of his duty, shall be buried at the expense, not to exceed fifty dollars, of the said city, and the dependent family of such member shall receive his monthly salary for six months after his death.

Ibid. s. 5.

367. Members disabled in discharge of duty. Any member of said Police Force who may be permanently disabled by reason of wounds received in the discharge of his duty, and thereby made unable to earn a support, may be placed on the retired list on one-half pay.

CHAPTER 25.

MARKET.

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| <p>SECTION 368. Public Market to be held daily.
369. Market fees, how collected.
370. Butchers, how to divide small meats.
371. Marks of cattle to be registered
372. Offal, etc., not to be brought to Market.
373. Butcher pens prohibited within one mile of city.
374. Unwholesome meat, etc., unlawful to sell.
375. Butcher wagons at Market, feeding of animals, regulated.
376. Violation of Market ordinances; fine and execution.
377. Clerk to be Inspector of Weights and Measures.
378. False weights, etc., penalty.
379. Police detail, duties.
380. Vendors to have and use their own scales.
381. Sleeping on Market stalls, penalty.
382. Market ordinance, penalty for violation of.
383. Selling through city after Market hours.
384. Dogs.
385. Smoking in market, gunpowder, etc., prohibited.
386. Defacing building or stalls, penalty.
387. Renting of stalls.
388. Butchers to enter into a bond of \$500.
389. Dead poultry, to be sold by weight.</p> | <p>SEC. 390. Reselling articles, prohibited.
391. Clerk and Police to report violation.
392. Market fees and charges.
393. Clerk; weekly returns of fees collected.
394. Three stalls to be reserved for planters.
395. Market hours prescribed.
396. Clerk; election, bond and oath.
397. Duties.
398. Authorized to levy for fees, etc.
399. Green groceries; how established, etc.
400. Under superintendance of Market Committee.
401. Certain meats to be sold only at Market or green groceries.
402. Green grocer's license; what may be sold under.
403. License tax.
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406. Hucksters and farmers; where may sell.
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408. Weigher and Inspector of hides and tallow.
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410. Inspection; hides, etc.
411. Bond of Weigher and Inspector.
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413. Market rules and regulations.</p> |
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368. Public Market to be held daily. A public market shall be held every day in the year (Sundays excepted) in Ellis Square, at which place all kinds of butcher's meat, poultry, fruit, fish, vegetables, and all other kind of provisions, may be sold, and such other articles as may hereafter be allowed, under regulations hereinafter contained.¹

May 28, 1872, s. 1. R, 106.

369. Market fees how collected; opposing Clerk, fine. When any seller of meat or other articles such as may by this ordinance be allowed and 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 said charge be not paid before the closing of the market, and the article or articles remain in the possession of the Clerk, the same shall be disposed of as may be directed by the member or members of the Market Committee present, or in his or their absence, as the clerk may see fit. And if any person or persons shall oppose, obstruct, insult or abuse the Clerk of the Market in the execution of his office or duty, such person or persons shall be fined in a sum not exceed-

Ibid s. 2.

(1) City bound to keep pavement in front of stalls in a good condition. Collin's case 38 Ga. 334.

ing thirty dollars. The Market Committee shall have the discretion to say what articles, other than those above named, shall be sold at the market house and the green groceries.

Ibid. s. 3.

370. Butchers ; to divide small meats ; how, etc. The butchers shall, if required by any person or persons, with the approbation of the Market Committee, divide their small meats as follows : Every calf, heifer, hog, goat or lamb, the quarters thereof shall be divided into two parts, the loin from the leg, or the breast from the quarters, and the quarters of beef shall be cut up into pieces so as to suit the buyers. These regulations to commence at the opening of the market and continue to the hour hereafter mentioned ; and any person or persons neglecting or refusing to comply with the tenor of this section shall, for every neglect or refusal, be fined in a sum not exceeding ten dollars ; and every person cutting up meat shall wear a long white apron every day whilst at market.

Jan. 16, 1884.

371. Butchers to report marks of cattle slaughtered to Clerk, etc. Every butcher or other person bringing meat to market, or green grocer having meat for sale in the city, shall, under pain of forfeiture of license and fines not exceeding one hundred dollars for every offense, report to the Clerk of the Market at each and every opening of the market the mark or marks of every ox, cow, steer, heifer, sheep or lamb, or grown neat animal or cattle slaughtered by such butcher or other person with the day of the month the meat was brought to him to market or to his green grocery, and it shall be the duty of the Clerk of the Market to make an entry of such report in a book to be by him kept open at all times during market hours for public inspection, and at every place of slaughter the hide of every such animal, with the horns and ears attached, shall remain subject to public inspection until the close of market hours on such day as such report may be made, and if such Clerk shall fail to perform any such duty or shall enter any false brand or mark he shall be subject to a fine not exceeding one hundred dollars and to removal from office.

May 28, 1872,
s. 5. R 106.

372. Offal, etc., not to be brought to market. It shall not be lawful for any person or persons whatsoever, to bring to or near either of the markets aforesaid, any of the offal or inside of any bull, steer, cow, heifer, calf, sheep or hog, except the harslet, clean tripe, and lard and tallow when melted, and rough fallow : Provided, the same is free from any unpleasant smell ; and any person so offending shall pay a fine not exceeding thirty dollars.

Ibid. s. 6.

373. Butcher pens within one mile of city, prohibited. If any butcher shall erect or keep any pen or enclosure for the purpose of keeping or slaughtering any cattle, calves, sheep or goats, within a mile of the present corporate limits of the city, he shall be prohibited from selling in the market, and may be fined in a sum not exceeding one hundred dollars for each offense. It shall not be lawful for any butcher, under the penalty of not more than one hundred dollars for every day's offense, to erect or keep any pen or enclosure for the purpose of keeping or slaughtering any hogs within one mile of the present corporate limits of the city.

Ibid. s. 7.

374. Unwholesome meat, etc., exposed for sale, penalty. 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 provision shall appear to be unwholesome, the same shall be considered as a nuisance, and condemned, and immediately buried under ground, burnt, or otherwise destroyed, by order of the officer or 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.

375. Butcher wagons ; feeding of animals at market, regulated.

No butcher bringing meat of any kind to market for sale, at any of the stalls, and no other person bringing live stock or any other species of provisions to market, for sale, shall be permitted or allowed to keep any wagon, cart, or any other carriage, vehicle, horse, mule, ass or ox, nearer to said market, or for a longer time than the Market Committee or Clerk of the Market may direct, and such butcher or other person shall be compelled to draw up his, her, or their wagon, cart or vehicle, in such manner and in such places as any one of the Market Committee, or said Clerk, shall think most convenient for the sale of articles so brought, nor shall any person or persons be allowed or permitted to feed with grain or forage any horse, mule, ass or ox, or any other animal, at the said market, or within the limits prescribed by said Committee or Clerk.

May 28, 1872,
s. 8.

376. Violation of market ordinances ; fine and execution. 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 ordinance ; 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 not more than 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.

Ibid. s. 8.

377. Clerk of Market to be Inspector of Weights and Measures.

1. The Clerk of the Market shall be Inspector of Weights and Measures used in the public market of Savannah and the green groceries, 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 green groceries ; and if upon 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 seize 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 ; and no person shall use any steel-yard or spring scales within the market house or market, or any green grocery, under the penalty last aforesaid for every offense and forfeiture of such steel-yard or spring scale as aforesaid. In or near the centre of the market house there shall be placed a box, large enough to contain a balance-scale and weights sufficient to weigh thirty pounds, in

Ibid. s. 9.

which there shall be deposited a sealed scale and weights of that size, which shall be in the care and custody of the Clerk of the Market, and for the use of buyers who wish to test the weights of the marketings purchased in the market; and the Clerk of the Market, if requested, shall test the weight of any marketing so bought or sold.

2. 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 steel-yard or 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.

May 28, 1872,
s. 10.

378. False weight or measure, penalty. If any person or persons shall buy or sell in this city, at said market house, or any green grocery, any article or commodity usually bought or sold by weight or measure, hereafter to be used, and not sanctioned by this ordinance, or shall there 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.

Ibid, s. 11.

379. Police detail, duties. It shall be the duty of the policemen detailed for such service to attend at the said market every day at sunrise, and continue their attendance at market until 9 o'clock of the morning, and also on every Saturday afternoon until the closing of the market, for the purpose of aiding and assisting the Mayor or any Aldermen, Clerk of the Market, or Marshal, in the performance and execution of any of the duties devolved on any or either of them, under this ordinance, or any other which may be passed in relation to the market, and in case of neglect or default of duty or attendance as aforesaid in any policeman, he shall be fined in a sum not exceeding thirty dollars, and the Mayor may, at any time, order the City Marshal to attend at the market house to render assistance as aforesaid.

Ibid. s. 12.

380. Vendors must have and use their own scales. It shall not be lawful for any vendor of meat, or other person having a stall and vending any article sold by weight, to weigh the same at any other scales than those attached to his own stall, and all persons neglecting to have scales of their own, or weighing at any other scales than those affixed to their own stalls, or using other weights than those of the scales so affixed, shall be fined in a sum not exceeding thirty dollars.

Ibid. s. 13.

381. Sleeping on market stalls, penalty. It shall not be lawful for any person to sleep or lie down upon any public stall in the market in the night or day time, and every person so found shall be taken up by the Marshal, or City Police, and upon conviction thereof before the Police Court, fined by such court in a sum not exceeding thirty dollars.

Ibid. s. 15.

382. Penalty for violation of market ordinances. Each and every person violating any part of this ordinance, the penalty for which violation is not herein specially designated, shall be fined in a sum not exceeding thirty dollars.

Ibid. s. 16.

383. Selling through city after market hours. 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.

384. Dogs not permitted within thirty feet of market. 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.

May 28, 1872,
s. 17.

385. Smoking in market; gunpowder, explosive oils, etc., prohibited. It shall not be lawful for any person to smoke any cigar or pipe in the public market place in the city of Savannah, under the penalty of two dollars for the first offense, and not exceeding five dollars for each and every subsequent offense; and no gunpowder, or other detonating or fulminating preparation or substance, or explosive oil, shall ever be carried to said market, under penalty of not more than thirty dollars for every act of offense.

Ibid. s. 18.

386. Defacing market building or stalls, penalty. If any person shall cut, mutilate, break, deface or injure the market building or any of the stalls or other appurtenances to the said market, or shall chop any meat or other articles on any stall, such offender shall be fined for such offense in a sum not exceeding fifty dollars, one-half the fine to be paid to the informer.

Ibid. s. 19.

387. Renting of stalls. Until the first Wednesday in December next, (1872), the Market Committee shall have authority to rent the stalls in the new public market, on such terms, either privately or at public outcry, as said Committee may determine. On said first Wednesday in December—and on the first Wednesday in every succeeding December, as to stalls not retained or reserved, or then under rent for the succeeding year—every stall in said market shall be rented for one year or more, not exceeding two years, at public outcry at the market house, under assessment to be fixed by said Committee; and the person making the highest bid over such assessment shall be the lessee of such stall for the term of one or more years as aforesaid; and the sum so bid shall always be paid in advance of the taking effect of such letting; and no bid under or below such assessment shall be received except in the discretion of the Market Committee: Provided, always, that no person or association of persons shall rent more than two stalls; and that no person shall sub-let any stall without the authority of the Market Committee; and any such sub-letting, without authority as aforesaid, shall work a forfeiture of the lease to the city: And, provided further, that on a second conviction before the Police Court of the violation by any lessee of any rule or rules, regulation or regulations of said market, the lease of such offender may be declared vacated, and it shall then utterly cease and determine. Any person renting a stall may, with the consent of the Market Committee, retain the same for another term, at the same or an advanced price to be agreed on; but in every such case the lessee shall give at least ten days' notice of his desire to retain and of the terms proposed. Every stall in the market shall be num-

Ibid. s. 21.

bered. All stalls not rented as aforesaid, shall be assessed and let on such terms and at such prices as shall be fixed by the Chairman of the Market Committee.

May 28, 1872,
s. 22.

388. Butchers to enter into bond of \$500. That from and after the passage 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 a bond in the sum of five hundred dollars, payable to the Mayor and Aldermen of the city of Savannah, with good security to be approved by the Mayor, conditioned that such butcher will faithfully comply with all of the ordinances of the city and the laws of the State, in reference to cattle and other animals for slaughter, offered for sale; and on failure of any such butcher to give such bond and security, the Clerk of the Market shall refuse permission to such butcher to carry on his trade in said market; and the stall of said butcher shall be deemed and declared vacant, and may be rented out to some other person: Provided always, that nothing contained in this 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. And such bond may be required to be renewed, from time to time, as the Mayor may direct.

Ibid. s. 23.

389. Dead Poultry to be sold by weight. 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 offense to pay a fine of not more than five dollars.

Ibid. s. 24.

390. Reselling articles bought at market, prohibited. 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 resale, 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.

Ibid. s. 25.

391. Clerk and police to report violations. It shall be the special duty of the Clerk of the Market and of the city police to report all violations of the foregoing section and to put the offender or offenders on the information docket; and in every case where the offender is not a resident of the city of Savannah, and does not reside within the jurisdictional and police limits, it shall be the duty of said Clerk to seize every such article or commodity and to retain the same until such offender shall enter, at the police station, into good security to answer for such offense; and in case no security be given, then said articles and commodities shall be forfeited to the city, on due proof before the Police Court.

392. Market fees and charges. The following charges and fees shall hereafter be paid to and collected by the Clerk of the Market for the use of the city: For every beef, twenty-five cents; for every calf, sheep, lamb, hog, deer or goat, fifteen cents; for each piggin, pail or firkin of butter or lard, ten cents; for each drum fish, bass, snapper, grouper, or other large scale fish not sold on string, five cents; for each turtle, five cents; for each pair of terrapins, five cents; for each shad, three cents; for each string of fish not less than one cent nor more than two cents; for each basket of shrimps or prawn, twenty cents; for each pail of open oysters, twenty cents; oysters and clams per bushel, five cents; for weighing on the public scales, each draft over thirty pounds, ten cents; and under thirty pounds, five cents; for every lot of vegetables sold from a stall or bench, ten cents; for every pair of wild English, black or canvas-back ducks, five cents; for every other kind of wild ducks, per pair, three cents; poultry sold from country carts, not taxable; fowls per pair, five cents; turkeys, five cents each; geese, five cents each; from vendors of sausages, twenty-five cents for each 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 Saturday afternoon's market; for each saddle of venison sold from a stall or bench, ten cents; for each lot of vegetables, fruit or other produce sold from a two horse wagon or cart at the market during market hours, fifty cents; for each lot of vegetables, fruit or other produce sold from a one horse wagon or cart at the market during market hours, twenty-five cents; for every basket of vegetables, fruit or other produce sold at the market, five cents; for every lot of jerked or dried beef sold at the market, twenty-five cents; for every basket of rice, ten cents; for every lot of watermelons or cantaloupes sold at the market, one cent for each melon or cantaloupe sold; for every sturgeon sold at the market, twenty cents.

May 28, 1872,
s. 26.

July 19, 1882.

393. Clerk to make weekly return of fees collected. 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.

May 28, 1872,
s. 27. R. 114.

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

Ibid. s. 28.

395. Market hours prescribed. A Clerk of the Market shall be appointed as hereinafter provided, 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 during the entire year, and the closing of the market shall be announced by the ringing of the market bell.

Ibid. s. 29.

Oct. 19, 1887.

396. Clerk of Market, election, bond and oath. The Clerk of the Market shall be elected by the Mayor and Aldermen in Council assembled, who shall hold his office or appointment until he be regularly re-appointed or a successor duly appointed and

May 28, 1872,
s. 30.

qualified. The said Clerk shall give bond with good and sufficient security to the Mayor and Aldermen, in the sum of two thousand dollars, to account for all moneys received by him as Clerk as aforesaid, and faithfully to do and perform all the duties required of him by ordinances regulating his duties, and before entering on the duties of his office or appointment, he shall take before the Mayor, Chairman of Council, or any Alderman, an oath faithfully to discharge the duties of his office.

May 28, 1872,
s. 31.

397. Clerk of Market, duties. 1. The said Clerk is authorized, and he is hereby required, to collect and receive from the owner or seller of any meat, victuals, provisions, or any other articles of food, brought to the market for sale, and for weighing in the public scales, the fees respectively prescribed in and by this ordinance, and he shall perform all other duties required of him in this ordinance; and for any neglect or violation of duty, he may be fined in the sum not exceeding one hundred dollars, and be suspended and dismissed from office, as in the case of other city officers.

Ibid. s. 32.

2. 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, and cleanse, or cause to be swept clean and cleansed, the said market every day in the year, and also such space of ground as shall be marked out and fixed by the Market Committee as connected with the same, and shall likewise cleanse, or caused to be cleansed, all the stalls for large and small meat, vegetables, fish or other articles. He shall keep two or more scales and weights for the convenience of weighing butter and other small articles, in addition to the scales and weights hereinbefore provided for.

Ibid. s. 33.

398. Authorized to levy for fees; penalty for obstructing. 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 shall be paid, or until one or more of the Market Committee order the release thereof. And if the said charge be not paid before the closing of the market, and the article or articles remain in the possession of the Clerk, the same shall be disposed of as may be directed by the member of the Market Committee present, or, in his absence, as the Clerk may see fit. And if any person or persons shall oppose, obstruct, insult or abuse the Clerk of the Market in the execution of his office or duty, such person or persons shall be fined in a sum not exceeding thirty dollars.

April 9, 1873,
R. 123.

399. Green groceries, how established; bond, etc. There may be established a green grocery in any part of said city, under the following stipulations, that is to say: Any person offering to establish a green grocery 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 district; whereupon the said committee and the Mayor may grant the application, and each person so selected shall, before entering upon the employment or business of green grocery, give a bond to the city in the sum of five hundred dollars, 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, steer, or grown meat cattle, without taking to the Clerk of the Market

the mark or marks of such animal, to be registered as now required by this ordinance in regard to the public market, and otherwise conform to the requirements of said ordinance in that respect; and that such 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 such green grocery the applicant shall take out a license, which license shall be good for one year; but may be renewed from year to year, 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 district in 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 ordinance 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.

May 28, 1872,
s. 34. R. 117.

400. Green grocers under superintendence of Market Committee. 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.

401. Certain meats to be sold only at market or green groceries. Hereafter it shall be unlawful to sell by retail elsewhere than at the Savannah Market House, under existing regulations, and at licensed green groceries, the following articles, viz: Beef, veal, mutton, pork, and fresh butchers' meat of all kinds, but nothing herein contained shall be taken to prohibit the sale from wagons of licensed butchers and green grocers of the meats specified in this section from the market.

March 12, 1884,
s. 1.

402. What may be sold under green grocer's license. The articles mentioned in the preceding section are defined as those which the green grocer may sell under the green grocer's license tax, and which cannot be sold without payment of such tax.

Ibid. s. 2.

403. Green grocer's license tax. The license tax to be paid by green grocers shall be the sum now fixed by existing ordinance, or such sum as may be fixed by ordinance from time to time hereafter.

Ibid. s. 3.

404. Penalty for violating. Any one violating the provisions of this ordinance shall be fined before the Police Court of Savannah not more than one hundred dollars for each offense, or be imprisoned for each offense not more than thirty days.

Ibid. s. 4.

405. Street hawkers, licenses and badges. Nothing in this ordinance contained shall, however, apply to street hawkers of poultry, game, fish, and shell fish and green garden truck, who shall first pay to the Clerk of Council the license tax as now required by ordinance for street hawkers, and register with the Clerk their names and places of residence, and obtain from said Clerk a badge to be worn by them while hawking upon the streets, so as plainly to be seen, which said badge shall be made in such shape and dimensions as the Clerk of Council may determine.

Ibid. s. 5.

406. Hucksters to sell inside, farmers, etc., outside of market. All hucksters selling in the Savannah market shall sell inside of the market, and it shall be unlawful for any person other than farmers who sell their own produce to sell on the outside of the Savannah market.

Oct. 21, 1885.

Oct 21, 1885, s. 2

407. Penalty for violation. Any person violating this ordinance, upon conviction thereof in the Police Court, shall be fined in a sum not exceeding fifty dollars, or imprisoned not more than thirty days, either or both, in the discretion of the officer presiding in said court.

Dec. 5, 1872,
s. 1. R. 120.

408. Weigher and Inspector of hides and tallow. On the first day of January in each and every year, there shall be appointed by the Market Committee of Council, in conjunction with the Mayor, a suitable person, whose duty shall be to weigh and inspect the hides of all beef cattle, the meat of which may be exposed for sale in the public market and licensed green groceries of the city of Savannah, and shall keep in a book, in a plain and legible manner, the ear marks, weight and color of each hide, and shall brand or otherwise mark the same in such manner as may be directed by said committee, and shall likewise weigh the tallow of all such cattle, when requested so to do by the owner thereof.

Ibid. s. 2.

409. Fees. The said weigher and inspector shall be authorized to demand and receive for every hide he may weigh, the sum of five cents, to be paid by the owner, and no beef shall be exposed for sale in said market whose hide has not been weighed and marked in the manner aforesaid.

Mch. 26, 1873,
s. 1. R. 121.

410. Butchers to bring hides, etc., to Inspector; green groceries, etc. It shall be made imperative on every butcher doing business in the market to bring to such place as may be designated by the Market Committee, between the first day of April and the first day of October, by 5 o'clock each morning, the hides and skins of all beef cattle exposed for sale in the public market, the same to be inspected and weighed by the Inspector as soon as they arrive, and to be taken away by the owner or purchaser by 7 o'clock A. M. From October the first to thirty-first of March, all said hides and skins shall be brought by 6 o'clock A. M., to be weighed and inspected as above required, and taken away by 8 o'clock A. M. by the owner or purchaser of same. The Inspector shall be authorized to demand and receive from the seller five cents for every hide he may weigh or inspect, and two cents in like manner for every skin. It shall be the duty of the Inspector and Weigher, after the removal of the hides and skins from the place designated by the Market Committee, to go around to each and all of the green groceries in the city and weigh and inspect the hides at those places, receiving the same fees as above provided; and in case there shall be no hides produced, he shall learn from the keepers or proprietors of said green grocery establishments whence the meats in their establishments were obtained, and the names of the parties supplying the same. All parties failing to bring hides and skins, as required, shall be subject to a penalty of not less than five dollars for each and every failure to produce the same, on conviction of the offense in the Recorder's Court, unless full and satisfactory explanation be rendered in the premises.

Ibid. s. 2.

411. Bond of Weigher and Inspector. Be it further ordained by the authority aforesaid, that the Weigher and Inspector shall give a bond to the city in the amount of five hundred dollars for the faithful discharge of his duties, and shall make a return to the Mayor on the first day of each month of all hides and skins weighed and inspected by him.

Ibid. s. 3.

412. Neglect of duties, penalty. Be it further ordained by the authority aforesaid, that if the said Weigher and Inspector of

hides and tallow 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 the Mayor and Market Committee.

413. Market Rules and Regulations. The following rules and regulations for the government of the public market, are hereby adopted as a part of this ordinance, and every violation of any such rules or regulations where not otherwise provided for in this ordinance, shall subject the offender to a fine of not more than thirty dollars:

May 28, 1872,
s. 37. R. 118.

1. Country carts and wagons shall be stationed on the west side of the market, commencing at the southwest corner and extending around to the main entrance on Bryan street; vegetable and other market vehicles on the east, extending around to the main entrance on Bryan street; butchers will be allowed to unload their wagons on the Congress street front; vehicles must be placed close together and in regular order, without obstructing crossings. No deviation of the above will be allowed, without the consent of the Clerk of the Market.

2. No person shall sell or offer for sale any stale meats, fish, poultry, eggs, or diseased fowls, or any unwholesome provisions of any kind.

3. No person shall throw, place, leave or deposit any stale meat, fat or bones, stale fish, entrails, or offal of fish, stale clams or oysters, clam or oyster shells, stale vegetables or fruit, or any putrid or offensive or unwholesome substance in or around the market.

4. Any person convicted of selling or offering for sale any stolen meat, vegetable or other market produce, shall be excluded from all market privileges thereafter.

5. All scales, and weights and measures must conform to the standard scales, weights and measures in charge of the Clerk of the Market.

6. No spring scales or steel-yards to be used in or around the market.

7. Every person cutting up meat shall wear a clean white apron during market hours.

8. No dog allowed within the market building.

9. No smoking allowed.

10. No person shall cut, mutilate, break, deface, or injure the market building, stall or other appurtenances thereof.

11. No meat shall be chopped except upon the blocks provided for the purpose.

12. Dead poultry must be sold by weight.

13. Sitting or lying down on the stalls prohibited.

The closing of the market will be announced by the ringing of the bell.

CHAPTER 26.
TRADE REGULATIONS.

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Code of Ga.
§ 156.

414. Inspectors may be appointed for any article. 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 measurement, and for measuring and gauging the said articles, or any of them, within the limits of said cities; and the

same power may be exercised by the Ordinary of every county outside of the limits of such town, and within the limits of such county: Provided, such regulations be not inconsistent with the following provisions:

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

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

3. 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.

4. 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.

5. 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.

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

7. 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.

8. 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.

9. 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.

Act of 1877,
p. 18. 10. 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. One half of said five hundred dollars shall be, on conviction, paid over to the prosecutor or informer.

11. 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.

Code of Ga.,
§ 1563 (a),
Acts of 1876,
p. 32. **415. What inspectors may be appointed of lumber and timber.** No corporate authority, court, or other incorporation having the appointment of inspectors of lumber and timber, shall have, hold, or exercise the authority to appoint any other class of inspectors of lumber or timber than those recognized and authorized by Section 1563 of the Code of Georgia.

Code of Ga.,
§ 1564,
Acts of 1873,
p. 21. **416. Inimical local laws repealed.** All ordinances of any city or town inconsistent with the preceding section are repealed, and any inspector or other person who shall violate any of the provisions of said section, so far as the same relates to the inspection and measurement of any timber or lumber, shall be punished as therein prescribed, any local law, rule or regulation, or ordinance of any city or town to the contrary notwithstanding.

Code of Ga.,
§ 1564 (a),
Acts of 1876,
p. 32. **417. Inspectors of lumber or timber; fees.** No corporate authority, incorporation, or court, having the appointment of inspectors, shall have power to authorize or empower inspectors and measurers of lumber and timber to charge more than twenty-five cents per thousand feet for inspecting, measuring and trimming lumber and timber; and any inspector or measurer of lumber or timber who shall charge more than twenty-five cents per thousand feet shall be guilty of a misdemeanor, and on conviction thereof shall be subject to a fine of five hundred dollars, one half of which shall go to the informer, or imprisonment in the county jail of the county, for the term of three months.

Acts of 1874,
p. 222. **418. Inspectors to keep record book of inspections.** It shall be the duty of the Inspectors of timber and lumber of the city of Savannah, respectively, to keep a book which shall be open to public inspection, in which shall be kept an entry of all timber and lumber of every kind and quality which may be brought to said city for sale, and which may be inspected by them, either within the corporate limits of the city or elsewhere, stating particularly the date of inspection, the date of arrival, where from, name of the owner, number of good pieces, number of refuse pieces, kind, quality, quantity, to whom consigned, if known.

Ibid. s. 2. **419. Account sales of timber or lumber, to disclose what.** When any timber or lumber may be sold in said city by any one, for the account of another, it shall be his duty, when rendering an account of sale to the owner, to disclose the date of

sale, the price for which the same was sold, and the name of the person to whom sold. And should the person so selling fail to make the said disclosures when required, or shall make false or fictitious disclosures in these particulars, shall be guilty of a misdemeanor, and on conviction, shall be punished as prescribed in section 4245 of Irwin's Revised Code; and for a violation of the duty prescribed in this Act for timber and lumber inspectors, they shall be guilty of a misdemeanor, and shall, on conviction be likewise punished.

Mch. 28, 1843,
c. 328. **420. Measurers and Inspectors of Lumber, qualifications and bonds.** The number of measurers and inspectors of lumber appointed by Council shall not exceed eighteen. They shall produce satisfactory evidence of their moral character, fitness and qualifications for the faithful discharge of their duties, not to be interested in the profits arising from the sale of lumber to be inspected and measured by them, though they may be employed as clerks by the factors or sellers, and each shall enter into bond in the name of 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.

Jan. 8, 1857,
c. 329. **421. Personal inspection required.** No measurer or inspector of lumber and timber shall inspect or measure any raft or other quantity of timber except by the personal inspection and measurement of such measurer and inspector, and any sworn inspector who may be called on to aid and assist him in such measurement and inspection, and so to be certified under the hand of such measurer and inspector in duplicate bills of inspection and measurement, to be made out by such measurer and inspector, one for the seller and the other for the purchaser.

Ibid. **422. Penalty for not personally inspecting.** Any measurer and inspector of lumber and timber who shall violate the provisions of the foregoing section, or shall inspect or measure timber, except by his own personal inspection and measurement, or who shall fail to certify such inspection and measurement as made personally by himself as aforesaid, or who shall fail to render such bills certified as aforesaid when requested by the parties, or either of them, shall, on conviction before the Police Court, pay a fine of not less than twenty dollars, and not to exceed fifty dollars, or be dismissed from office.

March 8, 1876,
R. 177. **423. Raft timber, how classed and numbered.** All rafts of timber arriving in the city of Savannah must be classed and numbered one (1), two (2) and three (3), (according to quality of each kind of timber), and distinctly marked on the margin of the survey bill. Number one (1) or shipping timber must be well and smoothly hewn to square edges, clear of wane score hacks or other injurious axe marks, square butted and not to have more than one inch taper in every twenty (20) running feet. Number two (2) or mill timber will comprise all square timber not coming up to the requisition of shipping timber. Number three (3) will consist of all round, scab or block timber.

Ibid. **424. Timber, how measured.** All square shipping timber of class number one (1) shall and must be measured at the middle of the stick, mill timber one-third ($\frac{1}{3}$) from the top, and all round scab and block timber at the top end. That all square timber must be measured and inspected on the four sides, dividing equally the wane and taking the smallest face and the smallest side for the square.

425. Fees of Inspector. Each measurer and inspector shall receive the following fees as his compensation, one-half to be paid by the seller, the other half by the purchaser, the labor necessary for the admeasurement and inspection of lumber will be furnished by the factor or seller, viz: for inspecting and culling oak staves, seventy-five cents per thousand; for shingles, twenty cents per thousand; the price for measuring and inspecting all classes of timber shall be twenty-five (25) cents per thousand feet and an additional sum of fifteen (15) cents per thousand feet shall be allowed for turning over the same.

March 8, 1876,
R. 177.

Code of Ga. of
1883. § 1567.

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

Ibid. 1568.

427. Quality, etc. of turpentine barrels. Every barrel of soft turpentine shall be formed of good and sufficient staves, three quarters of an inch thick, not exceeding five inches wide, not less than thirty nor more than thirty-two inches long; the head not less than one nor more than one 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.

Ibid. 1569.

428. Barrels of turpentine, how marked. 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."

Ibid. 1570.

429. Powers of corporate authorities. 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.

Acts of 1837,
p. 110.

430. Naval stores Inspector not to be agent of merchant or manufacturer. No inspector of naval stores, now appointed or hereafter appointed by the corporate authorities of any city, or the Ordinary of any county, shall be or become during his term of office the agent or clerk of any buyer of naval stores, or of any factor, brokerage or commission merchant engaged in the buying or selling of naval stores, or of any manufacturer engaged in the production of naval stores, and any inspector violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall forfeit his office, and in addition thereto shall be punished as is prescribed in section 4310 of the Code.

Ibid. s. 2.

431. Fees for inspecting, etc., naval stores. No corporate authority, incorporation or Ordinary having the appointment of naval stores inspectors shall have the power to authorize or empower inspectors of naval stores to charge more than six (6) cents per barrel for inspecting rosin, including weighing, inspection and cooperage, nor more than nine (9) cents per barrel for inspecting spirits of turpentine, including gauging, inspection, bunking and cooperage; and any inspector of naval stores charging and demanding more than six (6) cents for inspecting a barrel of

rosin, or more than nine (9) cents for inspecting a barrel of spirits of turpentine, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as is prescribed in Section 4310 of the Code: Provided that no inspector shall be compelled to make an inspection of rosin or spirits of turpentine until these fees are first paid.

432. Penalty for changing or altering inspector's brand. When any inspector shall place his brand upon a barrel of rosin, thereby designating the true grade or quality of said rosin, or shall place upon a barrel of spirits of turpentine his brand, thereby designating the number of gallons contained in said barrel of spirits of turpentine, it shall be unlawful for any person, other than a sworn and bonded inspector, to change, remove, alter, erase or in any manner interfere with said brand or brands, or cause said brand or brands to be changed, removed, altered, erased, or in any manner interfered with, and for each and every violation of this section, the person so violating shall be guilty of a misdemeanor, and upon a conviction thereof shall be punished as prescribed in Section 4310 of the Code, and where a fine is imposed, one half of the same shall go to the informer.

Acts of 1887,
p. 110. s. 3.

433. Penalty for fraudulently grading, etc. If any inspector shall fraudulently place any other than the true grade or quality upon a barrel of rosin, or fraudulently place any other than the exact number of gallons upon a barrel of spirits turpentine, he shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of five hundred dollars, one half of which shall go to the informer, or by imprisonment in the county jail for six months.

Ibid. s. 4.

434. Inspectors of naval stores; election, oath and bond. There shall be elected by Council not more than twelve inspectors for the inspection of rosin, spirits of turpentine and other naval stores in said city, each of whom shall, before entering upon the duties of his office, be sworn before the Mayor to the faithful performance of his duties, and shall give bond and security therefor in the sum of two thousand dollars, and take out a license, for which he shall pay to the City Treasurer the sum of one hundred dollars.

Jan. 26, 1876,
R. 128.

435. Unauthorized inspectors, penalty. 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.

Jan. 2, 1884.

March 15, 1827,
c. 327.

436. Election of measurers and inspectors. 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, etc.; and not exceeding three measurers of salt, peas, corn, and other grain; each of whom, before entering upon the duties of his office, shall take and subscribe the following oath: "I, A. B., do solemnly swear (or affirm, as the case may be) that I will faithfully and impartially discharge the duties of the office to which I have been elected, according to the ordinances of the city. So help me God."

Ibid.

March 15, 1827,
c. 327.

437. Not to be concerned in sales; bonds, etc. No person so appointed a measurer of salt, peas, corn, and other grain, or of wood, or a measurer and inspector of lumber, staves, shingles, or other timber, shall be directly or indirectly concerned in the sale thereof, as principal or agent, and each inspector or measurer appointed by virtue thereof, shall enter into bond in the name of the Mayor and Aldermen of the city of Savannah, 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.

Ibid.

438. Licenses, etc. Each measurer of wood shall receive a license, and for the same pay to the City Treasurer the sum of five dollars for the use of the city, and to the City Treasurer, for his fees, fifty cents, and to the Clerk of Council, for his fees, the sum of one dollar. And each measurer of salt, peas, corn, and other grain, shall receive a license, and for the same pay the City Treasurer the sum of five dollars for the use of the city, and fifty cents for his fees, and one dollar for the fees of the Clerk of Council. And each weigher of cotton, rice, tobacco, and hay, 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 shall pay to the City Treasurer the sum of fifteen dollars for the use of the city, and fifty cents for his fees, and to the Clerk of Council, one dollar for his fees. And each license shall be signed by the Mayor and attested by the Clerk with the seal of the city thereon.

Ibid.

439. Penalty for neglect of duty, etc. Every and each measurer and inspector of lumber, boards, scantling, staves, shingles, ranging timber, cypress logs, oak and other timber, and every and each measurer and inspector of firewood, and inspector and 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 each and every offence, and if deemed necessary by the said Mayor and Aldermen, be dismissed from office.

Ibid.

440. No person to sell without inspection. 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), 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.

Ibid.

441. Neglecting to pay fees, penalty. Any person or persons who shall refuse or neglect to pay the fees which shall be due for inspecting, gauging, weighing, measuring or counting, or for the performance of any other duty authorized by this article, shall upon conviction, be fined in a sum not exceeding thirty dollars for each offense, and the property shall in all cases be liable to the payment of the fees.

Ibid.

442. Inspector, etc., removing from city forfeits his office. Any measurer, inspector, weigher or gauger, who shall remove from the city, or be absent, or disabled from attending to his duties, shall forfeit his appointment, and Council shall be at liberty to fill such vacancy at any regular meeting thereafter.

Aug. 30, 1827,
c. 330.

443. Measurers of corn, salt, etc. 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 the 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.

Ibid.

444. Manner of measuring. 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 the sum not exceeding thirty dollars for the first offence, and for a second offence shall be dismissed from office.

Ibid.

445. Fees of measurers. 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 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.

Oct. 11, 1827,
c. 331.

446. Salt, grain, etc., to be measured at buyer's requisition. 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.

Oct. 28, 1847,
c. 331.

447. Grain, weight per bushel, prescribed. 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.

In the weighing of the above mentioned produce, the weights now used and required by Council shall be used by the seller or sellers.

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.

Mch. 21, 1866.
c. 332.

448. Weighers of hay, fees, etc. 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.

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.

April 17, 1878.
R 85.

449. Weighing of hay optional unless demanded by purchaser.

No hay received or offered for sale in this city need be weighed by the sworn Weighers of Hay, except at the option of the owner or consignee thereof, unless the person or persons purchasing such hay shall demand that it be so weighed, in which case such hay shall be at once re-weighed by a sworn Weigher of Hay, under the rules and regulations, and for the fees, now required by ordinance; and any seller of hay refusing or failing to have such hay re-weighed by a sworn Weigher of Hay, upon the demand of the purchaser, shall be subject to the pains and penalties now prescribed by ordinance for refusing or objecting to the weighing of hay landing from a vessel.

Code of Ga.
§ 1554.

450. Inspectors of Flour, by whom appointed. The 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.

Ibid, § 1555.

451. Flour shall be merchantable. 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.

Ibid. § 1556.

452. Flour barrels, how made. 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 pounds of flour, and shall put into every half barrel the quantity of 98 pounds of flour, and on failure thereof shall forfeit and pay the sum of four dollars 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.

Ibid. § 1557.

453. Flour shall be inspected, how. 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 Ordinary and 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.

454. Fraudulently packing flour. 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.

Code of Ga.
§ 1558.

455. Inspector cannot purchase. 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.

Ibid. § 1569.

456. Selling without inspection. 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.

Ibid. § 1559.

457. Inspector's oath. Every Inspector, before entering on the duties of his office, shall take and subscribe an oath or affirmation before the Clerk of Council, or 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.

Ibid. § 1561.

458. Corn meal, corn, and other grain. 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, and when the grain inspected is in bulk, the sum of 25 cents per car load, to be paid by the owner or consignee, as aforesaid,

Ibid. § 1562.

Acts 1880-81,
p. 77.

Acts March 3,
1856.

459. Laws as to inspection of flour transported to city for shipment repealed. 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.

Oct. 14, 1847.
c. 281.

460. Inspector of flour; election and bond. The City Council shall 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, 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 offense, 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.

Ibid.

461. Barrels of flour, how examined. 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 according 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 offense.

Ibid.

462. Barrels, how made and branded. 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.

463. Contents of barrels. 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.

Oct. 14, 1847.
c. 281

464. Inspector's oath. 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.

Ibid

465. Inspector not to purchase. 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.

Ibid.

466. To inspect Indian corn and corn meal. 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.

Ibid.

467. Adulterating the purity of flour. If any baker, or other person or persons, shall in any wise adulterate the purity of the flour of which the bread is made, further than what is absolutely necessary to the well making or baking thereof, the person or persons so offending shall forfeit all such bread and also a sum not exceeding fifty dollars.

Feb. 8, 1798,
c. 50.

468. Bread to be sold by weight. All bread made or baked for sale 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.

Dec. 5, 1860
c. 49.

469. Selling bread deficient in weight, penalty. If any person shall sell or offer for sale any such bread, which shall be deficient in weight, the person so selling or offering for sale, as well as the baker of such bread, shall be liable severally on conviction before the Police Court of Savannah to a fine of not less than twenty-five dollars for every loaf so deficient, and such bread shall immediately be liable to forfeiture, for such use as the officer presiding in the Police Court may determine. And it shall be the duty of the Marshal of the city, and of the police force of the city, under the direction of the Mayor, to enter any bakehouse, shop or other place where bread is offered for sale, and to cause any or all bread therein found to be weighed, and

Ibid.

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.

470. Inspectors of liquors, how appointed. 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 Ordinary of the several counties shall have the same authority of appointment within the several counties out of the jurisdiction of the city authorities.

471. Oath and duty of such inspector. Such inspector, after being duly appointed as aforesaid, and sworn by the Clerk of the Council, or the 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.

472. Penalty for selling drugged liquors. 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 offense 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.

473. Penalty for evading inspection. If any person shall refuse, or 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.

474. Fees of Liquor Inspector. 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 owner 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.

Code of Ga.,
§ 1580.

Ibid. § 1581.

Ibid. § 1582.

Ibid. § 1583.

Ibid. § 1584.

475. Penalty for making drugged liquors. If any person shall manufacture any drugged, poisonous or other deleterious and offensive liquors, wine or spirits, or vinegar, or adulterated 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.

476. Inspection to be monthly. 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.

477. Penalty for selling without inspection. When an inspector is appointed in any city or town, and the notice given of such appointment, any vendor 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.

478. Bar-rooms, etc., not to have screens before their doors or bars. 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.

479. Weighers of cotton and rice, oath, etc. 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 railroad 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.

480. Oath to be filed in Ordinary's office. Such oath when taken, must be filed in the office of the 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 the informer, the other half to the educational fund of the county.

481. Tare on rice. 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.

482. Tare in other cases. In other cases where tare is usually allowed, the actual tare as nearly as the same can be ascer-

Code of Ga.
§ 1585.

Ibid. § 1586.

Ibid. § 1587.

Sept. 28, 1854.
c. 300.Code of Ga.
§ 1599.

Ibid. § 1600.

Ibid. § 1601.

Ibid. § 1602.

tained, shall be allowed, except where the seller and purchaser may expressly agree upon a different rule.

Code of Ga.
§ 1603.

483. No deduction for turn of scales. 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 steel-yard, 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.

Ibid. § 1604.

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

March 15, 1857.
c. 210.

485. One of the weighers of cotton, rice, etc., to be located in Market Square. 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 the following fees, to be paid by the person selling the same: for each bale of cotton, 6½ cents, including labor at the scales; for each tierce of rice, 6½ cents; for each hhd. tobacco, 6½ cents; and for other goods agreeably to rates prescribed in the usual rules of the Chamber of Commerce.

Ibid.

486. Cotton, rice or tobacco, to be weighed on application. 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.

March 6, 1856.
c. 204.

487. Coal to be sold by weight. From and after the first day of May, 1856, all coal shall be sold by weight, and that 2240 pounds shall be demanded for a ton, and 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 offense. It shall be the duty of all police officers to inform against all offenders of this article.

Dec. 20, 1858,
c. 205.

488. Platform scales to be erected by city. His Honor the Mayor shall 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.

Ibid

489. Weigher of Coal, bond, duties and fees. The City Council shall elect a Weigher of Coal, 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 weighers 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.

490. Coal wagon, if altered, to be re-stamped. 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.

Aug. 2, 1860,
c. 206.

491. Wood to be sold from rack or wagon. Each seller of wood in the city shall supply himself with a wood rack or wagon, on which shall be stamped the city mark; 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.

March 6, 1856,
c. 205.

492. Dimensions of wood-racks and wagons. Every wood rack or wagon of the sort with which sellers of wood in said city are required to supply themselves for the purpose of selling wood therefrom, shall measure, for the half cord rack or wagon, 8 feet long, 3 feet wide, and 2 feet and 11 inches high; and for the quarter-cord rack or wagon, 4 feet and three inches long, 3 feet wide, and 2 feet and 11 inches high; and every such rack or wagon used to sell sawed wood therefrom shall first be measured and a certificate furnished by the City Surveyor, and after such certificate is furnished, the owner shall have such rack or wagon branded by some person to be appointed by the Mayor, in two places, on the top and bottom of one of the vertical side pieces, and shall pay for the same the sum of twenty-five (25) cents, and if any person shall sell sawed wood in said city by the half or quarter-cord thrown promiscuously into the rack or wagon from any rack or wagon of less than the measurement above prescribed, he or she shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred dollars, or be imprisoned not more than thirty (30) days, or both, in the discretion of the court.

Dec. 1, 1875,
R. 192.

Feb. 9, 1876,
R. 194.

Dec. 1, 1875,
R. 192.

493. Selling coal or wood without being weighed or measured, penalty. 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 offense, 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 herebefore required of him.

Mch. 6, 1856,
c. 205.

CHAPTER 27.

FIRE DEPARTMENT.

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Sept. 24, 1884, s. 6. **494. Services of volunteer fire companies dispensed with.** On and after the first day of October 1884, the services of the several volunteer fire companies now attached to the Fire Department, are hereby dispensed with, and said companies, after said date shall no longer be considered a part of the Fire Department of said city.

May 26, 1875, R. 63. **495. Fire Department, of what it consists.** The Fire Department of the city of Savannah shall consist of one Chief Fireman, one Assistant Chief Fireman, three engineers, three drivers of engines, three (3) drivers of one-horse hose carriages, one driver of a hook and ladder carriage, one tillerman, one Superintendent of the fire alarm telegraph, and shall be furnished with three (3) steam fire engines, three (3) one-horse hose carriages, one hook and ladder carriage, eleven horses, and such quantity of hose and other minor appliances as shall be requisite for efficient service.

Jan. 30, 1834. **496. Four men added.** The Fire Department is hereby increased by adding to said department four men, who shall be appointed by the Mayor, with the approval of Council, on the recommendation of the Chief Fireman, approved by the Committee on Fire of Council.

Sept. 24, 1884, s. 1. **497. Thirty called men added.** That thirty men be added to the Fire Department, who shall be known as call men, five of whom shall be foremen, and twenty-five privates, and whose duty it shall be to report to and join such part of the fire apparatus to which they may be attached, at all fire alarms and perform such duties as they may be directed to perform by the Chief Fireman and other officers in charge of Fire Department at fires.

Ibid, s. 2. **498. Call men; duties.** One foreman and five men shall be assigned and attached to each steam engine and hose carriage, one foreman and seven men shall be assigned and attached to the hook and ladder company, and one foreman and three men shall be assigned and attached to the Protection Hose Company, and on the sounding of the fire alarm the men shall join that portion of the fire apparatus to which they may be severally attached, reporting to their immediate foreman, whose duty

it shall be to report to the Chief Fireman in writing within twelve hours after returning from the fires the names of all the call men under his immediate command on duty at the said fire. On joining and attaching themselves to their respective companies said call men will be subject to perform the same duties and will be liable to the same rules and penalties as are prescribed for the government of said department. After joining the department at a fire no call man shall leave or absent himself from his station until relieved by the Chief Fireman or officer in charge of the fire.

499. Call men; how appointed and pay. The call men shall be appointed by the Mayor on the recommendation of the Chief Fireman, approved by the Committee on Fire, and they shall hold their offices during good behavior. The foreman shall each receive one hundred and fifty dollars per annum for their services, payable in quarterly payments of thirty-seven 50-100 dollars, out of the City Treasury, and the other call men shall each receive one hundred dollars per annum, payable quarterly in payments of twenty-five dollars, out of the City Treasury. And such call men shall be required to lodge at the respective engine houses to which they may be attached, as the Chief Fireman may from time to time direct.

500. Fine for failing to report for duty. If any foreman shall absent himself from any fire or fail to report for duty at any alarm, he shall be fined five dollars for each and every such absence, and if any other call man shall absent himself from any fire or fail to report for duty at any alarm, he shall be fined two dollars for each and every such absence, but no fine shall be inflicted for absence for Providential cause.

501. Two additional firemen appointed. The Fire Department shall be increased by adding thereto two men, in addition to the men above provided for, who shall be appointed by the Mayor on the recommendation of the Chief Fireman, approved by the Committee on Fire. The men thus appointed shall perform such duties as may be from time to time required of them by the Chief Firemen.

502. Qualifications of officers and men, and how elected. 1. The said officers and men shall be not less than twenty-one years of age, and the engineers shall be practical machinists. The officers shall be elected by Council at the first regular meeting after the passing of this ordinance. The men shall be appointed by the Mayor on the recommendation of the Chief of the Fire Department, approved by the Committee on Fire.

2. All vacancies that may occur from any cause in the Fire Department shall be filled by appointment by the Mayor with the approval of Council, on the recommendation of the Chief Fireman, approved by the Committee on Fire.

503. Officers liable to suspension or fine. All the said officers shall be liable to suspension and removal for misconduct in the same manner as other city officers, and shall be subject also to such fines and lesser penalties as shall be prescribed in the regulations which shall be established by Council or its authority for the government of the department; and any one of the said officers intending to resign shall give at least thirty (30) days' notice thereof before his resignation shall go into effect.

504. Chief Fireman to devote all his time to city; bond, etc. The Chief Fireman shall devote all his time to the service of the city, and shall be engaged in no other employment requir-

Sept. 24, 1884, s. 3.

April 8, 1885.

Sep't 24, 1884, s. 4.

Ibid s. 5.

May 26, 1875, R. 63.

Jan. 30, 1884.

May 26, 1875, R. 64.

Nov. 14, 1883

ing his personal attention during the time he holds the position of Chief Fireman, and his duties shall be such as are now prescribed by the ordinances and regulations of said city, and such as Council may in future prescribe, and that said Chief Fireman shall give a bond with two sureties, in the sum of \$2,000 for the faithful performance of the duties of said office.

May 26, 1875,
s. 4. R. 64.

505. Powers of Chief Fireman and Assistant Chief. The Chief Fireman shall have at all times the general superintendence, control and command of all officers, men, and material belonging to the department, and be responsible for the discipline, good order, proper conduct, care and management of the whole department, subject to such regulations as shall be prescribed by Council for its government. The Assistant Chief Fireman shall aid him in the performance of his duties, and shall, in the event of his absence or disability, command in his place.

Ibid. s. 5 R. 64.

506. Officers and men, how assigned. The other officers and men shall be assigned to the engines, hose carriages, and hook and ladder carriage, with which they are to serve, by the Chief Fireman, with the approval of the Mayor.

March 11, 1825,
c. 274.

507. Duties and powers of Chief. In case of fire, the Chief Fireman 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 Fireman, the above supreme authority shall devolve according to existing arrangements for such emergency. And it shall be the duty of the said Chief Fireman to examine, or cause to be examined, twice, or oftener, in every year, into the condition of the engine houses, engines, fire buckets and other fire implements belonging to the corporation, and make a statement of it to Council, and if any addition or repairs 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.

May 26, 1875,
s. 6. R. 64.

508. Right of way in going to fires. The Fire Department of the city of Savannah, with its apparatus of all kinds, when going to any fire in said city shall have the right of way over the streets, lanes and ways of this city to the exclusion of all other persons and over any and all kinds of vehicles of every kind, except those carrying the United States mail, and every person in or upon or owning any vehicle shall on the approach of any of the apparatus of said department give ample room in the centre of any street, lane or way on which they may be until passed by said apparatus; and no person in or upon or owning any vehicle or driving, or riding any animal or animals in any of said streets, lanes or ways, shall refuse the right of way to or in any manner obstruct any fire apparatus of said department or any of the officers of the same while in the performance of duty; and any person or persons violating any of the provisions of this ordinance, shall, on conviction thereof before the Police Court of Savannah be subject and liable for each and every such offense to a fine of not more than one hundred dollars and to imprisonment for not exceeding thirty days, either or both, at the discretion of the officer presiding in such Police Court.

March 11, 1825,
c. 274.

509. Firemen to wear badges. 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 Fireman 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 Fireman shall differ from the badges of the other firemen, so that he may be known and distinguished from them.

510. Chief authorized to pull down or blow up houses to prevent spread of fires. It may be lawful, at any fire, for the Chief Fireman, or in his absence the Assistant Chief, calling to his

March 11, 1825,
c. 276.

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.¹ And if any person or persons not so ordered and commanded by the Chief or Assistant Chief as aforesaid, shall aid or assist in any manner to pull down or blow up, or shall proceed with such purpose to injure in any manner any house or houses during the progress of a fire, he or they shall be immediately arrested by any of the firemen, 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 offense, and on conviction thereof, shall be fined in a sum not exceeding thirty dollars.

511. Firemen, authority to enter houses, when. It shall be lawful for the firemen, or any two of them, to enter into the houses, outhouses, stables and yards of every owner or tenant of the same in Savannah, whenever they shall see occasion, and inquire, search for, and examine if any quantities of gunpowder, hay, straw, fodder, pitch, tar, rosin, turpentine, hemp, oil, tallow, unpacked cotton, or other combustible matters are lodged in any such place within said city, which may be in danger of taking fire; and if the said firemen, or any two of them, shall find that there is apparent danger that fire may be communicated by such combustibles, they shall admonish the owner or tenant of such house or houses to remove the same, and in case such person or persons shall refuse or neglect to remove the same, immediately after such notice is given, the said firemen, or any two of them, are hereby empowered and directed to remove the same, and have the same lodged in some 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 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

Ibid. c. 275.

(1) Analogous to the right of eminent domain is the power from necessity vested in corporate authorities of cities, towns and counties, to interfere with and sometimes to destroy the private property of the citizen for the public good, such as the destruction of houses to prevent the extension of a conflagration, or the taking possession of buildings to prevent the spread of contagious diseases. In all such cases, any damages accruing to the owner from such acts, and which would not otherwise have been sustained, must be paid by such corporation. Code of Ga. §2226. Destruction of house to prevent spread of fire, city liable, when, 7 Ga. 200, 48 Ga. 133. The law authorizing destruction of private property for public good must be strictly followed, 72 Ga. 428.

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.

March 11, 1825.
c. 276.

512. Power to examine chimneys, etc. 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 offense, refusal or neglect.

Ibid. c. 277.

513. Who may ride through streets at fires. It shall not be lawful for any person or persons whatsoever to ride 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 the commandant of the militia, with such officers as may be necessary in attendance upon 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 Assistant Chief Fireman. 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.

Ibid. c. 275.

514. Duty of police at fires. 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 one 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.

Ibid.

515. Implements of department to be collected and returned. 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 articles so secreted.

516. Interference with firemen in discharge of duty. If any person shall molest, interrupt or interfere with any officer or man of the department in the performance of his duty at any time or shall in any way injure any of the material of the department, he shall be punished in the same manner as is prescribed by Section 519 of this Code for persons interfering with or injuring the material of the fire alarm telegraph, which, with all of its appurtenances of every kind, shall be under the direction and control of the Chief Firemen, in the same manner and to the same extent as the engines, hose carriages, and other material of the department.

May 26, 1875.
R. 65.

517. Superintendent of Fire Alarm Telegraph. The Superintendent of Fire Alarm Telegraph, provided for by the ordinance passed in Council May 26th, 1875, shall give his full time and service to his duties as such Superintendent, and shall perform all the duties devolving upon him under the ordinances of said city and the regulations of the Fire Department of the city of Savannah. In addition to the present duties of his office, it shall be the duty of the Superintendent of the Fire Alarm Telegraph to perform the duties of Keeper of the City Clocks.

Nov. 8, 1882.

Dec. 31, 1884.

518. Making, using, etc., signal box keys without authority, penalty. It shall not be lawful for any person to make, or cause to be made, any key to the fire alarm signal boxes, or to alter any key so as to permit it to open any such boxes, or to buy, sell, give or otherwise dispose of, or use, any key now, or hereafter to be, in existence, belonging to or fitting the locks of such signal boxes, without written authority from the Chief Engineer of the Savannah Fire Department so to do.

Jan. 23, 1878.
R. 68.

And it is further ordained by the authority of the same, That any person or persons wilfully violating this ordinance shall, on conviction thereof before the Police Court of Savannah, be subject and liable, for each and every such offense, to a fine of not more than one hundred dollars, and to imprisonment for not exceeding thirty days, either or both, at the discretion of the officer presiding in such Police Court.

519. Giving false alarms, wilfully, etc., penalty. 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 offense, and to imprisonment not exceeding thirty days, either or both, at the discretion of the officer presiding in said Police Court.

July 20, 1870.
c. 273.

520. Alarms, how regulated. 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.

Ibid. c. 274.

521. Rules and Regulations of fire Department.

That the following rules and regulations governing the employees of the Savannah Fire Department be and the same are hereby adopted, and made the rules for the government of said department, and shall remain of force until modified or changed by direction of Council:

Jan. 30, 1884.

RULES AND REGULATIONS FOR THE GOVERNMENT
OF FIRE DEPARTMENT.

CHIEF FIREMAN.

1. The equipment, disposition, control and management of the Fire Department shall be intrusted to the Chief Fireman under the 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. As the Chief Fireman is held responsible for the general performance of the duties of the men of the Fire Department, he must give clear and precise instructions to the men in his department and report every instance of neglect or breach of discipline to the Mayor. He shall have power to suspend any employe of the department for any neglect of duty or infractions of these rules, but must report the same to the Mayor within twelve hours, and put the party offending on the docket of the Police Court for trial in said court.

3. It shall be the duty of the Chief Fireman to visit and inspect the fire apparatus every day, and all repairs to any of the machinery, running gear or apparatus of the department shall be made under his superintendence and direction, and on the completion of any repairs that may be necessary he shall inspect the work and pass upon the same before it is paid for by the city.

4. He shall frequently inspect the engine houses and quarters of the employes of the department, and shall be held responsible for the keeping of said engine house and quarters in a proper condition of cleanliness.

5. Upon any alarm of fire it will be the duty of the Chief Fireman immediately to repair to the fire and to take control of the Fire Department, which department will be under his absolute control, for the extinguishment of the fire and the preservation of property. Upon application of the Chief Fireman the Chief of Police will cause the streets to be cleared, if necessary stretching ropes for such purpose, of all persons not connected with the Fire Department, so as to give the Fire Department a free scope for the exertions of the firemen.

6. The Chief Fireman will see to it that the men of the Fire Department perform strictly the duties of firemen, which is primarily to extinguish conflagrations, and not to save furniture and such personal property during fires.

ENGINEERS.

7. The engineers of the several fire engines shall be held responsible for the condition of their respective engines, which must be kept in a condition for immediate use, and no repairs which will render an engine unfit for immediate use shall be undertaken except by order of the Chief Fireman.

8. The engineers shall clean the machinery daily, and shall have a thorough cleaning of the engine in all its parts once during every week.

9. The engineers shall be at their posts at all hours of the day and night when on duty. On such days as they may be off duty they must report at such hours as the Chief Fireman may direct so as to relieve the men on duty for meals.

10. All engineers when off duty shall join their engines promptly on the sounding of the fire alarm, and the sounding of the fire alarm at any time shall be a signal for all men connected with the fire department to resume their duties, and after the sounding of such alarm no man shall absent himself except by permission of the Chief Fireman.

11. Engineers must keep their engines charged and ready for duty at all times, and after fires it shall be their duty to put their engines in good order by cleaning the same and recharging, so as to be ready for any emergency.

12. It shall be the duty of the engineers to keep the floor of the engine house clean and in good order in the vicinity of the engine, and shall at all times perform such police duty as the Chief Fireman may from time to time direct in and about the engine house or quarters of the men.

13. They shall obey such instructions as the Chief Fireman may give from time to time, and shall be liable to be called on at any time to perform such service as the Chief Fireman may think necessary to be performed in and about said department.

DRIVERS.

14. The drivers of the Fire Department shall feed, groom and exercise their horses at such stated hours as the Chief Fireman may direct, and they shall be charged with the proper care of the harness and with the keeping of the stables in a proper condition at all times.

15. They shall at all times drive their horses with care, and they will be held strictly responsible for all careless and negligent driving. They shall fire the engine at fires and perform such other duties as the Chief Fireman may from time to time direct.

16. On returning from fires they shall assist the engineer in cleaning up the engine and preparing it for immediate service.

17. They shall assist the engineers in clearing and keeping clear the yards attached to their quarters and all the premises in and about their respective quarters, and shall perform such service in and about the same as the Chief Fireman may from time to time direct.

DRIVERS OF HOSE CARTS.

18. The drivers of the hose carts shall perform all the duties of other drivers of the Fire Department, and such other duties as the Chief Fireman shall, from time to time, impose on them.

19. They shall be particularly charged with keeping their apparatus in order and ready for use at all times.

TILLERMAN OF HOOK AND LADDER TRUCK.

20. The tillerman of the Hook and Ladder Truck shall keep the truck, ladders, hooks, lamps, and all other appliances connected therewith in order, so as to be ready for use at all times.

21. He shall assist in cleaning the yards attached to the station where the truck is kept, the truck room and pavement clean at all times, and he shall perform such other service as the Chief Fireman may from time to time direct.

SUPERINTENDENT OF THE FIRE ALARM TELEGRAPH.

22. It shall be the duty of the Superintendent of the Fire Alarm Telegraph to keep in efficient working order and repair

the fire alarm telegraph, and shall visit the different stations at least once every day and the engine houses twice every day.

23. He shall promptly report at all alarms of fire to the Chief Fireman and shall perform such duties as he may prescribe.

MISCELLANEOUS.

24. No malt, vinous or spirituous liquors shall be carried by any person to any of the stations of the Fire Department, nor shall any malt, vinous or spirituous liquor be used by any employe of the Fire Department at any station of the department. No gambling will be permitted at any time at any of the stations of the department.

25. No employe of the Fire Department shall absent himself from his post of duty at any time, unless by permission of the Chief Fireman.

26. No employe of the Fire Department shall attend any caucus or political convention as a delegate, nor shall any employe of this department take any part in any political canvass or campaign; but nothing herein contained shall be taken to abridge the right of employes of this department to exercise the right of suffrage.

27. No obscene, offensive, profane or indecent language will be permitted at any of the stations of the Fire Department.

28. As the efficiency of this department will depend on the strict and prompt obedience of orders from superior officers, and the proper observance of and obedience to the rules prescribed for the management of the department, all members of the Fire Department will be expected to obey such orders as may be given by proper authority, and to obey and to conform in all things to these rules, and any disobedience of orders or infraction of these rules will be punished as the officer presiding in the Police Court may determine in accordance with law.

29. The duties of the Assistant Chief Fireman are the same as the Chief Fireman during the absence of the latter. At all other times he shall perform such duties as may be assigned to him from time to time by the Chief Fireman.

Jan. 30, 1884.

522. Violation of rules, penalty. Any violations of any of the rules and regulations provided for in the foregoing section, or any breach of good order or discipline on the part of any member of the Fire Department shall, upon conviction in the Police Court of Savannah, where all offenses against the rules and regulations provided for in this ordinance are alone cognizable, be fined in a sum not exceeding twenty dollars or be suspended or dismissed at the discretion of the Mayor or officer presiding in said Police Court.

CHAPTER 28.

FIRE AND BUILDING REGULATIONS.

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525. Open sheds defined.
526. Building permits.
527. Written notice of proposed building to be given Council.
528. Permits required for repairs.
529. Violations to be reported, by whom.
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575. Fireworks.
576. Penalty for violation.</p> |
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- SEC. 577. Buildings, dangerous, etc., may be pulled down.

523. Fire limits. The fire limits of the city of Savannah shall be included within the following boundaries, to wit: Savannah river on the north, East Broad street on east, commencing at the river at the foot of East Broad street, and running southwardly along the east side of East Broad street to its intersection with South Broad street; thence along the north side of South Broad street to its intersection with Price street; thence along the east side of Price street to Taylor; thence along north side Taylor street to Habersham street; thence along east side of Habersham street to Huntingdon street; thence along north side Huntingdon street to west side Montgomery street to its intersection with the south side of Jones street, and thence along the south side of Jones street to its intersection with West Broad street, and thence along the west side of West Broad street to its intersection with Indian street, and thence along the northern side of Indian street to the point on the Savannah and Ogeechee Canal, where the northern line of said Indian street extended would intersect said canal; thence again to the river: Provided, that in that portion of said city of Savannah bounded on the

Jan. 27, 1886.

east by Habersham street, north by Huntingdon street, south by Gwinnett street and west by Montgomery street, that only one wooden dwelling and out house be erected on a single lot, and no wooden dwelling be erected on a lot of less than forty-three feet and nine inches front; and provided further, that no wooden house or structure shall be built in the city of Savannah north of Anderson street with wood or shingle roof.

Jan. 27, 1886. **524. Wooden structure not to be built therein.** Hereafter no wooden structure or building shall be built or erected within the aforesaid fire limits of the city of Savannah, nor shall it be lawful for any person to erect any wooden building or shed under the bluff or on any wharf between the Anderson wharves on the east and the Savannah and Ogeechee Canal on the west, but nothing herein contained shall prevent the erection in said city of wooden fences of not more than ten feet in height and wooden sheds not more than ten feet high at the highest point, and of an area not exceeding three hundred square feet.

March 11, 1872.
R. 131. **525. "Open sheds" to mean what.** Whenever and wherever in any present or future ordinance of the city of Savannah, the words "open sheds" occur, or shall occur, such words shall be construed to mean such sheds as are commonly built through said city upon brick columns, covered with tin, and used as stables or wood and coal houses, and in no case furnished with chimneys or used as habitations for people.

Feb. 20, 1884.
s. **526. Building permits.** All persons building any house or making repairs amounting in value to one hundred dollars (\$100) to any house in said city, shall take out a permit from the office of the Clerk of Council before any building or repairing is begun. For such permit no fee shall be paid, and any person who shall violate the provisions of this section shall, on conviction thereof in the Police Court, be fined in a sum not exceeding twenty-five dollars, in the discretion of the court.

Jan. 27, 1886. **527. Written notice to be given to Mayor and Aldermen.** All persons before beginning to build any house or structure in the city of Savannah shall give notice in writing to the Mayor and Aldermen of the city of Savannah of the general character of the work intended to be done, which notice shall be filed with the Clerk of Council before such work is begun; and it is hereby made the duty of the Clerk of Council to keep a record of all such notices, but he shall receive no fee for any service under this ordinance.

Ibid. **528. Permits required for repairs.** Any person may, on application to Council for permission, and after granting of said permission be permitted to repair, remodel, or improve any wooden house within the city of Savannah.

Ibid. **529. Chief Fireman and Superintendent of Fire Alarm Telegraph to report violations.** It shall be the duty of the Chief Fireman and Superintendent of the Fire Alarm Telegraph, as well as the members of the police force to report and place on the docket of the Police Court all persons who violate any of the provisions of the foregoing sections, or of any violation of the fire ordinances of this city,

Ibid. **530. Penalty for violations.** If any person or persons shall violate any provisions of the foregoing sections they shall, on conviction in the Police Court thereof, be fined in a sum not

(1) Similar ordinance discussed, 45 Ga., 153.

exceeding one hundred dollars or imprisoned not more than thirty days, or both, in the discretion of the Mayor presiding in said court, and in addition thereto the building or buildings erected in violation of this ordinance shall be removed by the authorities as is now provided by the ordinances of this city.

Oct. 30, 1856.
c. 255. **531. Removal of wooden buildings within fire limits.** 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 mentioned in this chapter, 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.

Ibid, c. 257. **532. Removal from one part of a lot to another.** Any wooden building in the condition authorized by this chapter, 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.

Aug. 19, 1839,
c. 195. **533. Foundations not to be laid until Surveyor ascertains lines.** 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 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,

March 7, 1866,
c. 234. **534. Unlawful to erect buildings until grade ascertained, etc.** 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.

Ibid, c. 235. **535. Buildings to correspond with established grade of street, etc.** 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 preceding 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.

Oct. 30, 1856.
c. 255.

536. Brick buildings required for certain trades. 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 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.

Ibid. c. 257.

537. Brick buildings, thickness of walls regulated. 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, tin, or other 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 Fireman 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.

April 3, 1834.
c. 52.

538. Tenement houses to have brick partition wall. 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.

Ibid.

539. Penalty. If any person shall violate the provisions of the foregoing section, he, she or they, on conviction before Council, shall forfeit and pay for such offense 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 offense, a sum not exceeding one hundred dollars.

540. Party walls, before erection Surveyor must certify, etc.

Feb. 20, 1867,
c. 338.

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 be set 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.

541. Repairs to be subject to fire ordinances. 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.

Ibid.

542. Party wall of brick, to be nine inches thick. No party wall 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.

Ibid.

543. Dispute between parties, Council to decide. 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 day's notice to the opposite party; and the Clerk of Council shall issue subpoenas for all witnesses whose names may be furnished him by either party, which subpoenas 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,

Ibid.

Feb. 20, 1857.
c. 338.

544. Dividing fences of wood, how built. 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.

Oct. 30, 1856.
c. 256.

545. Buildings to be covered with incombustible roofs. 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 every person violating the foregoing provision shall be fined in the sum of one hundred dollars.

Ibid.

546. Buildings so roofed to be kept so. All houses or buildings within the said city, which have been or hereafter shall be erected in the manner prescribed in this ordinance within said fire limits, and which are now, or hereafter may be covered with slate, tile, or other incombustible material, shall continue to be so covered with slate, tile, or other incombustible material, and shall be kept secured against fire in manner hereinbefore 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 offense 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.

May 12, 1859.
c. 55.

547. Improvement of wooden buildings. 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 that the area covered by the original house be not increased; and that nothing herein 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 herein contained 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: And provided, further, that in each and every instance, application therefor has been made to and granted by Council, before the addition, elevation, repair, remodelling or other improvement is commenced.

May 12, 1859.
c. 55,
Jan. 27, 1886.

April 3, 1867,
c. 260.

548. Not permitted where building encroaches. 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 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 if any person shall violate any of the provisions of this section, he or she, on conviction before the Police Court, shall be fined in the sum of one hundred dollars per day, for each and every day such house, building, shed or structure shall remain repaired, altered, changed or improved in any way or manner whatever, contrary to the provisions of this section. And every mechanic, artificer, or other person, who shall be instrumental in the rebuilding, repairing, altering, changing or improving in any 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.

549. Wooden buildings, roofs destroyed by fire, when repaired, must be with tin roofs, etc. It shall not be lawful anywhere within the fire limits of the city of Savannah to repair a wooden building, the roof of which may have been entirely destroyed by fire or otherwise, except on condition that the roof be covered with tin or other incombustible material; and it shall not be lawful for Council, in any such case of destruction of roof, to receive any petition for repairs as aforesaid, unless such petition shall expressly state that such proposed new roof is to be covered with tin or other incombustible material.

March 27, 1872.
R. 195.

550. Houses over one story to have ladders and scuttles. 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, 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.

June 5, 1823.
c. 56.

551. Hearths, construction of. 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.

Dec. 30, 1852.
c. 79.

552. Stoves and stove-pipes. 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

March 11, 1825.
c. 261.

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 offense.

553. Light or pine wood in enclosures. It shall not be lawful for any person or persons, or body corporate, to keep within any one enclosure in said city, more than two hundred and fifty cords of light or pine wood, and the Chief Fireman shall have authority to enter any enclosure and measure such wood; and on proof of more than the above quantity, the person or persons, or body corporate offending, shall be fined one hundred dollars for each day that the same may remain.

March 11, 1825.
c. 261.

554. Lumber yards. No lumber yard of any description, or open place for 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.

June 9, 1859,
c. 263.

555. Foundries. It shall not be lawful for any person to erect, put up or build, within the corporate limits of the city of Savannah, any foundry for the melting, smelting, casting or manufacture of iron or other metal, except by the permission of the said Mayor and Aldermen.

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 foundry shall be erected or used.

June 2, 1854,
c. 448.

556. Steam engines; permits required. No steam engine shall hereafter be erected or used within the corporate limits of the city of Savannah, without first obtaining the permission of the City Council of said city. If any person or persons shall violate any of the provisions of this 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.

April 15, 1868.
c. 449.

557. Coal to be used in boilers having artificial draught. It shall not be lawful for any person or persons to use in any steam engine boiler in said city, in which there may be an artificial draught by the introduction of steam in the smoke stack, any fuel other than anthracite or bituminous, under a penalty of not more than one hundred dollars for each and every day's offense.

Nov. 1, 1791.
c. 254.

558. Pitch, tar, etc., not to be boiled or set on fire, etc. It shall not be lawful to or for any person or persons whomsoever to boil, burn, or set on fire, or cause to be boiled, burned, or set on fire, any pitch, tar, turpentine, oil or other combustible matter what-

soever, 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.

559. Manufacture, storing and sale of petroleum, etc., license required, when. Any person or persons desiring to manufacture, refine, mix, store or keep for sale any oil or fluid, composed wholly or in part of any of the products of petroleum in a greater quantity than 250 gallons in any one place in the city of Savannah, except in detached and properly ventilated buildings specially adapted to the purpose and surrounded by an embankment constructed so as to effectually prevent the overflow of said oil or fluid beyond the premises on which the same may be kept, manufactured or refined, said building to be occupied in no part as a dwelling, and if less than fifty feet from any other building to be separated therefrom by a stone or brick wall, at least ten feet high and twelve inches thick, shall make application in writing for a license therefor to the Mayor and Aldermen of the city of Savannah, and shall state in said application the place, building or part of a building for which the license is desired, and whether the license is required for manufacturing, refining and mixing said articles, or any of them, or for storing and keeping them, or both. All such applications for license shall be referred to the Fire Committee, who shall within one week after said reference visit the premises and examine the same, and report in writing to Council, as to the propriety of granting the license applied for.

April 13, 1881.
s. 1.

560. License granted, when. No license shall be granted for manufacturing, refining, mixing, storing or keeping said articles, or any of them, on any wharf within the limits of the city; nor in any part of a dwelling occupied in whole or in part as a dwelling house; nor upon any floor of a building above the first, or ground floor, and only on such floor, when the same is thoroughly protected from adjoining premises by fire-proof party walls, and with all openings outward through such walls securely closed by fire-proof doors; nor in any cellar unless the same be entirely below the grade of the street and thoroughly protected from adjoining premises by fire-proof party walls, and with all openings outward through such walls securely closed by fire-proof doors or coverings.

Ibid, s. 2.

561. License, contents of. There shall be expressed in said license the name of the person or persons to whom the license is granted, and whether he or they are permitted to manufacture, refine and mix said articles, or any of them, or to store and to keep them, or both, and a description of the place, building, or part of a building, licensed, and any limitation upon the quantity of said articles, or any of them, which may be manufactured, refined, mixed, stored or kept therein, or upon the manner of manufacturing, refining, mixing, storing or keeping the same, which the Mayor and Aldermen may in each case see fit to impose; and any person so licensed may manufacture, refine, mix, store or keep said articles, or any of them, either in his own account or on account of any other person.

Ibid, s. 3.

562. Penalty for manufacturing, etc., petroleum without license. Any person or persons manufacturing, refining, mixing, storing or keeping for sale any of the articles hereinbefore mentioned,

Ibid, s. 4.

in a greater quantity than 250 gallons, except as hereinbefore provided, without having procured a license in accordance with the provisions of this ordinance, shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred dollars, or imprisoned not less than thirty days, or both, in the discretion of the court.

Nov. 28, 1803.
c. 489.

563. Fires on vessels at wharves regulated. No vessel, ship or boat lying at or near any wharf or store, or alongside any ship, vessel or boat lying at or near any wharf or store, shall be allowed or permitted to kindle, light, or have or keep any fire in any caboose, fire-place, or otherwise upon or above the deck of said vessel, ship or boat, unless said caboose, fire-place or other convenience for that purpose, be well and safely covered and surrounded with a good, secure and 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.

Ibid.

564. Penalty for violation. The master, commander, or other person having charge of any ship, vessel or boat on board of which there shall have been kindled, lighted or kept any fire or fires contrary to the intent and meaning of this article, shall, upon conviction, thereof before the Police Court, forfeit and pay a sum not exceeding fifty dollars for each offense.

June 11, 1810.
c. 490.

565. Warrant for captain to appear before Police Court. Whenever it shall be made to appear to the Mayor or any one of the Aldermen of said city that any fire or fires have been kindled, or lighted, or used, except in a covered caboose, on board of any boat or other small craft, lying at or being near any of the wharves of the city of Savannah, he shall forthwith issue 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 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 person or persons so cited to appear shall make default, or after appearance it shall appear to Council that the said fire or fires were lighted, kindled or used on board said 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.

Mich. 11, 1885.

566. Smoking prohibited about wharves, depots, etc., or where inflammable merchandise stored. It shall be unlawful for any person to smoke any pipe, cigar, cigarette or tobacco ignited in any way by fire, upon any of the wharves in said city, where

any vessel or vessels are loading or unloading cotton, naval stores, hay, oil, or other inflammable merchandise, or where cotton, naval stores, hay, oil or other inflammable merchandise is stored, or in any of the railroads, depots or yards in said city where cotton, naval stores, hay, oil or other inflammable merchandise is stored temporarily or permanently.

567. Unlawful to use matches in holds of vessels loading or unloading inflammable cargoes. It shall be unlawful for any person to make or to use matches in any way in the holds of vessels of any description, or on the decks of the same during the time said vessels may be taking in or unloading cargoes of cotton, naval stores, hay, oil or other inflammable merchandise.

March 11, 1885.

568. Notices to be posted at wharves, etc. There may be prepared and put up in conspicuous places upon the wharves or other places used for loading or unloading, or storing cotton, naval stores, hay, oil or other inflammable merchandise, sign boards or notices to the effect that no smoking allowed under penalty of the law, and it shall be unlawful for any person except the owner, lessee, or agent of the building, or wharf upon which said sign is placed to remove or take away any such sign or notice so erected.

Ibid.

569. Penalty for violating three preceding sections. Any person violating any of the provisions of this ordinance, shall, on conviction thereof in the Police Court of Savannah, be fined in a sum not greater than one hundred dollars, or imprisonment not longer than thirty days, either or both at the discretion of the officer presiding in said court.

Ibid.

570. Lighters with inflammable merchandise to be covered with tarpaulins. All persons engaged in lightering or otherwise transporting cotton, hay, straw or other inflammable merchandise (naval stores excepted) on the Savannah river, or other waters within the limits over which the said Mayor and Aldermen of the city of Savannah have jurisdiction, be and they are hereby required to cover the same, while on lighters or other crafts, with tarpaulins or other more permanent and substantial material; and that each failure so to do shall be considered a violation of this ordinance and be punished as hereinafter provided.

Oct. 19, 1887.
s. 1.

Feb. 8, 1888.
s. 1.

571. Smoking prohibited on vessels loading or unloading cotton, etc. It shall not be lawful for any person on board of any tug, lighter, steamer, vessel, or other craft engaged in loading, unloading or transshipping cotton or other inflammable merchandise while lying at any wharf in the city of Savannah, or while lying in or navigating said Savannah river or other waters within the jurisdictional limits aforesaid, to smoke any cigar, cigarette, pipe, or other ignited substance under the penalty, for each and every offense hereinafter prescribed.

Oct. 19, 1887.
s. 2.

572. Penalty for violating two preceding sections. Each and every violation of this ordinance, or of any article or clause herein contained, shall be punished by a fine of not more than one hundred dollars, and imprisonment for not more than thirty (30) days, either, or both, in the discretion of the Mayor or other officer presiding in the Police Court.

Ibid, s. 3.

573. Firing off guns, pistols, etc. It shall be the duty of the city police to inform against all and every person found within the limits of said city, discharging or attempting to discharge any guns, pistols or other fire arms, crackers or any other com-

Dec. 15, 1817,
c. 289.

bustible preparation, and the person so informed against shall, upon conviction, be fined in a sum not exceeding thirty dollars.

574. Unlawful to sell or use detonating or fulminating substances.

Dec. 8, 1869,
c. 117.

In addition to the provisions of the several ordinances already in force, prohibiting the discharge within the limits of the city, of guns, pistols, squibs, and other instruments wherein gunpowder is used; it shall not hereafter be lawful for any person to sell or to use within said limits, any detonating or fulminating preparation, or instrument made or composed, wholly or in part, of nitro glycerine, or other detonating or fulminating substance whatever, or any other like detonating or fulminating preparation or instrument, under the penalty for every offense, of a fine not exceeding one hundred dollars or imprisonment not exceeding thirty days: Provided, however, that nothing in this ordinance contained shall be construed to prevent the sale of ammunition for legitimate purposes.

It shall be the duty of the city police to report all violations of this ordinance, and of the ordinance or ordinances of which it is amendatory; and the Mayor is hereby authorized to offer suitable rewards for the detection of persons violating such ordinance.

Dec. 27, 1880,

575. Setting off fireworks, etc., permitted where. It shall not be lawful for any person to fire or set off any sky rocket, wheel rocket, roman candle, serpent, fire crackers, or other fireworks, or other article or thing containing gunpowder, fulminating powder, or other explosive or detonating substance, within the corporate limits of the city of Savannah, except within the enclosure known as the extension of Forsyth Place and in the public squares south of Liberty street, and there only during five days before and ten days after Christmas day and the fourth day of July, including Christmas day and the fourth day of July in each and every year.

Dec. 19, 1883.

576. Penalty for violation. Any person violating any of the provisions of the foregoing section, shall, upon conviction thereof before the Police Court of Savannah, be fined in a sum not exceeding one hundred dollars, or imprisoned for a time not exceeding thirty days, either or both, in the discretion of the presiding officer of that court.

Dec. 27, 1883.

Oct. 30, 1856,
c. 257.

577. Mayor and Chief Fireman to pull down, etc., building in violation of fire ordinances. It shall and may be lawful for the Mayor and Chief Fireman 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.

CHAPTER 29.

GUNPOWDER.

SECTION 578. Deposits in arsenals.
579. Must be marked when transported.
580. Penalty for violation.
581. Authority to regulate the keeping.
582. Superintendent of Gunpowder.
583. Duty.
584. To wear woolen socks while in magazine.

SEC. 585. Penalty for not wearing.
586. Fees.
587. City dealers not to keep over 25 pounds.
588. Keeping in city regulated.
589. Carrying through streets.
590. Duty of masters of vessels.
591. Shipping from wharves.
592. In transitu by railroad or river to interior.

578. Deposits of gunpowder in arsenals. Gunpowder shall not be deposited in any arsenal contrary to any ordinance or by-law of the city where it is situated. Code of Ga. § 1187.

579. When transported must be marked. All owners, agents, or others who have any gunpowder, more than five pounds, transported upon water, railroad, or otherwise, shall have the word *gunpowder* marked upon each package so transported, in large letters. Ibid. § 1463

580. Penalty for transporting contrary to law. 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 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, Ibid. § 1464.

581. Authority to regulate the keeping of. The several incorporated towns or cities of this State, within their corporate limits, and the Ordinaries within their respective counties, (out of said corporate limits), have authority to make and enforce all needful rules and regulations touching the keeping of gunpowder, so as not to endanger the lives and property of the citizens.¹ Ibid. § 1465.

582. Superintendent of gunpowder, how appointed, bond, etc. Hereafter the appointment of the officer known as the Superintendent of Gunpowder, or Keeper of the Powder Magazine, shall be confided to the Mayor of the city of Savannah, and such appointment shall be for the term of three years; such appointment to be subject to the confirmation of Council, and such officer to be removable for misconduct or unfaithfulness, as in the case of other city officers. He shall enter into bond with two or more sufficient securities, in the sum of two thousand dollars for the faithful performance of the duties hereinafter prescribed. Aug. 2, 1872. R. 77.

583. Duty. It shall be the duty of such Superintendent or Keeper, in addition to his other duties prescribed by ordinance, to reside and remain at said Powder Magazine by day and by night, necessary official absence only excepted for the receiving and delivery of gunpowder; and for any violation of this ordinance such Superintendent or Keeper may be dismissed from Dec. 15, 1817. c. 290.

(1) Gunpowder, city may regulate as a measure of security the keeping and retailing, 4 Ga., 509.

office and be fined in the Police Court in a sum not exceeding one hundred dollars, in the discretion of the Mayor or acting Mayor.

March 8, 1835.
c. 290.

584. To keep and wear woolen socks while in magazine. The Superintendent of Gunpowder shall hereafter cause to be prepared, at his own proper cost, four pairs of woolen socks to cover the feet, to be kept within the door of the magazine, to be worn by himself and all persons resorting thereto, to be put on before entering, and to be worn whilst remaining there.

Ibid.

585. Penalty for not wearing. 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 offense.

Aug. 2, 1839.
c. 291.

586. Fees of Keeper. For every keg of powder placed in the magazine, of the weight of from twenty-five to twenty-eight pounds, twelve and a half cents at the time of receiving the same, and the further sum of twelve and a half cents at the time of delivering the same to the owner, and a like sum in proportion to the weight thereof, and he shall not be entitled to any compensation when a sale takes place, unless said sale is accompanied with a delivery. And all powder delivered to said keeper as aforesaid, shall be immediately stowed in the safest powder magazine under his care, under penalty of fine not exceeding one hundred dollars for the first offense, and the like penalty and removal from office for the second offense.

May 9, 1850.
c. 292.

587. Dealers, etc., not to keep over 25 pounds at a time. 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 quantity of gunpowder than twenty-five pounds weight; and on information given to the Mayor or any one of the Aldermen, or any firemen, 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.

Sept. 22, 1875.
R. 79.

588. Keeping gunpowder in city regulated. It shall be the duty of every person keeping or having in his or her shop, store or other place of business, any quantity of gunpowder, to have the same kept in a metal canister near one of the doors or entrances to be designated by the Chief of the Fire Department, and a sign placed outside of the door or entrance bearing in white letters, not less than three inches in length, upon a black ground, the word "Gunpowder;" and any such merchant, factor, retailer or dealer in powder who shall keep or have any quantity of gunpowder in his shop, store or other place of business, without such sign so set up, shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred dollars, or imprisonment not more than thirty days, or both, in the discretion of the court.

March 11, 1825.
c. 290.

589. Carrying through streets without a covering prohibited. It shall not be lawful for any person or persons to carry gunpowder without a secure and proper covering, in any wagon,

cart, or dray, or otherwise 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.

590. Duty of masters of vessels. 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.

March 11, 1875.
c. 290.

591. Shipping gunpowder from wharves. 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 offense, and not exceeding thirty dollars for each hour such ship or vessel shall remain after the time limited.

March 8, 1835.
c. 290.

592. In transitu by railroad or river to interior. All gunpowder arriving at this port to be forwarded to the interior by railroad or river, may be transported directly from the vessel bringing it to the cars of the railroad or the boats to which it is destined, without being subject to be placed in the magazine, or to fees to the keeper thereof. Provided, however, that as soon as any vessel having gunpowder on board for such destination be made fast to the wharf, it shall, without being suffered to remain on the wharf, at once be placed in a safe and proper conveyance, under cover of a tarpaulin, conspicuously marked "powder," and transported to the railroad depot, or to the landing of the boat for which it is destined. And when gunpowder shall be transported to a railroad depot, destined to the interior, it shall at once be placed in a car or cars, which shall be moved to a place within the depot, where it shall be distant at least one hundred yards from any depot building, and shall, by the next following freight train, be sent from the city. In default of this, it shall be placed in the magazine of the railroad company, to be removed at its earliest convenience. In the case of river transportation, it shall not be allowed to remain on the wharf or in any store, but be at once put on board a boat, which shall be immediately hauled into the stream, above the city, as is now by law provided. In default of any boat being in readiness for it, then said gunpowder shall be placed in the magazine of the city, as is now provided, subject to the usual fees. Each and every violation of this article shall be punished by a fine not exceeding one hundred dollars, to be levied on the party in fault.

March 29, 1849.
c. 291.

CHAPTER 30.

CHIMNEYS AND CHIMNEY CONTRACTORS.

SECTION 593. Two Chimney Contractors to be elected.	SEC. 597. Bakeries, etc., how often to be swept.
594. What chimneys must be swept.	598. Fees, when to be paid by owners of premises.
595. Contractors responsible for fires, when.	599. Sweeping optional; when.
596. To give notice of sweeping.	600. Fees of Contractor.
	601. Neglect of duty; fine.

Jan. 2, 1851.
c. 78.

593. Two chimney contractors to be elected. 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. 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.

March 12, 1884.
s. 1.

594. What chimneys required to be swept. All and every person or 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 contractor for sweeping chimneys to visit, inspect and cause to be swept once in every three months, except kitchens and wash houses, which shall be swept once in every two months throughout the year, and he, she or they shall pay the fees for such sweeping; and in case any person shall oppose or prevent the sweeping of any chimney as before directed, he, she or they making such opposition shall be fined in a sum not exceeding thirty dollars.

Ibid, s. 2.

595. Neglect of duty, fine; and contractor responsible for fine. 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 three calendar months, or unswept for two calendar months as hereinafter 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.

Ibid. s. 3.

596. Contractor to give notice of sweeping. The 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, while notice shall be given at least the day before, and such sweeping shall take place at a proper and convenient hour.

Ibid. s. 4.

597. Bakeries, etc.; chimneys to be swept every two weeks. 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 two weeks during the period of using the same.

598. May demand fees from owners of houses, when, etc. March 12, 1884.
s. 5.

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; but 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.

Ibid, s. 6.

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

Ibid, s. 7.

600. Fees. The fees of the contractor 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.

Ibid, s. 8.

601. Contractor's neglect of duty; fine. 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.

CHAPTER 31.

WATER.

SECTION 602. Committee on Water, powers.	SEC. 621. Connections with distributing pipe.
603. To make rules and regulations for Water Works.	622. Fee for permit; tapping illegally.
604. Annual report.	623. Leaky connections.
605. Chairman.	624. False keys.
606. Bills.	625. Wasting water.
607. Repairs.	626. Polluting water.
608. Committee not to be interested in contracts.	627. Officers may enter premises, when.
609. Officers and employees.	628. Employer, parent or guardian liable when, etc.
610. Secretary and Treasurer, duties performed by City Treasurer.	629. Unauthorized taking of water.
611. City Treasurer to keep an account.	630. Leaks to be reported.
612. Penalty for opening hydrants.	631. Use of private fountains.
613. Making unauthorized connections.	632. Supply withheld for violations, etc.
614. Turning off or on the water.	633. Assessed rates conclusive.
615. Destroying or defacing property.	634. Water for building purposes.
616. Committee to license plumbers.	635. Water rates for dwelling houses.
617. Duty of plumbers.	636. Water rates for other uses.
618. Neglect of duty.	637. Rates payable semi-annually.
619. Material of service pipe.	638. Executions for water rent.
620. Applications for water supply.	639. Rents, 10 per cent. deducted for prompt payment.
	640. Pumps; Committee to look after.
	641. Watering animals at public pumps, penalty.
	642. Filth or dirt near pumps, penalty.

602. Board of Commissioners abolished; powers conferred upon Committee on Water Works. The Board of Commissioners for the care and management of the Savannah Water Works shall be and is hereby abolished, and shall cease to exist, and all the powers and duties hitherto conferred upon that board are hereby conferred upon the regular standing committee of this Council upon Water Works, and all that could heretofore be done by

Feb. 18, 1880.

said board may, after said date, be done by said committee, and the chairman of said committee shall have all the powers, and perform all the duties, now held by, or required of the chairman of said board. And all ordinances now in force with reference to said board shall apply as far as possible to said committee; and all rules and regulations with reference to the Water Works now in force, whether in the shape of ordinances or otherwise, are hereby continued in force until specifically changed by competent authority according to law.

May 4, 1854,
c. 494.

603. Power to make rules and regulations. The said Committee on Water 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.

Ibid.

604. Annual report. The said Committee on Water 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.

Ibid.

605. Chairman. The Chairman of the Committee on Water shall exercise a general supervision over the Water Works, the property connected therewith, and over all officers and agents.

Ibid.

606. Bills. All bills for expenditures by the said Committee shall be certified by the Chairman, and vised by the Mayor.

Ibid.

607. Repairs. The said Committee, with the approval of the Mayor, shall have power to make all necessary repairs of the works, but shall not make any addition to said works, nor extend the mains and pipes of distribution without the approval of Council being first had and obtained.

Ibid.

608. Committee not to be interested in contracts. No one or more of said Committee shall be interested directly or indirectly in any contract entered into by them with any other person, nor shall they be interested either directly or indirectly in the purchase of any material to be used for the Savannah Water Works.

May 28, 1880.

609. Officers and employes. The Superintendent and Engineer of the Water Works shall be elected by Council, as other city officers are elected. The said Committee on Water shall have power to appoint and remove a First and Second Assistant Engineer, and such number of turncocks, firemen and laborers, as may be found necessary for the proper and economical management of the works; also to prescribe the duties of all such officers and employes, and to fix their salaries, provided said salaries be approved of by the City Council.

May 4, 1854,
c. 495.

Dec. 21, 1881,

610. City Treasurer to perform duties of Secretary and Treasurer. The duties of Secretary and Treasurer of Water Works, shall be, after the first regular meeting of Council in January, A. D. 1882, performed by the City Treasurer.

May 4, 1854,
c. 495.

611. City Treasurer to keep an account. 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.

612. Penalty for opening hydrants. 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 Committee on Water, or of the Superintendent and Engineer, 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.

May 4, 1854,
c. 495.

613. Making unauthorized connection. If any person shall make any opening or connection with any pipe or reservoir without a license, he or she so offending shall be liable to a penalty of not less than ten nor more than one hundred dollars.

Ibid.

614. Turning off or on the water. If any person shall turn on or off the water in any of the pipes or reservoirs, without the license mentioned in section 612, he, she or they so offending, shall be liable to a penalty of not less than ten nor more than one hundred dollars.

Ibid.

615. Destroying or defacing property. 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 thereto 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.

Ibid.

616. Committee to authorize and license plumbers. The Committee on Water 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. Each licensed plumber shall give bond in the sum of two hundred dollars, conditioned for the faithful performance of the duties of his office:

Ibid.

617. Duty of plumbers. It shall be the duty of the plumbers to make returns in writing to the office of the City Treasurer, 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.

Ibid.

618. Neglect of duty. 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.

Ibid.

619. Material of service pipe. The material of all service pipe, connected with the distributing pipes, shall be approved by the Committee on Water.

Ibid.

May 4, 1854,
c. 435.

620. Application for water supply. No supply of water will be granted to any house, except on written application of the owner or occupant of the same, at the office of the Committee on Water.

Ibid.

621. Connections with distributing pipe. All connections made with the distributing pipes shall be provided with a good and sufficient stop-cock therein, located at the main pipe, for the purpose of stopping or shutting off the supply of water whenever the same shall be necessary.

Ibid.

622. Fee for permit; tapping illegally, etc. Upon receiving a permit to connect the service with the distributing pipes, there must be paid such sum as the Committee on Water may require, to cover the expense of the service cock and inserting the same, which service will be inserted by persons employed by the said committee for that purpose; and any person not so employed, who shall tap or bore any main or distributing pipe, for the purpose of inserting a service cock therein, or for any other purpose, shall, on conviction, forfeit for each offense, a sum not exceeding one hundred dollars and costs.

Ibid.

623. Leaky connections. 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.

Ibid.

624. False keys. If any person shall, by any false key or otherwise, after the water shall be shut off from any premises, cause or suffer such premises to be supplied with water, such person, his aiders and abettors, each and every, shall, for every such offense, be subject to a penalty not exceeding one hundred dollars and costs.

Ibid.

625. Wasting water. 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.

Ibid.

626. Polluting water. 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.

Ibid.

627. Officers to enter premises for inspection. The officers and employes of the Committee on Water 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.

Ibid.

628. Employer, parent or guardian, liable for acts of servant or minor, etc. 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.

May 4, 1854,
c. 435.

629. Unauthorized taking of water. It shall be the duty of every person whose premises may be supplied with water, to prohibit persons from procuring any water from such premises, under a penalty of twenty dollars and costs; and the supply of water may be shut off from such premises, at the discretion of the Committee on Water, and every person who may use the water without paying therefor, upon conviction before the Police Court, shall be subject to a penalty of twenty dollars and costs.

Ibid.

630. Leaks to be reported. It shall be the duty of all persons regularly employed on the works to report to the office of the Committee on Water, in writing, any leaks or unnecessary waste of water that may come to their knowledge, also any violations of this article.

Ibid.

631. Use of private fountains. Private fountains or jets shall not be used more than three hours each day, unless specially permitted, and on additional payment; and the right is reserved to suspend their use, whenever, in the discretion of the Chairman of the Committee on Water, the public exigency may require.

Ibid.

632. Supply of water may be withheld, when. The supply of water may be withheld from all premises when the ordinances, rules or regulations adopted by the City Council and the Committee on Water have, in any manner, been violated, and the supply 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.

Ibid.

633. Assessed rates, conclusive. The rates when assessed shall be final and conclusive, subject only to revision by the Committee on Water.

Ibid.

634. Water for building purposes. 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.

Ibid.

635. Water rates for dwelling houses. The following shall be the rates charged annually for the use of water: Provided, that no house shall be assessed at less than five dollars:

WATER RATES.

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
Over 2,000 and not exceeding 3,000	8 00
Over 3,000 and not exceeding 4,000	10 00
Over 4,000 and not exceeding 5,000	12 00
Over 5,000 and not exceeding 6,000	13 00
Over 6,000 and not exceeding 7,000	14 00
Over 7,000 and not exceeding 8,000	15 00
Over 8,000 and not exceeding 9,000	16 00
Over 9,000 and not exceeding 10,000	17 00
Over 10,000 and not exceeding 15,000	18 00
Over 15,000 and not exceeding 20,000	20 00

Which latter sum shall be a maximum for any private family. If the houses are occupied by more than one family, an additional rate will be charged.

The Committee on Water are hereby authorized to assess the valuation of the improvements upon the fee simple lots.

May 4, 1854.
c. 495.

636. Rates for hotels, stores, stables, engines, fountains, hose, etc. 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.

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.

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.

For the right to attach a hose $\frac{3}{8}$ inch orifice for washing houses and pavements, in addition to the charge for other uses, not less than three dollars.

For each printing office, according to the number of presses used, not including supplying of steam engine, six dollars to forty dollars.

Confectioneries, eating houses, provision shops, refreshment and oyster saloons, according to the amount of water used, five dollars to forty dollars each.

For stationary steam engines, working not over twelve hours per day, on each horse power, six dollars.

For each thousand brick or perch of stone laid, and for each barrel of lime used for plastering, five cents.

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 are only to be used at the discretion of the Committee on Water, and shall be charged by special contract. No fountain will be allowed when the water is not used for other purposes.

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.

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 Committee on Water, who shall have authority to make special contracts, and to make such alterations in the foregoing rates as in their judgment the interest of the city may require.

Jan. 10, 1856.
c. 501.

637. Rates payable semi-annually. The rates to be charged for water shall be payable semi-annually, in advance, at the office of the Committee on Water, 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 a least two dollars in addition for shutting off and letting on.

638. Executions for water rent. 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 Committee on Water to issue an execution against such person in arrears for water rent; such execution to be signed by the Chairman of the said Committee, and countersigned by the City Treasurer, and directed to the Marshal of the city, as in cases of taxes due said city, which execution the Marshal shall forthwith proceed to enforce as in other cases of executions placed in his hands. Nothing in this section shall be construed to abridge, limit or take away from said Committee on Water any right which they now have to enforce the collection of water rents.

Nov. 29, 1865.
c. 501.

639. Water rents, ten per cent. deducted for prompt payment. Every person or corporation who shall pay his or her water rents and assessments for water, promptly within fifteen days after the same shall become due, shall be entitled to a deduction of ten per centum of the amount thereof, and the City Treasurer is hereby directed to make such deduction upon the receipt of the amount due within the time above prescribed.

July 30, 1884.

640. Pumps; Committee on Water to look after. The office of Pump Contractor is hereby abolished, and the Committee on Water is hereby charged with the care of the city pumps.

Dec. 31, 1884.

641. Watering animals at public pumps. 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.

Aug. 2, 1839.
c. 410.

642. Making filth or dirt near pumps. 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.

Ibid.

CHAPTER 32.

BOARD OF SANITARY COMMISSIONERS.

SECTION 643. Board of Sanitary Commissioners; duties.	SEC. 650. Health Officer, executive officer of Board.
644. To prevent spread of disease.	651. To keep book of complaints.
645. Removing infected persons without permit of Board; penalty.	652. Duties as to quarantine.
646. Physicians to report to Board cases of pestilence.	653. Board to control Pest House.
647. Citizens to report cases.	654. Health Officer to report weekly to Board.
648. Board may have services of city officers; when, etc.	655. Health Officer to furnish certificates of death, when.
649. Police sanitary inspectors appointed, when.	656. Bringing dead from other cities regulated.
	657. Expenditures by Board.
	658. Meetings.

643. Board of Sanitary Commissioners; duties. Hereafter within ten days after he shall have taken the oath of office, the Mayor shall appoint two Aldermen and three citizens, who, with the chief magistrate of the city and the Health Officer as ex

Feb. 21, 1877.
R. 88. s. 1.

officio members, shall constitute a Board of Sanitary Commissioners for the city of Savannah, whose duty shall be to supervise the administration of all the health laws of the city, to examine into all cases of malignant, pestilential, infectious and epidemic diseases, which may occur in the city, and the causes thereof; to examine into all such nuisances as may tend to endanger the health of the city, and to take such steps as may be necessary for their removal; to exercise a general supervision over the sanitary regulations of all municipal institutions, such as public schools, markets, prisons, etc., to superintend all matters pertaining to quarantine and the quarantine physician or health officer, and direct all measures of detention, disinfection and purification of vessels, cargoes and passengers coming from ports against which quarantine may have been proclaimed, not contrary to the laws of the State of Georgia or the laws of the United States.

Ibid. s. 2.

644. To prevent spread of disease. Whenever it shall appear to the Board of Sanitary Commissioners that any pestilential or infectious disease has made its appearance in the city, said Board shall take such measures as to them may seem expedient and requisite to prevent the spread of such disease, and any person failing or refusing to comply with the requirements of the Board in all such cases, shall, upon conviction before the Police Court, be liable to fine or imprisonment, or both, in the discretion of the court, such fine not to exceed one hundred dollars and such imprisonment not to exceed thirty days.

Ibid. s. 3.

645. Removing persons infected from place to place within city without permit of Board; penalty. No person having contagious, infectious, or other disease dangerous to the public health, shall be removed from one place to another within the city limits without the permit of the Board of Sanitary Commissioners, and any person or persons removing such person having such contagious, infectious or other disease dangerous to the public health, shall, upon conviction before the Police Court, be liable to fine or imprisonment, or both, in the discretion of the court, such fine not to exceed one hundred dollars, and such imprisonment not to exceed thirty days.

Ibid. s. 4.

646. Physicians to report to Board cases of disease within twenty-four hours. It shall be the duty of every physician or other person practicing medicine in the city of Savannah, to report to the Board of Sanitary Commissioners every case of small-pox, yellow fever, or other infectious, contagious or pestilential disease, which he may be called upon to treat within the city limits, said report to be made within twenty-four hours after he shall have ascertained the character of the case, and to specify the name of the patient and the locality of the house in which such person is to be found; and for every violation of this provision the guilty party shall, upon conviction before the Police Court, be liable to fine or imprisonment, or both, in the discretion of the court, such fine not to exceed \$100, and such imprisonment not to exceed thirty days. But whenever any disease has been declared epidemic by the Board of Sanitary Commissioners it shall not be required that further cases be so reported.

Ibid. s. 5.

647. Citizens to report to Board cases of disease, when, etc. Every citizen upon whose premises there may occur any case of small-pox, yellow fever, or other infectious or pestilential disease not under the charge of any physician, shall in like manner, as

ordained in the preceding section, report the facts to the Board of Sanitary Commissioners, and for failure or refusal to make such report, shall, upon conviction before the Police Court, be liable to fine or imprisonment, or both, in the discretion of the court, such fine not to exceed one hundred dollars, and such imprisonment not to exceed thirty days. But whenever any disease has been declared epidemic by the Board of Sanitary Commissioners, it shall not be required that further cases shall be so reported.

648. Board may make requisition for services of city officers.

Feb. 21, 1877,
Ibid. s. 6.

Whenever, in the opinion of the Board of Sanitary Commissioners the services of the City Attorney, or the City Surveyor, or the City Marshal, shall become necessary for the furtherance of the sanitary interests of the city, such services shall be rendered on requisition of the Board made on the Mayor; that whenever in the opinion of the Board of Sanitary Commissioners it shall become advisable for the furtherance of the sanitary interests of the city, to have the assistance of the police force, the Board shall make application to the Mayor, stating the number of policemen required, the purpose for which they are required and the probable length of time for which they may be needed, and if the Mayor approves the application, he shall order the necessary detail to be made and placed for the time being under the order of the Board of Sanitary Commissioners.

649. Police Sanitary Inspectors appointed, when. The Mayor shall annually, and at the proper time, by the counsel of the Board of Sanitary Commissioners, appoint at least one of the policemen of the city police force for each and every ward of the 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 regularly designated and appointed, and to make report weekly or oftener, if required by the Mayor, of all filth or unwholesome collection of any kind in such ward, such report to be made to the Mayor through the Chief of Police.

Ibid. s. 7.

650. Health Officer, duties as Executive Officer of Board. The Health Officer shall be the executive officer of the Board of Sanitary Commissioners, and, under the direction and control of the Board, shall exercise a general supervision over the sanitary interests of the city. That he shall make an inspection at least once every week to every part of the city, extending to the city limits. That in all cases where he may discover the existence of any agent dangerous to the health of the city, he shall take the proper measures to have any ordinance in existence for its correction immediately enforced. That if there be no ordinance in existence sufficient to the correction of the evil, he shall make a full report of all the attending circumstances to the Board of Sanitary Commissioners, accompanied with his opinion of the necessity of extraordinary or special action. He shall make diligent inquiry into all cases of malignant, infectious or contagious diseases, which may occur in the city, cause immediate measures to be taken to arrest their progress, and report the fact at once to the Board of Sanitary Commissioners; that if any person or persons controlling or occupying any premises, lots, outhouses or yards in which there is cause to believe that nuisances or pestilential or infectious diseases exist shall refuse to permit the Health Officer or the Board of Sanitary Commissioners to examine the same, such person or persons shall, upon

Ibid. s. 8.

conviction before the Police Court, be liable to fine or imprisonment, or both, in the discretion of the court; such fine not to exceed one hundred dollars, and such imprisonment not to exceed thirty days.

Feb. 21, 1877,
Ibid. s. 9.

651. To keep book of complaints. The Health Officer shall keep at the office of the Clerk of Council a book of complaints, in which any police officer or any citizen may enter on record a report of any nuisance affecting or likely to affect the public health which he may have observed, stating therein the locality and nature of the nuisance. That if any difficulty should arise in the removal of such nuisance, he, the Health Officer, shall make personal examination into the facts in all such cases, and if the person responsible refuses or fails to remove such nuisance, the Health Officer shall report to the Mayor and Aldermen, who may abate the same in accordance with the existing laws in relation thereto.

Ibid. s. 10.

652. Duties as to quarantine. The Health Officer shall, during the existence of quarantine, visit the quarantine station from time to time, and see that the requisite measures for securing the purposes of quarantine are effectually carried out.

Ibid. s. 11.

653. Board to control Pest House. The City Pest House or Small-Pox Hospital shall be conducted under the direction and control of the Board of Sanitary Commissioners, and care shall be taken to keep the buildings in proper repair and ready for the reception of patients; the Board shall procure all necessary supplies by a requisition on the Mayor, and shall prescribe the rules and regulations for the efficient management of that institution; they shall require the Health Officer to keep a book to be entitled the "Register of the Small-Pox Hospital," in which shall be registered the names, ages, sexes, colors, nationalities, diseases, dates of admissions, dates of discharges, deaths and recoveries, together with such other details as the Board of Sanitary Commissioners may think proper,

Ibid. s. 12.

654. Health Officer to make weekly reports to Board. The Health Officer shall make to the Board of Sanitary Commissioners weekly reports of all the business done in connection with his office, including the report of the sanitary condition of the city, and the report of the City Small-Pox Hospital when that institution is open for the reception of patients, together with such other information as the Board of Sanitary Commissioners may require.

Ibid. s. 13.

655. To furnish certificates of death; when, etc. In all cases of death occurring within the city limits in which no adequate certificate can be obtained from a physician, that the Health Officer shall visit and inspect the body of such dead person, investigate all the circumstances, and make out the certificate required; except in such cases which may occur within the jurisdiction of the Coroner, when that officer shall be duly notified.

Ibid. s. 16.

656. Bringing dead from other cities, regulated. No body of any deceased person shall be brought to the city from any other place unless it is accompanied by a proper certificate of the cause of death; and if the death was caused by small-pox, yellow fever, or any other infectious or pestilential disease, such body shall not be brought into the city without the permit of the Board of Sanitary Commissioners having first been obtained, under penalty, upon conviction before the Police Court, of fine or imprisonment, or both, in the discretion of the court, such

fine not to exceed one hundred dollars and such imprisonment not to exceed thirty days.

657. Expenditures by Board, must be specially authorized.

Feb. 21, 1877,
s. 17.

The Board of Sanitary Commissioners shall make no expenditures except such as may be authorized from time to time by special action of the Mayor and Aldermen of the city.

658. Meetings of Board. The stated meeting of the Board shall take place on the Monday preceding each regular meeting of City Council, and if any member shall absent himself from three consecutive meetings without sufficient excuse, his seat shall be declared vacant, and his place supplied as provided in the organization of the Board. Any vacancies otherwise occurring, either by death or resignation, shall also be filled in the same manner. The Mayor shall be ex officio Chairman of the Board of Sanitary Commissioners.

Ibid. s. 18.

CHAPTER 33.

SANITARY REGULATIONS.

SECTION 659. Untenanted buildings to be ventilated.	SEC. 671. Public funerals prohibited, when.
660. Untenanted buildings to be whitewashed, etc.	672. Undertaker not to use public carriage, when.
661. Owners absent, Mayor to have same done.	673. Unlawful to transport disinterred body through city without permit.
662. Fences and walls to be lime-washed.	674. Boarding house keepers to report sick cases.
663. Sanitary Commissioners to notify owners, etc.	675. Boarding house keepers to give bond for expenses.
664. Yards, etc., to be kept clean.	676. Ponds or basins not to be excavated
665. Stable litter, etc., to be removed.	677. Canal beds not to be exposed, etc.
666. Premises whereon fish, crabs, oysters, etc., are kept,	678. To be opened to flow off tides daily
667. Penalty for not keeping clean	679. Penalty.
668. Throwing filth, slops, and garbage in streets.	680. Presented as nuisances, when.
669. Gutters conveying filth into streets.	681. Rice chaff not to be exposed.
670. Throwing dead animals in streets.	682. Manure heaps to be sheltered.
	683. Turning up soil of public domain regulated.
	684. Penalty for violation.
	685. Disposition of offal, garbage, etc.

659. Untenanted buildings to be ventilated. 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.¹

Aug. 25, 1823.
c. 40.

(1) The landlord of a lot which has been leased for an unexpired term is not bound to perform the duty required by this ordinance. He has no right to enter upon the premises for the purpose of opening and ventilating the buildings. To do so would make him a trespasser. A lot thus situated is not "untenanted" in the language of the ordinance. The duty of ventilation devolves upon the tenant; he is the temporary owner. Shield's case, 20 Ga. 58.

Aug 25, 1823.
c. 40.

660. Untenanted buildings to be whitewashed or cleansed. 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 offense, in a sum not exceeding thirty dollars.

Ibid.

661. Owners absent, etc. Mayor to have same done. 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.

June 13, 1877.
s. 1. R. 94.

662. Fences or walls to be limewashed, when. It shall be the duty of the occupant or occupants of any occupied premises, and the owner or owners of unoccupied premises in the city of Savannah, having their fences or walls in a decayed, mouldy or other condition likely to cause disease, to have the same limewashed when required to do so in the manner hereinafter provided.

Ibid. s. 2.

663. Sanitary Commissioners may require same done, when. It shall be the duty of the Police Officer inspecting the ward in which any such walls or fences may be found, in the month of June or July, or in the months of December and January, in any year, to include the same in his report of the condition of his ward, giving notice to the owner or owners, occupant or occupants, at the time of making such inspection of his intention to make such report, and that such owner or owners, occupant or occupants, may appear before the Board of Sanitary Commissioners to show the contrary, if he or they shall so desire; stating in his report that such notice has been given, and if the said Board of Sanitary Commissioners, upon receiving such report, and having such owner or owners, occupant or occupants, or in his or their absence, if he or they shall fail to attend, shall be satisfied that such walls or fences need limewashing, it may order accordingly; and it shall be the duty of the Secretary of the Board to cause notice to be given to such owner or owners, occupant or occupants, requiring him, her, or them to have such walls or fences limewashed within twenty days from the service of such notice, and if such owner or owners, occupant or occupants, shall neglect, or refuse to comply with such notice within the time specified therein, he, she or they shall be fined, on conviction thereof in the Police Court, in a sum not exceeding five dollars for each day of such neglect or refusal after the expiration of the time specified in the notice, the continuance of such neglect or refusal after the time aforesaid to be a separate offense.

Aug. 15, 1839,
c. 438.

664. Householders to keep yards clean, etc. Every householder or occupant of a house shall keep the yard, cellar, en-

closure 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 householder or occupant of a house to throw into the privies attached to their yards or enclosures, a peck or a sufficient quantity of lime once a month, during the months of May, June, July, August, September, October and November.

665. Stable litter, etc., to be removed every twenty-four hours.

Aug. 15, 1839,
c. 438.

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 three 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 the Scavenger Department.

666. Premises where fish, crabs, shrimps, oysters, etc., are kept or prepared, to be kept clean.

July 23, 1886,
s. 1

It shall be the duty of any occupant or occupants of any premises in this city where any fish, crabs, oysters, shrimps or shell fish of any kind are kept for sale or prepared for market or shipment, or where poultry of any kind is killed or prepared for market, to keep the premises in a clean condition, and it shall be unlawful to clean or wash fish, or to clean, wash or open shell fish of any kind, or to slaughter or clean poultry of any kind without arranging for the washings, drippings and offal to be properly removed from the premises, either by so arranging the floors that the washings, drippings and offal from the fish or shell fish or poultry may be carried to the sewers or may be so collected that the same may be properly carried off and disposed of; but in no case shall the washings, drippings or offal be permitted to run into the streets or lanes of this city or into any sink or well on such premises or any neighboring premises; and in case the floors of such premises are so arranged as to connect with the sewers of the city the floors shall be washed daily so that same may be kept clean at all times; and all shells or other offal on such premises to be removed shall be kept in a proper receptacle and removed from the city to such distance beyond its limits as the ordinances of the city require offal and garbage to be deposited.

667. Penalty. If any person shall violate any provisions of the foregoing section of this ordinance, he or she shall, on conviction thereof in the Police Court, be fined not less than five nor more than one hundred dollars, or imprisoned not more than thirty days, or both, in the discretion of the Mayor or acting Mayor presiding in said court.

Ibid. s. 3.

668. Throwing filth, slops and garbage in streets; penalty. It shall not hereafter be lawful for any person to throw or deposit any filth of any kind, or any slops or garbage, into any street, lane or thoroughfare, within the corporate limits of Savannah, under a penalty of not more than fifty dollars for every separate offense, and every tenant or occupant of a house or other premises, opposite or nearest to which such filth or garbage may be found, shall be presumed to be the offender.

Aug. 30, 1871,
R. 86.

669. Gutters or spouts conveying filth into streets; penalty. It shall not be lawful for any person to put any gutter or spout

Aug. 2 1839.
c. 335.

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 offense, and the said gutter or spout shall be forthwith removed.

Aug. 15, 1839.
c. 437.

670. Throwing dead animals in streets, etc. If any person shall throw or put into the streets, lanes, or squares, or commons within or without the city, any dead hog, goat, dog, cat, fowl, or other dead animal, he or she shall be fined in a sum not exceeding one hundred dollars for each and every offense, at the discretion of the Mayor or acting Mayor; and 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 the Scavenger Department, 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 return to the City Treasurer of all moneys received by him for the use of the city, and shall pay the same to said Treasurer every two weeks.

Nov. 7, 1883.
s. 1.

671. Public funerals of persons dying from contagious diseases prohibited. It shall be unlawful to have a public or church funeral of any person in said city who has died of small-pox, diphtheria, scarlet fever, yellow fever, typhus fever, Asiatic cholera, or other infectious or contagious diseases; but the funeral of such person or persons shall be private and unattended by any other person or persons than the immediate family residing in the house where the death takes place. And it shall not be lawful to invite or permit at the funeral of any person who has died of any of the above named or any other contagious or pestilential disease, or at any service connected therewith, any person whose attendance is not necessary to or to whom there is danger of contagion or spreading contagion thereby; and every person who shall permit any person or persons whose attendance is not necessary to come to his or her house for the purpose of attending the funeral of any person who has died of any of the before-mentioned diseases shall, on conviction thereof before the Police Court, be fined in a sum not exceeding \$100, or imprisoned not more than thirty days, or both, in the discretion of the Mayor or the acting Mayor presiding in said court.

Ibid. s. 2.

672. Undertaker not to use public carriage or conveyance, when, etc. It shall not be lawful for any undertaker or other person who has charge of any funeral in this city or any person who has died of any contagious or infectious disease, to use for the

purpose of conveying the body to the cemetery or burial place any public carriage or conveyance, but shall in all such cases use a hearse for conveying the body to the cemetery, or burial place. And every undertaker or other person violating the provisions of this section of this ordinance shall, on conviction thereof in the Police Court, be fined in a sum not exceeding \$100, or imprisoned not more than thirty days, or both, in the discretion of the Mayor or acting Mayor presiding in said court.

673. Transporting through city, disinterred bodies; penalty.

It shall be unlawful to carry or transport through the city of Savannah the remains of any person which have been disinterred or removed from any cemetery, public or private, without the permit of the Health Officer of the city of Savannah, and any person carrying or aiding in the transporting of such remains through the city of Savannah shall be fined, on conviction thereof in the Police Court, in the sum of not more than \$100, or be imprisoned for ten days, either or both, in the discretion of the officer presiding in said court.

April 9, 1884.

674. Boarding house keepers to report sick seafaring men, etc.

It shall be the duty of every person keeping a boarding or lodging house in the city of Savannah, between the thirty-first day of March and the first day of November in each and every year, to report in writing to the Mayor, through the Clerk of Council, the name of every seafaring man, boarder or transient person, who shall be sick in his or her house, within twelve hours after such case of sickness shall have occurred, and for neglecting so to do, and on conviction thereof before Council, he or she shall be fined in a sum not exceeding thirty dollars.

Dec. 3, 1839.
c. 43, 44.

675. Boarding house keepers to give bond for expenses, etc.

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 Sanitary Commissioners, 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.

Ibid.

676. Ponds or basins not to be excavated within city limits.

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.

Dec. 6, 1849,
c. 57.

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

Ibid.

678. Canals or basins, tide flood gates to be opened, etc. 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.

Ibid.

679. Penalty. Each and every violation of the two preceding sections of this article shall be adjudged by Council, and pun-

Ibid.

Dec. 6, 1849.
c. 57.

ished by a fine not exceeding one hundred dollars for each offense.

680. To be presented as nuisances, when. 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 offenses against this article are committed, as nuisances, and require their abatement.

Aug 2, 1839.
c. 434.

681. Rice chaff not to be exposed. It shall not be lawful for any owner or agent of a steam rice mill to expose or cause to be exposed in a large heap or any other manner, the chaff produced by the said mill, so as to subject it to the influence of the sun and rain, within the distance of half a mile from the 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 shall be removed to a proper distance by the City Marshal at the expense of said owner or agent.

Oct. 1, 1879.

682. Manure heaps to be sheltered from sun and rain. All persons having manure heaps upon their farming land adjacent to the city and within the corporate limits, shall erect over such heaps board shelters sufficiently large and tight to protect such heaps from the action of the sun and rain, and under no circumstances shall any manure be stored or kept within the corporate limits, except upon such farming lands as provided by this ordinance. And any person violating the provisions of this ordinance shall, upon conviction before the Police Court of Savannah, be fined in a sum not exceeding one hundred dollars, or imprisonment not exceeding thirty days, either or both, in the discretion of the presiding officer of such court, for each and every such violation.

May 9, 1883,
s. 1.

683. Turning up soil of public domain, etc. No permission shall be granted to make sewer connections or for other works of a similar character, or for laying pipes, or for any work which may involve the turning up of the soil of the public domain between the first day of May and the first day of November of each year, unless the same shall be approved by the Board of Sanitary Commissioners.

Ibid. s. 2.

684. Penalty for turning up soil without permission. If any person shall turn up the soil of the public domain of any part of said city between the first day of May and the first day of November of each year without permission, as provided in the foregoing section of this ordinance, he or she shall, on conviction thereof in the Police Court, be fined not less than five nor more than one hundred dollars, or imprisoned not more than thirty days, or both, in the discretion of the Mayor or acting Mayor presiding in said court.

Dec. 12, 1877.
R. 157.

685. Disposition of offal, garbage and dead animals. It shall not be lawful for any person whomsoever to deposit offal, garbage, or dead animals, at any place within one mile of the corporate limits of the city of Savannah. If any person shall violate the provisions of this section, he or she shall, on conviction thereof in the Police Court, be fined not less than ten nor more than thirty dollars, or imprisoned not more than thirty days, or both, in the discretion of the Mayor or acting Mayor presiding in said court.

CHAPTER 34.

NUISANCES.

SECTION 686. Nuisance, how removed.
687. When in a town or city.
688. Notice of time and place of hearing.
689. Maintaining on premises, penalty.

SEC. 690. Occupants required to remove.
691. Notice to abate or appear before Council.
692. How abated.
693. Collection of costs by execution.

686. Nuisance may be abated, how. 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 impaneled, for that purpose; which order shall be directed to and served by the sheriff of the county, or his deputy.

Code of Ga.
§ 4094.

687. When in a town or city. 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.¹

Ibid. § 4095.

688. Notice of time and place of hearing to be given. 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.²

Ibid. § 4096.

689. Maintaining nuisances on premises; penalty. No person shall keep on his or her premises any nuisance to the annoyance of his or her neighbor or injurious to public health, nor shall any person maintain any source or sources of filth and cause of sickness in the corporate or jurisdictional limits of the city of Savannah, and any person keeping any nuisance injurious to the public health, or maintaining any source or sources of filth and cause of sickness on their premises in the corporate or jurisdictional limits of the city of Savannah, shall, on conviction therefor, in the Police Court of Savannah, be fined in a sum not exceeding fifty (50) dollars.

May 26, 1880,
s. 1.

690. Occupants of premises required to remove nuisance. Whenever any nuisance injurious to the public health, or likely to become so, shall be reported to the Mayor or acting Mayor, he shall forthwith notify in writing the party occupying the premises to remove the nuisance complained of within twenty-four (24) hours after service of the said notice, which may be served by the Marshal, or any member of the police force, and if the said nuisance is not abated within twenty-four hours after such notice, for every day following, the person or persons on whose premises the nuisance remains, shall, upon conviction before the Police Court, be fined in a sum not exceeding twenty dollars, or imprisoned not exceeding thirty days.

Ibid. s. 2.

(1.) Power of City Council as to, 6 Ga., 1; 9 Ga. 281. In such cases Justices of Peace have no jurisdiction; 40 Ga., 87; section cited and construed; 59 Ga., 790.

(2.) Mayor and Council cannot proceed *ex parte* and without notice, or condemn and tear down private property as a nuisance without a hearing; 67 Ga. 192.

March 17, 1880
s. 1.

691. Owner or occupant notified to abate or appear before Council. It shall be the duty of the Mayor, whenever he shall receive information that any lot, tract of land or enclosure of any kind, within the corporate or jurisdictional limits of the city of Savannah, shall be or is likely to become injurious to the public health by reason of its undrained or imperfectly drained condition, or by reason of accumulation thereon of animal or vegetable matter in a putrefactive state, or likely to become so, to serve a notice upon the owner, tenant, or cultivator of the said lot, tract of land or enclosure, or any person having the charge of the same, or his, her or their agent, requiring the said person on whom said notice is served to abate or remove said nuisance within five days, or to appear before Council at a time and place in such notice to be specified, not to exceed ten days from the date thereof to show cause if any they have, why the said nuisance should not be abated or removed.

Ibid. s. 2.

692. How abated. If the said owner, tenant, cultivator or other person shall not, upon the service of 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 said nuisance complained of should not be abated or removed, there and in that event the said Mayor and Aldermen may direct the City Marshal forthwith to abate or remove said nuisance, and the expense incurred by the city authorities in enforcing this article and abating or removing said nuisance, shall be assessed upon the person or persons, responsible for the existence of the nuisance, or owning or controlling the property whereon the same may be, and the said expense, so incurred, shall be collected by execution to be issued therefor, as in other cases of dues to the city of Savannah.

July 18, 1883,
s. 1, 2.

693. Collection of costs and expenses; fi. fas., etc. Whenever any nuisance shall be abated or removed by the said the Mayor and Aldermen of the city of Savannah, by ordinance, resolution or order of Council, it shall be the duty of the Mayor forthwith to notify said person or persons responsible for the existence of the nuisance removed, or owning or controlling the property adjudged to be a nuisance, of the costs and expenses incurred in the abatement or removal of such nuisance, and if such person or persons so notified do not pay such costs and expenses so incurred in removing and abating such nuisance within five days, then said Mayor shall issue an execution against such person or persons so notified for such costs and expenses, which shall be placed in the hands of the Marshal of said city, who shall proceed to make the money due thereon out of the property of the person or persons declared to be responsible for the existence of the nuisance abated or removed, or of the person or persons owning or controlling the property adjudged to be a nuisance by levy and sale, in accordance with the law governing Sheriff's levies and sales in the State. The collection of such costs and expenses by execution shall be only cumulative of the right which the said, the Mayor and Aldermen of the city of Savannah, may have to collect such costs and expenses so incurred by any other legal proceedings.

CHAPTER 35.

HEALTH OFFICER.

<p>SECTION 694. Health Officer, duties. 695 To keep a book of complaints. 696. To see that quarantine is enforced. 697 To report weekly to Sanitary Board. 698. To furnish certificates of death, when. 699. Burial orders.</p>	<p>SEC. 700. Required to be given, when. 701. To keep on hand supply of vaccine virus. 702. To give medical attention to police force free. 703. Also to firemen. 704. Patients sent to pest house from vessel, at whose expense. 705. Fees of Health Officer.</p>
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694. Health Officer, duties. The Health Officer shall be the executive officer of the Board of Sanitary Commissioners, and under the direction and control of the Board, shall exercise a general supervision over the sanitary interests of the city. He shall make an inspection at least once every week to every part of the city, extending to the city limits. In all cases where he may discover the existence of any agent dangerous to the health of the city, he shall take the proper measures to have any ordinance in existence for its correction immediately enforced. If there be no ordinance in existence sufficient to the correction of the evil, he shall make a full report of all the attending circumstances to the Board of Sanitary Commissioners, accompanied with his opinion of the necessity of extraordinary or special action. He shall make diligent inquiry into all cases of malignant, infectious or contagious diseases, which may occur in the city, cause immediate measures to be taken to arrest their progress, and report the fact at once to the Board of Sanitary Commissioners; that if any person or persons controlling or occupying any premises, lots, outhouses or yards in which there is cause to believe that nuisances or pestilential or infectious diseases exist, shall refuse to permit the Health Officer or the Board of Sanitary Commissioners to examine the same, such person or persons shall, upon conviction before the Police Court, be liable to fine or imprisonment, or both, in the discretion of the court; such fine not to exceed one hundred dollars, and such imprisonment not exceed thirty days.

Feb. 21, 1877.
s. 8. R. 90.

695. To keep a book of complaints. The Health Officer shall keep at the office of the Clerk of Council a book of complaints, in which any police officer or any citizen may enter on record a report of any nuisance affecting or likely to affect the public health which he may have observed, stating therein the locality and nature of the nuisance, if any difficulty should arise in the removal of the nuisance, he, the Health Officer, should make personal examination into the facts in all such cases, and if the person responsible refuses or fails to remove such nuisance, the Health Officer shall report to the Mayor and Aldermen, who may abate the same in accordance with the existing laws in relation thereto.

Ibid. s. 9.

696. To see that quarantine is enforced. The Health Officer shall, during the existence of the quarantine, visit the quarantine station from time to time, and see that the requisite measures for securing the purposes of quarantine are effectually carried out.

Ibid. s. 10,

697. To report weekly to Sanitary Board. The Health Officer shall make to the Board of Sanitary Commissioners weekly

Ibid. s. 12.

reports of all business done in connection with his office, including the report of the sanitary condition of the city, and the report of the City Small-Pox Hospital when that institution is open for the reception of patients, together with such other information as the Board of Sanitary Commissioners may require.

Feb. 21, 1877.
s. 13.

698. To furnish certificates of death, when. In all cases of death occurring within the city limits in which no adequate certificate can be obtained from a physician, that the Health Officer shall visit and inspect the body of such dead person, investigate all the circumstances, and make out the certificate required; except in such cases which may occur within the jurisdiction of the Coroner, when that officer shall be duly notified.

Dec. 20, 1882,
s. 1.

699. Burial orders to be signed by. Each and every sexton of each and every cemetery used for public burial within five miles of the city, shall demand and require with each and every application to him for burial of any deceased person, an order of burial signed by the Health Officer, setting forth the name, sex, color, age, nationality, residence, day of death, cause of death and name of attending physician, and in no instance shall any sexton of any cemetery used for public burial permit the body of any person to be interred without such order of burial, under penalty, upon conviction before the Police Court, of fine or imprisonment, or both, in the discretion of the court, such fine not to exceed one hundred dollars, and such imprisonment not to exceed thirty days.

Ibid. s. 2.

700. Required to give burial orders, when. The Health Officer shall be required to give an order of burial whenever application is made to him, basing said order upon a proper certificate from a physician, Coroner or other responsible person, made out and filled according to the form adopted by the Board of Sanitary Commissioners, and that the authority to give an order for the burial of any and all deceased persons shall be vested in the Health Officer alone.

Jan. 31, 1839,
c. 162.

701. To keep on hand a supply of vaccine virus. It shall be the duty of the Health Officer to procure and keep constantly on hand a sufficient supply of vaccine virus, with which he shall supply those physicians who may at any time call on him for it in reasonable quantities, and for which he shall be paid by said physicians at the rate of three dollars a grain, troy.

Dec. 22, 1859,
c. 163.

702. To give medical attention to police force. 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.

Jan 10, 1877.
R. 96.

703. Also to firemen. It shall be the duty of the Health Officer of the city to render suitable medical aid and attention to paid firemen of the city of Savannah, except the Chief and Assistant Chief Engineer, in the same manner and to the same extent as he is required by existing ordinances to render such aid and attention to sick privates of the police force.

Sept. 4, 1856,
c. 162.

704. Sending patient to Pest House from vessel; whose expense. In case it shall be deemed necessary by the Health Officer to send a patient to the Pest House from 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.

705. Fees of Health Officer. The fees of the Health Officer (which he shall be paid by the owner or consignee of any vessel) shall be as follows:

Sept 4, 1856,
c. 162.

For boarding any vessel lying at the quarantine ground, 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.

CHAPTER 36.

QUARANTINE.

SECTION 706. Hospitals how established.	SEC. 726. Vessels in quarantine, unlawful to board.
707. Quarantine, how prescribed and regulated.	727. Pilots to direct infected vessels to Sapelo.
708. Jurisdiction of Savannah, etc	728. If Sapelo closed, to anchor at Port Station.
709. Vessels may be removed to quarantine ground.	729. Vessels with certificate of National Quarantine Officer.
710. Persons escaping quarantine.	730. Vessels from foreign ports to anchor at station.
711. Vessels to deliver bill of health, etc.	731. Vessels with sickness on board.
712. Quarantine of inland travelers.	732. Discharge of ballast, fumigation, etc.
713. Duty of pilots before boarding vessels.	733. Coastwise vessels from south of Hatteras.
714. Persons on vessels to observe quarantine.	734. Same, by inland route.
715. Proclamation of Governor.	735. Cargoes from infected ports to be lightered.
716. Violations of quarantine.	736. Vessels with wrecked persons, etc from infected ports.
717. Concealing small-pox, indictable.	737. Pilots alone to board vessels from infected ports.
718. Fines, how disposed of.	738. Duty of pilots boarding vessels.
719. Performance of quarantine, how certified.	739. Seamen bringing clothing to city.
720. Fees of Health Officer, how paid.	740. Speed of steamers passing station.
721. Small-pox hospitals.	741. Visiting station without permit, unlawful.
722. Quarantine regulations.	742. Violation of quarantine ordinances penalty.
723. Expenses.	
724. Vaccine, how distributed.	
725. Quarantine station established.	
SEC. 743. Resisting quarantine officers, penalty.	

706. Hospitals how established. 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 Ordinary of each county, respectively, are vested with the power to establish such hospitals and make such regulations.

Code of Ga.
of 1882, § 1375.

Code of Ga.
of 1882, § 1376.

707. Quarantine, how prescribed and regulated. The corporate authorities of such town may, from time to time, prescribe the quarantine to be observed by all vessels arriving within the harbor or vicinity of such town, and regulations therefor, not contrary to law; and such regulations may extend to all persons, goods and effects, arriving in such vessels, and to all persons going on board the same. Any person violating such regulations, or any of them, after personal notice, or after other notice thereof, given for five days, in such manner as may be prescribed by such corporate authorities, or in the absence of any mode so prescribed, by notice of such regulation for five days in some newspaper in such town, or where there is no newspaper by notice posted up at some public place in such town for the same length of time, shall be guilty of a misdemeanor, and on conviction thereof, shall be liable to 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.

Ibid. § 1377.

708. Quarantine ground. 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 case of quarantine, extend to all ships and vessels which shall enter at any port or inlet from Ossabaw sound to Tybee, and the jurisdiction of the corporation of Darien, shall, in cases of quarantine, extend to all ships and vessels which shall enter at any port or inlet from St. Catherine's to Doboy Sound, and the jurisdiction of the corporation of Brunswick shall, in cases of quarantine, extend to all ships and vessels which shall enter any port or inlet from Altamaha Sound to St. Andrew's Sound, and the jurisdiction of the corporation of St. Mary's shall, in cases of quarantine, extend to all ships and vessels which shall enter any port or inlet from Cumberland Sound to St. Mary's river, including all inlets, rivers, and creeks within those limits.

Ibid. § 1378

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

Ibid. § 1379.

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

Code of Ga.
of 1882, § 1380.

711. Masters of vessels must deliver bill of health, etc. The master of any vessel ordered to perform quarantine shall deliver to the officer appointed to see it performed his bill of health and manifest, log-book and journal; 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.

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

Ibid. § 1381.

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

Ibid. § 1382

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

Ibid. § 1383.

715. Proclamation of Governor as to contagious diseases. The Governor of this State may, by proclamation, whenever he shall deem it necessary, give such orders to prevent the spread of contagious or infectious diseases within the State, and make such appointments and regulations concerning the same as shall by him be deemed proper, and be stated in such proclamation, and any person violating such orders or regulations may be fined or imprisoned at the discretion of any court having jurisdiction.

Ibid. § 1384.

716. Violators of quarantine may be indicted. Any person coming into this State by land or water from any place infected with contagious disease, and in violation of quarantine regulations, may be indicted in any county in which he may be found, 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.

Ibid. § 1385.

717. Persons concealing small-pox indictable. 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,

Ibid. § 1386.

or Ordinary, may be indicted and fined in a sum not exceeding five hundred dollars, or imprisoned at the discretion of the court.

Code of Ga.
of 1882. § 1387.

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

Ibid. § 1388.

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

Ibid. § 1339.

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

Ibid. § 1330.

721. Small-pox hospitals. The Ordinary of each county, or the corporate authorities of any town or city in this State, within the limits of which the 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.

On this law: 33 Ga., 508; 37 Ga., 282.

Ibid. § 1391.

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

Ibid. § 1392.

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

Ibid. § 1393.

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

May 2, 1888,
s. 1.

725. Quarantine station established. The quarantine station of vessels entering any port or inlet from Ossabaw sound to Tybee, including all inlets, rivers and creeks within these limits, be, and the same is hereby established on the oyster beds north of and directly opposite Fort Pulaski in Savannah river, and

the eastern end of Long Island; and no person or persons, unless duly authorized, as hereinafter provided, shall be permitted to visit or land upon said oyster beds or the eastern end of Long Island; and no person or persons shall be permitted, unless duly authorized by a permit from the Health Officer, approved by the Mayor, to visit or land at either of the points above named.

May 2, 1888,
s. 2.

726. Unlawful to board vessels in quarantine without permit. All vessels of any description lying in any of the waters above described, flying the yellow flag, shall be considered as being in quarantine, and it shall be unlawful for any person or persons to visit or go on board such vessel, or to lie alongside of the same with any boat or vessel, unless duly authorized by a permit from the Health Officer, approved by the Mayor.

Ibid. s. 3.

727. Pilots to direct infected vessels to Sapelo Station. On and after the opening, each year, of the National Quarantine Station (now located at Sapelo), all vessels having yellow fever, small-pox, typhus fever or cholera on board, or having had same during voyage, must be directed by the pilot speaking to her to proceed to said National Quarantine Station, and it is hereby made the duty of such pilot to give the direction hereinbefore provided for.

Ibid. s. 4.

728. If Sapelo closed to anchor at Port Quarantine Station. During the period for which the National Quarantine Station shall be closed all vessels from infected or suspected localities, arriving with sickness on board, or having had same during voyage, must anchor at Port Quarantine Station, under personal directions of the quarantine officer.

Ibid. s. 5.

729. Vessels with certificate of National Officer. Any vessel arriving at this port bearing the certificate of the National Quarantine Officer shall be brought to anchor at the quarantine station hereinbefore provided for and located, and shall there remain until released by order of the Board of Sanitary Commissioners.

Ibid. s. 6.

730. Vessels from foreign ports to anchor at station. Vessels arriving at this port from any foreign port, direct or via American ports, with or without sickness on board, shall, during the entire year, be compelled to anchor at and remain at the quarantine station until released by a written permit of the quarantine officer.

Ibid. s. 7.

731. Vessels with sickness on board. All vessels arriving at this port with sickness on board, or having had same during voyage shall, at all seasons of the year, anchor at quarantine station and there remain until released by order of the Board of Sanitary Commissioners.

Ibid. s. 8.

732. Discharge of ballast, fumigation, etc. All vessels from infected or other suspected localities, shall, during the entire year, discharge all ballast at the quarantine station and shall have bilges and limbers cleaned and sweetened, and shall be subject to such fumigation as may be prescribed by the Board of Sanitary Commissioners.

Ibid. s. 9.

733. Coastwise vessels from south of Hatteras. On and after May 1st, and until November 1st, of each year, and longer, if the Board of Sanitary Commissioners shall so determine, all coastwise vessels or steamers from latitudes south of Cape Hatteras, other than those by inland route, must anchor at the quarantine station. Steamers and vessels from non-infected or non-suspected localities will not be detained longer than necessary for the quarantine officer to satisfy himself of their sani-

tary condition. Vessels from infected or suspected localities will be required to have their bilges and limbers cleansed and sweetened, and subject to such fumigation and detention as may be prescribed by the Board of Sanitary Commissioners, and the vessel fumigated, cleansed and disinfected, before being permitted to come to the city; provided no sickness shall have occurred on board such vessel or vessels.

May 2, 1888, s. 10.

734. Same, by inland route. All coastwise steamers or vessels arriving at this port by inland route from latitudes south of Cape Hatteras, between May 1st and November 1st, or later, if the Board of Sanitary Commissioners so determine, must be inspected and given permit by the Health Officer before landing of either passengers or freight.

Ibid, s. 11.

735. Cargoes from infected ports to be lightered. From May 1 to Nov. 1 of each year, and longer if the Board of Sanitary Commissioners shall so determine, no vessel arriving at this port from any infected or suspected locality, will be allowed to come to this city with cargo in hold. Such cargoes will be required to be lightered from the quarantine station under such requirements as the Board of Sanitary Commissioners may prescribe.

Ibid, s. 12.

736. With persons or merchandise taken from wrecked vessels. Any vessel or vessels which have, in the course of their voyage, picked up any persons or merchandise from any wrecked vessel or vessels having sailed from any infected port or ports, or having on board any persons or merchandise from any vessel or vessels from an infected port or ports, shall, during the entire year, be compelled to anchor and remain at the quarantine station until released by the written permit of the quarantine officer, under regulations to be prescribed by the Board of Sanitary Commissioners.

Ibid, s. 13.

737. Pilots alone to board vessels from infected ports. No person other than a pilot shall board, from May 1 to Nov. 1 of each year, any vessel arriving at this port or any of the inlets, rivers and creeks within the limits of the quarantine jurisdiction of the Mayor and Aldermen of the city of Savannah from infected or suspected localities, and in the event any person other than a pilot shall board any such vessel they shall be subject to such detention at the quarantine station as the Board of Sanitary Commissioners may determine, in addition to other penalties prescribed by this ordinance.

Ibid, s. 14.

738. Duty of pilots boarding vessels. All pilots must in every case before boarding any vessel, make inquiry as to sanitary condition of vessel, and in no case must they board if the vessel has sickness of pestilential character on board, or has had any during her voyage. In such case they must either direct the vessel to National Quarantine Station at Sapelo, when the same is open, lead the vessel, or have their small boats hauled alongside of the vessel clear of the water, and in this way pilot her in, but nothing herein contained shall be held to authorize a pilot to bring a vessel into this port that has sickness on board, or has had any during her voyage—during the time the National Quarantine Station is open. All vessels from localities subjected to quarantine, whether seeking, awaiting orders or destined for this port, shall be anchored by the pilot bringing such vessel in at the quarantine station at the earliest time practicable after having entered the harbor, and it shall be the duty of such pilot to remain with such vessel until she is anchored at quarantine station, and as soon as he boards the same he shall

have displayed the quarantine flag from her headmast, and no person shall communicate with such vessel, nor shall any person from said vessel communicate with the shore until she is anchored at quarantine station, and then only by permission of the Board of Sanitary Commissioners.

May 2, 1888, s. 15.

739. Seamen bringing clothes to city; unlawful when. It shall be unlawful for any seaman to bring into the city any bedding, trunk, chest, or extra clothing from any vessel arriving at this port from an infected or suspected locality without permission of the Board of Sanitary Commissioners.

Ibid, s. 16.

740. Speed of steamers passing station. No steamer while passing the line of quarantine wharves opposite the eastern end of Long Island shall exceed a speed of five miles per hour. Every steamer so violating, the owner or owners thereof shall be subject to a fine not exceeding one hundred dollars for each and every offense.

Ibid, s. 17.

741. Unlawful to visit station without permit. It shall be unlawful for any person to visit the quarantine station for any purpose whatever, without leave being first obtained from the Board of Sanitary Commissioners.

Ibid, s. 18.

742. Violation of quarantine regulations. Any master of any vessel, or any pilot or any other person violating any of the provisions of this ordinance, shall, on conviction thereof, in the Police Court, be fined in a sum not exceeding one hundred dollars, or imprisonment for a period not exceeding thirty days, or both, at the discretion of the court.

Nov. 16, 1887.

743. Resisting, molesting or abusing quarantine officers, penalty. If any person shall be convicted in the Police Court of the city of Savannah of resisting, opposing, cursing, abusing or molesting any city official or employe at the quarantine station of the city of Savannah, or on the waters under the jurisdiction of the quarantine regulations, he or she shall be fined in a sum not exceeding one hundred dollars, or be imprisoned in the common jail not exceeding thirty days, either or both, in the discretion of the court.

CHAPTER 37.

CITY PHYSICIANS.

SECTION 744. City Physicians, two to be elected.

SEC. 746. Required to keep horse and buggy.

745. Power to send patients to hospital, when, etc.

747. Rules and regulations for.

744. City Physicians; two to be elected. There shall be elected by Council two city physicians, whose duty shall be to attend the sick poor, under such rules and regulations as may be prescribed by the Mayor and the Board of Sanitary Commissioners, and the contracts with such physicians to terminate at the pleasure of Council.

Resolution May 14, 1879

745. Power to send patients to hospital, when. The physicians so elected shall have power, with the approval of the Mayor only, to send to the hospital from time to time such sick and distressed (excepting permanently disabled and chronic cases) whom it may be found necessary, and for the best interests of all concerned, so to dispose of all, allowing for the same a per

Ibid.

diem of fifty cents each, and to be maintained not longer than one week at a time, unless by a renewal of such authority from the Mayor.

Dec. 29, 1856.

746. Required to keep a horse and buggy. The two city physicians shall each be required to keep a horse and buggy at his own expense.

747. Rules and regulations prescribed by the Mayor and Board of Sanitary Commissioners for the City Physicians. 1. The city shall be divided into two districts, by an imaginary line drawn through Bull street. All that portion lying west of the east side of Bull street, shall be designated as the First District, and all that portion lying east of the west side of Bull street, shall be designated as the Second District. One physician so elected by Council shall be appointed for each of these districts, and shall be required to reside at some convenient point in the same, accessible for those requiring his service.

2. It shall be the duty of each city physician to furnish medical advice to all persons residing in their respective districts who may be unable to employ a physician, and to attend all sick poor, keeping a correct and accurate record of the same, and making a return to the Mayor every Monday by 12 m. in full of all work done by them, giving names, ages, sex, disease and locality of cases attended.

3. In addition to professional work, each city physician will be required to examine daily, the general sanitary condition of their respective districts, and report promptly to the Mayor anything coming under their notice, which in their judgment may be prejudicial to the public good health.

4. Any refusal on the part of either physician to attend any worthy poor person seeking medical assistance being reported to the Mayor, will subject the party so offending to a recommendation to Council to be discharged from further service, and the vacancy so occasioned to be supplied.

5. Each city physician will be permitted, with the approval of the Mayor, to send to hospital such sick poor persons, as may be in a destitute condition, and without the means of procuring sufficient care as to diet, etc., at home, being governed in the disposition of such cases alternately so far as the Savannah Hospital and St. Joseph's Infirmary are concerned, and confining themselves to the Georgia Infirmary as the only hospital for colored persons in the city. Permanently disabled and chronic cases shall not be sent to hospital.

6. Each city physician shall be required to report to the Mayor by 12 m. every Monday, the names of all persons sent to hospital for treatment, their disease, etc., during the week preceding. In addition they shall also report every Monday the condition of all such cases in hospital, so that their stay may not be prolonged at city's expense, for a longer period than is absolutely necessary.

CHAPTER 38.

CITY DISPENSARY FOR SICK POOR.

SECTION 748. Dispensary officer; oath, bond and duties.
749. Treasurer to pay sums requisite for medicines.
750. Mayor and Chairman of Health Committee to superintend.

SEC. 751. Penalty for violating rules.
752. Obtaining medicines under false pretences.
753. Medicines not to be sold; supplied only to sick poor.
754. Rules for City Dispensary.

748. Dispensary Officer; oath, bond and duties. A Dispensary officer shall be elected, who shall take the oath prescribed for city officers, give bond in the sum of two thousand dollars, 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. Nov. 25, 1858.
c. 149.

749. Treasurer to pay sums requisite for medicine. 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. Ibid.

750. Mayor and Chairman of Health and Cemetery Committee to purchase medicines, and adopt rules. 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. Ibid.

751. Penalty for violating rules. In case the Dispensary Officer or any other person shall violate the rules to be prescribed by the Mayor and the Chairman of 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; and the Dispensary Officer may, by Council, be dismissed from office. Ibid.

752. Obtaining medicine by misrepresentation, penalty. 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 offense. June 29, 1854.
c. 150.

753. Medicines not to be sold; nor supplied to any but sick poor. 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. Sep't 2, 1868,
c. 150.

754. Rules for 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 the 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 towards patients will not be tolerated. Physicians are requested to report to the Mayor and 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 of great emergency), unless a written order or prescription be furnished, which order or prescription shall be filed and numbered in its regular order. Patients shall 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.

I. 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 United States 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 the 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.

CHAPTER 39.

SCAVENGER DEPARTMENT.

SECTION 755. To be operated by Mayor and Aldermen.	SEC. 761. Removal of dead animals.
756. Superintendent, election, bond, etc.	762. Keepers of over three horses, etc., to remove offal.
757. Duties.	763. Superintendent's duty as to squares.
758. Occupants of houses to sweep footwalks.	764. Charge of Pound.
759. To keep box or barrel for offal, rubbish, etc.	765. Fees for maintaining animals.
760. Interfering with dirt barrels, etc., prohibited.	766. Superintendent; penalty for violation of duty.
	767. Penalty on other persons.

755. Scavenger Department to be operated by the Mayor and Aldermen. From and after the expiration of the present contract touching the Scavenger Department of the city of Savannah, the said department shall be operated by the Mayor and Aldermen of the city of Savannah, and to this end the Committee on Health and Cemetery be, and it is hereby authorized and directed, to contract for and secure suitable stables, animals, wagons, and other necessary outfits for the said scavenger service at the expense and charge of the said city of Savannah.

Dec. 28, 1887
s. 1.

756. Superintendent to be elected, bond, etc. At the first regular meeting in January, 1888, a Superintendent of the said department shall be elected by the said Mayor and Aldermen of the city of Savannah in Council assembled in the same manner as other city officers are elected, who shall hold the office of said Superintendent until the regular election of city officers in the next succeeding January, and that at the first regular meeting of Council in January, 1889, and every two years thereafter, a successor to the said Superintendent shall be elected for the term of two years, and as herein provided. The said Superintendent shall give a bond in the sum of two thousand dollars, payable to the Mayor and Aldermen of the city of Savannah, and conditioned for the faithful performance of his duty as said Superintendent, and shall receive a salary at the rate of twelve hundred dollars per annum, payable out of the treasury of the city of Savannah in regular monthly installments.

Ibid. s. 2.

757. Duties of Superintendent. 1. The said Superintendent shall have immediate charge of the said department, shall give to its service his entire time and attention, shall see to its efficient and economical administration, and shall obey and enforce all the rules and regulations prescribed by the said Mayor and Aldermen of the city of Savannah, touching the said department and service.

Ibid, s. 3.

2. And it shall be the further duty of said Superintendent to cause the men employed to pass through all parts of the city daily, Sundays only excepted, with the carts, and to take up and carry off all offal, filth, manure, oyster shells, ashes and cinders, or other rubbish that may be collected in barrels or boxes, or

Dec. 25, 1878,
s. 2, R. 158.

that may be found in any street, lane, park or square within the city, and to carry and deposit the same to and at such place or places, at least two miles beyond the corporate limits of the city as shall be designated or approved by the Mayor, or a majority of the Street and Lane Committee or by the Sanitary Committee. The market offal and garbage shall be cleaned up and taken away daily, and on Sundays this shall be done from October 1st to April 1st by or before 8 o'clock A. M., and from April 1st to October 1st by or before 7 o'clock A. M. The Superintendent shall, on Sundays have one cart for each of his sections, ready and subject to the order of the Police Department for the removal of any garbage or offensive matter that it may be deemed necessary to remove. And it shall further be the duty of such Superintendent to remove the trimmings from the parks and streets, and of private gardens when deposited in the lanes or streets.

Aug 15, 1839.
c. 436.

758. Occupants of houses, etc., to sweep footwalks. All occupants of houses, merchants, shopkeepers, grocers and tradesmen, (carrying on trades under roof and residing above the bluff), shall be compelled every day in the week before 7 o'clock, A. M., to sweep the footwalk 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.

June 1, 1887.

759. Occupants to keep a box or barrel for offal, filth, rubbish, etc. The owners, tenants or occupiers of houses having yards or enclosures, and all occupants of houses, all merchants, shopkeepers, grocers and tradesmen occupying premises to which no yards are attached, shall keep within their yards or premises 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 7 o'clock A. M., and from the first day of November (inclusive) to the last day of March (inclusive) before the hour of 8 o'clock A. M., and such matter so placed shall be daily removed (Sundays excepted) by the Superintendent, to such places two miles at least without the city, as shall be designated by the Mayor or a majority of the Street and Lane Committee. And it shall be unlawful for any occupant of a house, merchant, shopkeeper, grocer or tradesman to sweep into or to deposit in any street or lane of this city any paper, trash or rubbish of any kind whatsoever, but the same shall be kept in boxes or barrels as hereinbefore provided, for removal by the scavenger of the city. Any person not having a yard may put the box or barrel containing the offal, rubbish, etc., in the street or lane for removal by the scavenger, provided the box or barrel so put in the street or lane shall be of such character and size as to securely keep the offal, rubbish, etc., from getting into the street or lane. And any person other than the owner or scavenger interfering with or troubling the box or barrel so put in the street or lane shall be punished on conviction thereof in the Police Court by fine not exceeding one hundred dollars or imprisonment not exceeding thirty days, either or both in the discretion of officer presiding in said court.

760. Removing or interfering with dirt barrels, etc., prohibited.

March 14, 1883.

It shall be unlawful for any person or persons to take away, remove or interfere with any barrel or boxes kept within the yards, enclosures of any owners, tenants or occupiers of houses, or in the vicinity of any such yards or enclosures for the reception of offal, filth, etc., to be removed by scavenger; and any person or persons other than said owners, tenants, occupiers or their agents or servants taking, removing or interfering with any such barrels or boxes, shall, on conviction thereof in the Police Court, be fined not less than (\$10) ten dollars, nor more than (\$30) thirty dollars, or imprisoned not more than thirty days, or both, in the discretion of the Mayor or acting Mayor presiding in said court.

761. Removal of dead animals from streets, etc. 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 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 the Scavenger Department, 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 return 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.

Aug. 15, 1839.
c. 437.

762. Keepers of over three horses, etc., to remove offal at their own expense. 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 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.

Dec. 26, 1866.
c. 441.

763. Superintendent's duty as to squares. 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.

Ibid.

764. Charge of Pound. 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 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

Ibid.

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 building and stables in good repair. And it shall further be his duty to be at the said Pound, or to 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.

Oct. 26, 1870.
c. 61.

765. Fees for maintenance of animals. The prices for maintenance of animals at the City Pound shall be as follows, to wit: For horned cattle (except goats and sheep) per head per day, twenty-five cents; for goats and sheep, per head per day, fifteen cents, and for horses and mules, per head per day, forty cents, and no more; anything in any ordinance of the city to the contrary in anywise notwithstanding.

Aug. 15, 1839.
c. 438.

766. Superintendent, penalty for violation of duty. 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 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.

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767. Penalty on other persons. 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.

CHAPTER 40.

SINKS.

SECTION 768. Erection of privies regulated.

769. When required.

770. Water closets in lieu of privies.

771. Water closets projecting over line of streets, etc., forbidden.

772. Penalty.

773. Dry wells permitted, when.

774. Emptying waste water into privy vaults; penalty.

775. Lime to be thrown into privies certain months.

SEC. 776. Privy vaults, dry wells, etc., how cleansed.

777. Cementing and repairing, etc.

778. Assessments for cleansing, cementing and repairing.

779. Deduction for prompt payment.

780. Cleansing, cementing or repairing by other than city authorities; penalty.

781. Privies within 300 feet of sewer to be connected therewith by January 1st, 1889.

782. Owner refusing, connection to be made by city.

768. Erection of privies regulated. No privy shall be erected within the corporate limits of said city unless the same be built with good brick or stone at least six (6) feet below the surface of the lot upon which it is sunk, and be built at least one (1) foot above the surface, and the bottom of the privy shall be left of the earth, so as to allow seepage. On one of the four sides, which may afford a convenient outlet for cleansing the privy, whether it be on street or lane, or in a yard, an arch shall be built at the bottom of the brick or stone work and filled in with brick or stone, so as to allow of its displacement and replacement for purposes of cleansing. The vault of every such privy shall be floored over with water-proof flooring one (1) foot above the ground, and to have seats with close, tight covers. There shall be a flue from each vault extending into the open air at least two and one-half (2½) feet above the roofing of said privy, and if any person shall violate this section of the ordinance, he or she, the owner or lessee of the premises, shall pay a fine in a sum not exceeding fifty dollars for each and every offense, upon conviction before the Police Court, and the said privy shall be rebuilt in the manner prescribed by this ordinance, or be filled up.

Mch 26, 1873,
s. J. R. 229.

769. When required. 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 hereafter may be erected, to have attached to every tenement a privy, to be built and sunk according to the provisions made and required by this ordinance, and no two tenements shall be allowed one privy in common. If any owner or lessee, or their agents, shall refuse or neglect to have a vault or privy sunk or erected within thirty days' 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 provided for by other ordinances, and the owner, lessee, or their agents, shall also be subject to such fine as Council may impose, not exceeding thirty dollars.

Ibid, s. 2.

770. Water closets in lieu of privies. In lieu of said sinks provided for in the foregoing sections, it may and shall be lawful for the owner or owners, lessee or lessees, of any lot or parts of lots, to erect water closets to be supplied with water from the

Ibid, s. 6.

Savannah Water Works, and which shall be voided either into any of the drains of the city, upon consent of the City Council and payment of fees provided for such connection, or into dry wells specially built therefor: Provided, that there shall be one water closet for each tenement.

Aug. 20, 1879,
s. 1.

771. Water closet projecting over line of street, etc., forbidden. It shall not be lawful for any person or persons to build or construct any water closet, or place to be used as such, over or into the line of any street or lane in this city. Any such place so built or constructed shall be deemed a public nuisance, and shall be liable to immediate removal as such at the expense of the offending party.

Ibid, s. 2.

772. Penalty. Any person violating the provisions of this ordinance shall be liable to a fine of not less than fifty dollars for every day that such nuisance may be continued after notice to abate the same.

Aug. 27, 1884,
s. 5.

773. Dry wells permitted only where sewer connections impracticable. It shall be unlawful to dig, construct or make any dry well within the limits of said city, except after permission obtained from Council, upon the recommendation or sanction of the Sanitary Board, where it is impracticable to make sewer connections, but the wells shall in no case be dug in the streets or lanes of the city.

July 14, 1886,

Aug. 27, 1884,
s. 4.

774. Emptying waste water into privy vaults; penalty. It shall be unlawful for any person or persons to connect the waste water pipes from any part of their premises with any privy vault or to empty any waste or slops of any kind from their premises into any privy vault within the city of Savannah.

Mch 26, 1883,
R. 230.

Aug. 15, 1839,
c. 43.

775. Lime to be thrown into privies during certain months. It shall be the duty of every householder or occupant of a house to throw into the privies attached to their yards or enclosures a peck or a sufficient quantity of lime once a month during the months of May, June, July, August, September, October and November.

Aug. 27, 1884,
s. 1.

776. Privy vaults, dry wells, etc., how cleansed. All privy vaults, surface drawers and dry wells in the city of Savannah, shall be cleansed and all privy vaults shall be cemented by the city authorities, and the same shall be cleansed and repaired from time to time, as it may become necessary, by the city authorities; and every the owner or owners of a surface drawer with a containing capacity of not exceeding 24 cubic feet shall pay the sum of \$2 for each and every time the same shall be cleansed by the said city authorities; and every the owner or owners of a privy vault with a containing capacity of less than 80 cubic feet, shall pay the sum of \$4 for each and every time the same shall be cleansed by the said city authorities; and every the owner or owners of a privy vault with a containing capacity of 80 cubic feet or more, shall pay at the rate of 5 cents per cubic foot for each and every time the same shall be cleansed by the said city authorities; but if any privy vault, surface drawer or dry well shall be so located as to be difficult of access, and to be impracticable to be cleansed in the usual time, then the owner or owners of such privy vault, surface drawer or dry well shall pay such additional cost over and above the cost hereinbefore presented as may be incurred in the accomplishment of said work.

Ibid, s. 2.

777. Cementing and repairing, etc. In the event any privy vault or vaults, dry well or dry wells, shall require any cement-

ing or repairs, that then the said city authorities shall have the same cemented or repaired, and if the expense of such cementing or repairing shall not exceed the sum of \$2, then the said Mayor and Aldermen shall bear said expense; but if the expense of said cementing and repairing shall exceed the sum of \$2, that then and in that event the expense of said cementing or repairing of the same shall be borne by the owner or owners of said vault or vaults, dry well or dry wells so cemented and repaired. The words repair, repairs, repaired and repairing, when used in this ordinance, shall include the putting in of flues, extending, if necessary, through the upper stories and roofs of buildings, the placing of covers or seats, and the making of any additions, alterations or improvements which may be necessary to cause any privy vault, surface drawer or dry well to conform to the ordinances of the city now in force or hereafter may be passed.

778. Assessments for cleansing, cementing and repairing; executions may be issued. If any such owner or owners of such privy vault, or vaults, dry well or dry wells, surface drawer or surface drawers, as may be cleansed, cemented or repaired, shall fail or refuse to pay the sum that shall be assessed for such cleansing, cementing or repairing for thirty days after the cleansing, cementing or repairing shall be completed, then the City Treasurer shall issue executions therefor and for the further sum of \$1 for costs, and said executions shall be placed in the hands of the City Marshal, who shall proceed with such executions in the same manner as a sheriff does under executions from Superior Courts of this State.

Aug. 27, 1884,
s. 3.

779. Ten per cent. deduction for prompt payment. Every person or corporation who shall pay his or her water rents and assessments for water, and bills due the city of Savannah for cleansing, cementing or repairing privy vaults, dry wells and surface drawers, promptly within fifteen days after the same shall become due, shall be entitled to a deduction of 10 per centum of the amount thereof, and the City Treasurer is hereby directed to make such deduction upon the receipt of the amount due within the time above prescribed.

July 30, 1884.

780. Penalty for cleansing, cementing, or repairing by other than city authorities. No person owning or occupying any premises in said city of Savannah, and no agent of any such owner, shall clean, cement or repair, or cause to be cleaned, cemented or repaired, any privy vault, surface drawer or dry well in said city; but all privy vaults, surface drawers and dry wells shall be cleansed, cemented and repaired by said city authorities, and every person or persons offending against the provisions of this ordinance, or any part thereof, shall, on conviction thereof in the Police Court of Savannah, be fined in a sum not exceeding one hundred dollars, or imprisonment for a term not more than thirty days, either or both, in the discretion of the officer presiding in said court.

Aug. 27, 1884,
s. 6.

781. Privy vaults to be discontinued by January 1st, 1889, if within 300 feet of public sewer, and to be connected with sewer. All owners of property having privy vaults in the city of Savannah located not exceeding 300 feet from a public sewer are hereby required to make connection with such sewer by the 1st day of January, 1889, and it is hereby made unlawful for said owners to continue the use of such privy vaults after the date aforesaid.

Oct. 19, 1887,
s. 1.

Oct. 19, 1887.
s. 1.

782. Owner refusing, city to connect at expense of owner. In case of the refusal or neglect of said owners to make such connection by the time hereinbefore limited the same may be made by the Committee on Health and Cemetery at the expense of the owner or owners of the property, for which execution may issue to be made and levied as in cases of execution for city taxes.

CHAPTER 41.

SEWERS AND DRAINAGE.

- SECTION 783. Drainage through lands adjacent to the city.
- 784. Obstructions in river from sewer deposits, city to remove.
- 785. Drains, sewers and gutters, how laid.
- 786. Gutters and drains for buildings under the bluff.
- 787. Connection with sewers, how made.
- 788. Connecting illegally.
- 789. Fees of person supervising.
- 790. Occupant to keep connection in good order.
- 791. Must be approved by Sanitary Board, when.
- 792. Connection by turning up soil without permit, penalty.
- 793. Water closets, etc., to have ventilating pipes.

- SEC.794. Regulation applies to what cases.
- 795. Diagram of connection to be filed with Clerk.
- 796. Clerk of Council to furnish blank diagrams.
- 797. Penalty for not filing diagrams.
- 798. Sewer connections, etc., on paved streets.
- 799. Penalty.
- 800. When and how made.
- 801. Keeper of Drains.
- 802. Duty and how appointed.
- 803. Surveyor to submit plans, etc.
- 804. Impeding drainage of Springfield tract.
- 805. Impediments, how removed.
- 806. Expense of removing, how collected.
- 807. Obstructions to Bilbo Canal, penalty.

Act of Dec. 13,
1858.

783. Drainage through lands adjacent to city. 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: 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, amendatory of the charter of the Central Railroad 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.¹

Ibid.

784. Obstructions in river from sewer deposits, city to remove. 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.

(1) This act was enlarged, and in part superseded and repealed by subsequent legislation. Code of Ga., § 4854, and acts of 1884-5, p. 294. It is here inserted because still of force as to the city's obligation to protect the proprietors of adjacent lands. See Spear's case, 66 Ga., 304; Cleary's case, 67 Ga., 153. Duty as to maintaining ditches and embankments discussed, 69 Ga., 542.

Dec. 11, 1857
c. 461.

785. Drain, sewer and gutter, how laid. 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.

Nov. 4, 1857.
c. 55.

786. Gutters and close drains for buildings under the bluff. 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 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. For each and every violation of this section, a fine of thirty dollars shall be levied, said fine to be imposed and recovered in the usual manner.

Aug. 21, 1857.
c. 235.

787. Connection with sewer, how made. 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:

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.

Ibid.

788. Penalty for connecting illegally. 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.

Ibid.

789. Fees of person supervising work. 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,

Ibid.

790. Occupant to keep connection in good order. 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.

May 9, 1883.
s. 1.

791. Permissions for sewer connections between May and November to be approved by Sanitary Board. No permission shall be granted to make sewer connections or for other works of a similar character, or for laying pipes, or for any work which may involve the turning up of the soil of the public domain between the first day of May and the first day of November of each year, unless the same shall be approved by the Board of Sanitary Commissioners.

Ibid. s. 2.

792. Turning up soil without permit, between May and November, penalty. If any person shall turn up the soil of the public domain of any part of the city between the first day of May and the first day of November of each year without permission, as provided in the first section of this ordinance, he or she shall, on conviction thereof in the Police Court, be fined not less than five nor more than one hundred dollars, or imprisoned not more than thirty days, or both, in the discretion of the Mayor or acting Mayor presiding in said court.

April 4, 1877.
s. 1. R. 166.

793. Water-closets, waste pipes, etc., to have metallic ventilating pipes. No water-closet, waste pipe or other private drain of any kind, or for any purpose intended to connect with a sewer or dry well, shall be constructed in any house in the city of Savannah, or be permitted to connect with any sewer or dry well, public or private, except upon the condition that a metallic ventilating pipe of an area proportioned to the area of the waste pipe or other drain, be carried from such waste pipe or other drain at its highest point to the roof of the house or other building to which the same shall be attached, so that all exhalations from such waste pipe or other drain may escape into the open air above the house.

Ibid. s. 2.

794. Regulation to apply, in what cases. The rule above set forth shall also apply in every case of a change in the construction or arrangement of water-closets, waste pipes and other private drains already in existence; but nothin herein contained shall be construed to require changes in existing constructions of that kind until Council shall otherwise specially provide, all owners of such as are not ventilated in the manner above prescribed, being nevertheless earnestly advised to provide such ventilation of their own accord as soon as practicable.

July 14, 1883.
s. 1.

795. Diagram of sewer connection to be filed with application for permits. All plumbers, owners of premises, and others making application for permission to run private sewers, or to make sewer connections, shall file with their applications for such permits a diagram showing where the pipe to be used for making such sewer or sewer connection enters the streets, the course and depth of the sewer, the point at which it enters the public sewer or any sewer with which it may connect; and the size of the pipe and material to be used in making such sewer or sewer connection.

Ibid. s. 2.

796. Clerk of Council to furnish blank diagram, etc. The Clerk of Council shall furnish all persons making application for sewer permits a printed diagram, showing the outline of the adjacent lot and the streets in blank, which shall be filled up by the applicant in conformity with the requirements of the first section of this ordinance; and the same shall be kept by the Clerk of Council in a proper book, which book shall be indexed for ready reference.

Ibid. s. 3.

797. Penalty for making sewer connection without filing diagram. Any person making any private sewer or sewer connection

without making and filing in the office of the Clerk of Council a diagram as required by the first section of this ordinance, before the same is made, shall be fined, on conviction thereof, in the Police Court of Savannah, in any sum not exceeding twenty-five dollars, in the discretion of the officer presiding in said court.

798. Making sewer connection, etc., on paved streets; to be done by the city. It shall be unlawful for any plumber, gas fitter, or other person or corporation, to dig up any portion of any paved street in said city of Savannah for the purpose of laying down gas or water pipes, or making sewer connection or laying railroad tracks; but whenever it shall be necessary for said purpose to take up any portion of the pavement on any street in said city, the same shall be done on application by the said city at the cost and expense of the party for whom the work is done.

Nov. 19, 1884.
s. 1.

799. Penalty. If any person or corporation shall dig up any portion of any paved street in said city of Savannah, for the purpose of laying down gas or water pipes, or making sewer connections, or laying railroad tracks, or cause the same to be done, or any person or corporation offending against any part of this ordinance, shall be fined on conviction thereof in the Police Court of Savannah, in a sum not more than one hundred dollars, or imprisoned not exceeding thirty days, or both, in the discretion of the Mayor or officer presiding in said court.

Ibid. s. 2.

800. Sewer connections, when and how made. All sewer connections shall be made only on such days as may be designated by the Chairman of the Committee on Streets and Lanes, and all such connections shall be made only by such person or persons as he may appoint, and such person appointed to make such connection shall supervise the excavating and filling up of same made by any person, and shall require that the same be done in accordance with the regulations governing such work, and the cost of such connection and of such supervision shall be paid by the person for whom such work is done.

Ibid. s. 3.

801. Keeper of drains. 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.

April 1, 1863,
c. 234.

802. Duty, and how appointed. 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 Drainage Committee, subject to the approval of the Mayor, and shall be paid fifty dollars a month for his services.

Ibid.

803. City Surveyor to submit plans, etc. 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 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.

Mich 7, 1866.
c. 235.

Aug. 29, 1850,
c. 243.

804. Impeding drainage of Springfield tract. 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.

Ibid.

805. Impediment, how removed. 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 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.

Ibid.

806. Expense of removing impediment, how collected. 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.¹

July 3, 1872,
R. 140.

807. Obstructions at or near mouth of Bilbo Canal; penalty. It shall not hereafter be lawful for any person to put or place, at or near the mouth of the canal known as the Bilbo canal, that is to say, between said mouth and the flood-gate of said canal, any raft, flat, hulk, or other obstruction, so as in any wise to obstruct the free flow of water out of said canal; and any person violating this ordinance, or any part thereof, shall be liable to a penalty of not more than one hundred dollars for every act of offense, and every day's continuance of any such obstruction.

(1) Section construed, and held that the resolution of the City Council that the costs of the culvert be paid by the Savannah and Ogeechee Canal Company, is not a judgment by which the rights of the company as to their liability to pay such costs are concluded; 9 Ga., 281.

CHAPTER 42.

DRY CULTURE.

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| <p>SECTION 808. Dry Culture Committee.
809. Inspector of Dry Culture.
810. Duties.
811. To have care of city property subject to dry culture, etc.
812. To superintend public canals, ditches, etc.
813. Owners of low lands required to drain, etc.
814. Requiring repair, etc., how remedied.
815. Money expended by Marshal, how recovered.</p> | <p>SEC. 816. Rice culture prohibited within mile of city.
817. Penalty on planter.
818. Penalty on owner.
819. Fines how recovered.
820. Mayor's duty to serve notice on owners.
821. Failing to appear, rice to be destroyed.
822. Expenses assessed upon owner.
823. Action for violating dry culture contract.
824. Mayor to rigidly enforce ordinances.</p> |
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- SEC. 825. Rice to be destroyed without resort to Council.

808. Dry Culture Committee.¹ A committee, composed of three members of the Board of Aldermen, shall be appointed by the Mayor immediately after the passing of this ordinance, and annually thereafter upon the election of a new Board of Aldermen, which shall be called the Dry Culture Committee, generally to superintend the examination of the rice lands in the vicinity of Savannah subject to the dry culture system, by contract, and particularly to report to Council each and every neglect of the contractors for the same to fulfill strictly their engagements with the city, and it shall also be the province of the said Committee of Dry Culture to recommend, from time to time, to Council such measures as to them may appear best calculated to give efficiency and utility to the dry culture system.

May 24, 1822,
c. 240.

809. Inspector of Dry Culture, duties performed by City Surveyor. The City Surveyor shall hereafter perform the duties of Inspector of Dry Culture.

Dec. 29, 1886.

810. Duties of Inspector. 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.

Sept. 29, 1869,
c. 241.

811. To have care of city property subject to dry culture, etc. In addition to the duties already prescribed by the Dry Culture Inspector, it shall be his duty to give his personal attention to the care of all property of the city, subject to dry culture, looking to the preservation and maintenance of all canals, ditches, banks, floodgates, trunks and fences, and other appendages belonging to said property, to personally superintend any repairs, drainage or improvements that may be ordered to be made on said property under the ordinances of the city on any other property, subject to the dry culture contracts.

April 10, 1872,
R. 207.

812. To superintend public canals, ditches, drainage, etc. It shall also be the duty of the Inspector of Dry Culture to inspect, and

Ibid.

(1). The duties of the Dry Culture Committee are now performed by the Committee on Drainage.

under the direction of the appropriate committee within whose department the subject may come, to preserve in good working order, and to superintend any new work on all public canals, ditches and embankments with the drainage of the city and its suburbs, together with all floodgates, trunks, fences, and other appendages of said public canals, ditches and embankments.

Sept. 29, 1869.
c. 240.

813. Owners of low lands to drain, etc. The owner or owners of low lands or grounds within the limits of the city of Savannah, at their proper expense, shall, before the first day of January next, drain the said low lands, and place the same in a dry state, and shall make, dig, cut, and open such ditches, drains, and canals, as shall be necessary for the draining the said lands, and keeping the same in a dry state, and shall make, throw up and build such dams and mounds as shall be fit, able, and sufficient to resist and exclude from the said lands the waters from the inland swamps, streams, and ponds, and also the usual ebbing and flowing of the tides; and in case the owner or owners of any such low lands shall, on the day aforesaid, have failed or neglected to have drained the said lands, or shall have done the same ineffectually, or shall have failed or neglected to open, cut, dig, and make any canals, ditches, and drains, or to throw up, build, and make such mounds or dams as shall be sufficient to drain and keep the same in a dry state, and to resist and exclude from the said lands the waters from the inland swamps, streams, and ponds, and also the usual ebbing and flowing of the 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 hindrance, disturbance or molestation.

Ibid,

814. Ditches, etc., low lands requiring repair, etc., evil how remedied. 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 inefficient, then, and in such case it shall be the duty of the said Marshal, and he is hereby required to notify to the owner or owners of such lands the report of the Inspector, and to require him, her or them to remedy the evil complained of within fifteen days thereafter, and in case any such owner or owners of such lands shall fail or neglect to remedy the evils complained of within the time prescribed, then it shall be the duty of the Marshal to cause the same to be done in like manner as hereinbefore provided, and the said owner or owners shall be subject to a penalty of five dollars for each and every acre so reported to be not well drained, and which he, she, or

they shall so fail or neglect to drain and put in proper order within the time prescribed, to be recovered in any court having competent jurisdiction thereof.

815. Money expended by Marshal, how recovered. 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.

Sept. 29, 1869.
c. 240.

816. Rice culture prohibited within one mile of city. 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.¹

June 26, 1826,
c. 242.

817. Penalty on Planter. Any person who shall plant, rear or cultivate rice or cause it to be planted, reared, or cultivated, in contravention of the provisions of 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 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 offense.

Ibid.

818. Penalty on owner. Whenever lands within the limits aforesaid shall be planted or cultivated in rice, or attempted to be so planted or cultivated by any person or persons other than the owner or owners of such lands, 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.

Ibid.

819. Fines how recovered. 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.

Ibid,

820. Mayor's duty to serve notices on owners, etc. It shall be the duty of the Mayor, whenever he shall receive information that rice is planted or cultivated upon any of the lands around the city, upon which the cultivation of rice is prohibited, to serve a notice upon the owner, tenant, or cultivator of the said land, or any person having the charge of the same, or his, her, or their agent, requiring the said person to desist from the said culture, and to destroy the said rice if growing, or to appear before Council at a time and place in such notice to be specified, not exceeding ten days from the date thereof, to show cause, if any they have, why the said growing rice should not be removed and destroyed as a nuisance.

May 29, 1848,
c. 243.

March 6, 1878.
R. 62.

821. Owner or tenant failing to appear, rice to be destroyed. If the said owner, tenant, cultivator or other person, shall not, upon the said notice, comply with the terms of the same, or shall fail to appear before Council, or if having appeared, no sufficient cause should be shown why the said rice should not

May 29, 1848,
c. 243.

(1) Held, that the ordinances of January 26, 1826, and May 29, 1848, were good and valid, and binding upon the inhabitants of the city as police regulations; and that the Mayor and Aldermen of the city, under authority of the acts of the General Assembly passed in 1825, 1831 and 1833, had the power and authority to judge of and declare the planting and growing rice within the corporate limits of the city to be injurious to the health of the city and a public nuisance, and to abate the same. Green's case, 6 Ga., 1.

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 destroy the same effectually, wherever it may be planted or growing on the land whereon its cultivation is prohibited.

Mich. 6, 1878,
R. 62.

822. Expense assessed upon owner. 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.

May 29, 1848,
c. 243.

823. Action for violating dry culture contracts. 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.

Ibid.

824. Mayor to enforce rigidly dry culture ordinances. 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.

Sept. 1, 1869,
c. 245.

825. Rice to be cut down without resort to Council. 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.

Ibid.

CHAPTER 43.

CEMETERY.

SECTION 826. Old Cemetery, rights and duties of city as to.	SEC. 848. Rates of burial.
827. Hebrew Burial Ground, a public cemetery.	849. Interments.
828. Laurel Grove Cemetery dedicated.	850. Defacing monuments, trees, etc., in Laurel Grove Cemetery.
829. To have granite corner posts.	851. Defacing, etc., in any cemetery, penalty.
830. Plan of confirmed.	852. Paupers, where interred.
831. Avenues and lots, how named and numbered.	853. Strangers, non-residents, etc.
832. Valuation of lots.	854. Keeper of old Cemeteries.
833. Portion set apart for adornment.	855. Reverted lots.
834. Titles of lots.	856. Public vault.
835. Proceeds of sales, how used.	857. Fees for use.
836. No interments in old cemeteries after proclamation.	858. Remains not to be kept in vault over one month.
837. Colored Cemetery; 15 acres set apart for.	859. Temporary deposits from old Cemetery, fees.
838. Use for any other purpose unlawful.	860. Interments elsewhere, undertakers or sextons to keep records.
839. Penalty for unlawful use.	861. To furnish monthly transcript to Clerk of Council.
840. Colored Cemetery, additional land dedicated.	862. Clerk of Council to record transcripts.
841. No interment except in Laurel Grove and Hebrew Cemeteries.	863. Penalty on undertaker or sexton for neglect.
842. Hebrew Cemetery.	864. Interments elsewhere, heads of families, etc., to report, when.
843. Size of lots and how sold.	865. Sextons to demand Health Officer's burial order.
844. Israelite sections in Laurel Grove Cemetery.	866. Health Officer to give burial order, when.
845. Keeper's house, chapel, and vault, etc.	867. Public funerals prohibited, when.
846. Keeper of Laurel Grove Cemetery, duties, etc.	868. Hearses to be used in such cases.
847. Oath of keeper and employes	869. Disinterring remains without permit, penalty.
	870. Carrying disinterred remains through city, penalty.

826. Old Cemetery, rights and duties of City as to. 1. 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,¹ 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—

June 7, 1871,
c. 517.

2. *No power to alien or convey away.* 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

(1) Grant of right of way to railroad through Cemetery. held, not inconsistent with original dedication under the facts; 68 Ga. 539.

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.¹

See Acts of 1887, p. 646.

3. *Ornamental wall or fence to be placed.* 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.

4. *Committee on Parks to have care and charge.* And it is further ordained by the authority aforesaid, that the said cemetery, immediately after the removal of said old walls, and the substitution of all 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.

Aug. 27, 1839, **827. Hebrew Burial Grounds, public cemetery.** The Hebrew Burial Grounds shall be considered and deemed public cemeteries of the city of Savannah.

June 3, 1852,
c. 66.

828. Laurel Grove Cemetery Dedicated. 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 Styles; between the lands of Dr. Bulloch on the east, and the dam of the old rice field on the west, and running southwardly between said lands of Dr. Bulloch and lands of the heirs of Morel on the east and said dam on the west, to the corner of the bank on 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

(1) By the second proviso of the Act of the General Assembly of the State of Georgia of Oct. 24, 1887, it was provided: "that in case a majority of the votes cast shall be 'yes,' then the municipal authorities shall also take charge of and control such portion of said 'Old Cemetery' as they do not transfer to said county authorities, and shall restore and keep in good condition the vaults, tombs and gravestones still remaining therein." At the election held on the first Saturday in January, 1888, the result was as follows: "Yes," 754; "No," 369; making a majority of 385 in favor of the transfer.

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.

829. Granite corner posts. A pillar of granite shall be placed at each of the corners of said land so set apart and dedicated, and a map of the land so set apart and designated shall be made by the City Surveyor, and recorded on the county record, in order that the true location of the said cemetery may be known and perpetuated.

June 3, 1852,
c. 67.

830. Plan by James O. Morse, confirmed. The plan of the interior of said cemetery, made by James O. Morse, and now in the office of the Clerk of Council, 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.

Ibid.

831. Avenues and lots how named and numbered. 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.

Ibid.
c. 68.

832. Valuation of lots. The lots in said cemetery, when offered for sale under the direction of 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. 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.

Ibid.

833. Dedication of parts of ground for adornment. All the fractions, angles and parcels of ground bordering upon and about the circle before the main entrance which have not been laid off into lots as yet, 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 said Board.

Ibid.

834. Titles of lots, and conditions upon which held. 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

Ibid.

conveyed shall not be aliened or conveyed away by the purchasers or their heirs respectively to any other person or persons whomsoever, without the consent of Council given in a resolution passed for that purpose, and 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.

May 14, 1879,
R. 46.

June 3, 1852,
c. 68.

Ibid. c. 69.

835. Moneys from sales kept separate; how used. 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.

Ibid.

836. No interments to be made in old cemeteries. 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.

Ibid.

837. Colored Cemetery; 15 acres set apart for. There shall be laid out in the southwestern portion of the lands before set apart for the cemetery fifteen acres of ground, which shall be used alone for the interment of the remains of deceased persons of color, under such regulations as Council may from time to time prescribe.

Nov. 8, 1882,
s. 1.

838. Use for any other purpose unlawful. It shall not be lawful for any person or persons, either with or without the permission of the Mayor and Aldermen of the city of Savannah, to use any portion or part of said fifteen acres of land for any other purpose than that for which the same was set apart and dedicated.

Ibid, s. 2.

839. Penalty for unlawful use. Any person who shall violate the provisions of this ordinance shall, on conviction thereof before the Police Court of Savannah, be fined in a sum not exceeding one hundred dollars or imprisonment not to exceed thirty days, and if such person be an employe of said corporation he shall be discharged in addition to said fine or imprisonment.

Dec. 20, 1882.

840. Colored Cemetery; additional land dedicated. All of that tract of land adjoining said Colored Cemetery, on the north, and bounded as follows: Beginning at a point on Kollock street, where the southern line of lot No. 85 intersects it, and extending said southern line westwardly 916 feet to a street unnamed, thence northwardly along the line of said street 922 feet, thence eastwardly along the present southern boundary of the Laurel Grove Cemetery to Kollock street, thence southwardly along the line of Kollock street to the point of commencement 458 feet, a plat of the same being hereto annexed, be and the same is set apart as an addition to said cemetery for colored persons, and which shall be used alone for the interment of the remains of deceased colored persons, under such regulations as now govern the interment of persons in said Colored Cemetery. And the City Surveyor shall proceed to make a plat of said addition and lay the same off into lots.

841. No interments except in Laurel Grove and Hebrew Cemeteries.

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.

Dec. 20, 1882.

842. Hebrew Cemetery. The portion of Laurel Grove Cemetery lying south of the present enclosure, adjoining the fence on the one side, and fronting on Kollock street, containing four acres, more or less, be, and the same is hereby set apart for the special use of the members of the Hebrew Congregation for cemetery purposes, on the following conditions: They clearing, preparing, laying out, and enclosing the ground at their own cost, the fence on the line of Kollock street to correspond with the permanent fence when built of the same line of the public cemetery, namely: a brick base of feet high, surmounted with a substantial iron fence, when the same shall be executed, to be agreed upon by the Committee on Health and Cemetery. When said portion shall have been surveyed and laid out, 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.

Nov. 17, 1853,
c. 73.

843. Size of lots and how sold. The ground thus set apart for the congregation aforesaid shall be laid off into lots of similar size, namely: twelve by twenty-five feet, having a border of one foot in width around each lot, and there shall be avenues similar and alleys for convenient access to each lot, and that whenever the present enclosure of Laurel Grove Cemetery shall need be extended, the aforesaid avenues shall be opened for the passage of vehicles to other portions of the cemetery grounds, and the Keeper of Laurel Grove Cemetery shall dig all graves and keep a record of all interments made therein in the same manner and on the same terms as in any other portion of Laurel Grove Cemetery the said lots shall be sold on the same terms and under the same limitations and restrictions as the lots in the public cemetery, and that after the fencing and clearing are paid for the purchase money of all lots shall be paid into the city treasury.

Ibid.

844. Israelite sections in Laurel Grove Cemetery. That those sections of the Laurel Grove Cemetery tract, known as number (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

May 4, 1854,
c. 75.

he shall produce proper vouchers. All the ordinances applying to Laurel Grove Cemetery shall apply to the above sections.

June 3, 1852, c. 71.

845. Keeper's House, chapel and vault, etc. There shall be erected at, or near the said Laurel Grove Cemetery a convenient dwelling house, kitchen and stable, and also an 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.

Ibid.

846. Keeper of Laurel Grove Cemetery, duties, etc. Council shall elect an officer to be called the Keeper of Laurel Grove Cemetery. It shall be the duty of such keeper to watch, protect and keep in good order and condition the said cemetery and the public property attached to the same; to keep at all times 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 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.

March 11, 1863. c. 76.

847. Oath of Keeper and employes. The Keeper of Laurel Grove Cemetery and his employes, shall each take before the Mayor or acting Mayor, the same oath as is required of the privates of the Special Police by day and by night, and it shall be the duty of the said Keeper and his employes to arrest and place upon the information docket any person or persons violating any of the provisions of any ordinance or ordinances now of force in relation to said cemetery.

Ibid.

848. Rates of burial. 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.

849. Interments. 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.

Mch. 11, 1863, c. 76.

850. Defacing monuments, trees, etc.; shooting firearms, placing dead carcasses, etc. 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 firearm, 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.

Ibid.

851. Defacing, etc., in any of the cemeteries, penalty. 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.

Ibid.

852. Paupers, where interred. A certain part of the said Laurel Grove Cemetery, shall be designated by the Board named in the seventh section of this article, for the interment of the remains of persons who may die leaving no effects, and the expense of any such interments shall be paid out of the city treasury in such manner as Council may by resolution prescribe.

Mch 14, 1839 c. 66.

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

Ibid.

854. Keeper of old Cemeteries. 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.

Ibid.

855. Reverted lots. 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.

Ibid.

856. Public vault; Keeper's duties as to. It shall be the duty of the Keeper of Laurel Grove Cemetery, whenever application is made for the deposit of the remains of any deceased person in said public vault, to require and record, in a book kept especially for that purpose, the name, age, nativity, residence or where brought from, disease and attending physician; also the time of removal of the same from said vault, and the disposal thereof made; and if interred in said cemetery, he shall record the same as prescribed by existing ordinances, but no such re-

Mch. 9, 1854, c. 74.

mains 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, 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.

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

858. Remains not to be kept in vault over one month. Whenever the remains of any deceased person shall be left in the said public vault one month, it shall be the duty of the Keeper to notify the friends or person who applied for the admission of the same, that it must be removed within the next 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.

859. Temporary deposits from old cemetery, fees. 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.

860. Undertakers or sextons to keep record of interments in any other than Laurel Grove Cemetery. 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.

861. To furnish monthly transcript to Clerk of Council. 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

Mch. 9, 1851,
c. 74.

Ibid.

Ibid.

Oct. 20, 1853,
c. 72.

Ibid.

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,

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

863. Penalty on undertaker or sexton for neglect. 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 offense, one half the fine for the use of the informer, and the other half for the use of the city.

864. Head of family, etc., to report burial in any other place. The head of any family or the 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 offense 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.

865. Sextons of Cemeteries to demand a burial order from Health Officer. Each and every sexton of each and every cemetery used for public burial within five miles of the city shall demand and require, with each and every application to him for burial of any deceased person, an order of burial signed by the Health Officer, setting forth the name, sex, color, age, nationality, residence, day of death, cause of death and name of attending physician, and in no instance shall any sexton of any cemetery used for public burial permit the body of any person to be interred without such order for burial, under penalty, upon conviction before the Police Court, of fine or imprisonment, or both, in the discretion of the court, such fine not to exceed one hundred dollars and such imprisonment not to exceed thirty days.

866. Health Officer required to give order for burial, when. The Health Officer shall be required to give an order of burial whenever application is made to him, basing said order upon a proper certificate from a physician, coroner, or other responsible person, made out and filled according to the form adopted by the Board of Sanitary Commissioners, and the authority to give an order for the burial of any and all deceased persons shall be vested in the Health Officer alone,

867. Public funerals of persons dying of contagious diseases prohibited. It shall be unlawful to have a public or church funeral of any person in said city who has died of small-pox, diphtheria, scarlet fever, yellow fever, typhus fever, Asiatic cholera, or other infectious or contagious diseases; but the funerals of such per-

Oct. 20, 1853,
c. 72.

Ibid. c. 73.

Ibid.

Dec. 20, 1882,
s. 1.

Ibid.

Nov. 7, 1883,
s. 1.

son or persons shall be private and unattended by any other person or persons than the immediate family residing in the house where the death takes place. And it shall not be lawful to invite or permit at the funeral of any person who has died of any of the above named or any other contagious or pestilential disease, or at any service connected therewith, any person whose attendance is not necessary to, or to whom there is danger of contagion, or spreading contagion thereby; and every person who shall permit any person or persons whose attendance is not necessary to come to his or her house for the purpose of attending the funeral of any person who has died of any of the before-mentioned diseases shall, on conviction thereof before the Police Court, be fined in a sum not exceeding one hundred dollars, or imprisoned not more than thirty days, or both, in the discretion of the Mayor or acting Mayor presiding in said court.

Nov. 7, 1883.
s. 2.

868. Hearses to be used in such cases; penalty, etc. It shall be unlawful for any undertaker or other person who has charge of any funeral in this city of any person who has died of any contagious or infectious disease, to use for the purpose of conveying the body to the cemetery or burial place any public carriage or conveyance, but shall in all such cases use a hearse for conveying the body to the cemetery or burial place. And every undertaker or other person violating the provisions of this section of this ordinance shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred dollars, or imprisoned not more than thirty days, or both, in the discretion of the Mayor or acting Mayor presiding in said court.

April 9, 1884.
s. 1.

869. Disinterring remains without permit of Health Officer prohibited. It shall be unlawful to disinter or to remove from any of the public cemeteries of the city or Savannah the remains of any person buried therein, without the permission in writing of the Health Officer of the city of Savannah, and the keeper of any cemetery permitting such disinterment or removal without such permission, shall be fined on conviction thereof in the Police Court of Savannah in a sum not less than fifty nor more than one hundred dollars, or shall be dismissed from office, as the officer presiding in said court shall direct, and any other person disinterring or removing, or attempting to remove such remains from any of said cemeteries without such permission, shall be fined in a sum not less than twenty-five or more than one hundred dollars, or be imprisoned for ten days, either or both, in the discretion of the presiding officer in the said Police Court.

Ibid, s. 2.

870. Carrying disinterred remains through city without permit, penalty. It shall be unlawful to carry or transport through the city of Savannah the remains of any person which have been disinterred or removed from any cemetery, public or private, without the permit of the Health Officer of the city of Savannah, and any person carrying or aiding in the transporting of such remains through the city of Savannah shall be fined, on conviction thereof in the Police Court, in the sum of not more than one hundred dollars or be imprisoned for ten days, either or both, in the discretion of the officer presiding in said court.

CHAPTER 44.

HARBOR MASTER.

SECTION 871. Bond.

- 872. Rules for, how prescribed.
- 873. To demand of vessels permit of Quarantine Officer.
- 874. To report vessels failing to show permit.
- 875. Fees.

SEC. 876. If not paid doubled; execution, etc.

- 877. To report fees to City Treasurer monthly.
- 878. Harbor regulations.
- 879. Penalty for violation.

871. Harbor Master, bond. 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.

Oct. 16, 1845.
c. 154.

872. Rules for government of, how prescribed. Power is hereby given to the Commissioners of Pilotage for the Bar of Tybee and River Savannah, to make rules and regulations for the government of the Harbor Master of Savannah, subject to the approval, revision and control of the City Council of Savannah. And, upon the adoption of such rules and regulations and their approval by Council, the same shall be the rules and regulations for the government of said Harbor Master, under the direction of said Commissioners of Pilotage, subject to revision and control by said City Council. And provided, further, that nothing in this 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.

Feb. 19, 1868.
c. 155.

873. To demand of vessels the permit of the Quarantine Officer. In addition to his other duties heretofore prescribed, it shall be the duty of the Harbor Master to demand and require of the master of each and every vessel, ship or boat of what description soever, coming up to the city from any infected or suspected port, and immediately upon the arrival of the same, the permit of such vessel, ship or boat, from the Quarantine Officer of this port, and upon receiving such permit from such master to transmit the same promptly to His Honor, the Mayor.

Mch 1, 1882.
s. 1.

874. To report to Mayor vessels failing to show permit. Should the master of any vessel, ship or boat arriving from infected or suspected ports, as above described, fail or refuse to show and surrender such permit when demanded as aforesaid, then and in that case the Harbor Master shall immediately report such failure or refusal to His Honor, the Mayor.

Ibid. s. 2.

875. Harbor Master's fees. The following shall be the charges and fees payable to the said Harbor Master for all services by the said Harbor Master, to vessels and their cargoes in the port of Savannah, namely: By each transient brig or schooner, four dollars; by each transient ship or bark, six dollars; by each transient steamship, fifteen dollars; by each coastwise steamer running regularly to this port, six dollars per month; by each bark, brig and schooner engaged in the coastwise trade, four dol-

April 18, 1888,
s. 1.

lars, payable not more than twice in twelve months; by each sailing vessel or steamer, plying inland, measuring forty feet or more, two cents per foot over all measurement, payable quarterly in advance. And in every case the measurement of the vessel shall be determined by the Harbor Master according to the best information he can procure; but in case of disagreement as to the true measurement, the same shall be determined on the arbitration of the Harbor Master and the master of such vessel, and one of the Port Wardens of said port, to be selected by the master of the vessel; but no delay shall be allowed in the collection of such fees or charges on account of any delay of such arbitrament through the fault or neglect of the master of such vessel. The said fees and charges hereinbefore provided for shall be payable and collected as now directed by ordinance.

Dec. 15, 1886.

April 18, 1888,
s. 2.Mch. 12, 1872,
R. 83.Oct. 16, 1845,
c. 154.

Aug. 26, 1885,

876. If not paid on presentation, doubled; execution, etc. Whenever any of said fees or charges shall be due and payable, if not paid on presentation of the bill, such fees or charges shall be doubled, and execution shall issue accordingly.

877. To report fees, etc., to City Treasurer, monthly. 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.

878. Harbor Regulations. The following rules and regulations shall be observed as harbor regulations for the port of Savannah:

1. Every pilot, when he has brought any ship or vessel to anchor, is required to moor such ship or vessel, or to give proper directions for the mooring of the same and for the safe riding at such mooring. He shall also make known to the captain of such vessel the law requiring lights on board.

2. It shall be the duty of every pilot to inform the masters of vessels of their duty to report to the Harbor Master's office within twenty-four hours after arrival at city.

3. Pilots are directed to moor all vessels which stop at Five Fathom to lighten or discharge, as near the south shore as may be safe, that an open passage may be left to the northward for vessels to pass and repass. No vessel shall discharge or load any of her cargo in the river opposite the city, except at the wharves. No anchor is allowed in the river when the vessel is made fast to the wharf.

4. All masters of vessels, as soon as they come to anchor, shall rig in their jib-boom, spanker-boom, and main-boom; and all vessels shall brace their lower and top-sail yards on starboard braces, take in the boomkins and davits, lay their sprit-sail yards fore and aft, rig in their martingale, take in all boom-irons, and cock-bill their anchors. These regulations must be observed while lying at the wharf, or at anchor in any part of the river. The master of any vessel, or his representative, refusing to move his vessel, when ordered to do so by the Harbor

Master or his deputy, the vessel shall be moved, if necessary, with tug or tugs, and proper crew employed, at expense of said vessel.

5. Master or consignee of any vessel wishing to move shall give the Harbor Master sufficient notice to enable him to give her a clean berth. The Harbor Master must be the judge of the time required.

6. No vessel shall be moved, after being placed at a wharf, without permission of the Harbor Master.

7. No vessel, other than regular packets, arriving at the city, shall be docked without permission of the Harbor Master.

8. 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 vessel may haul alongside any vacant wharf, and the powder on board shall be moved direct from the vessel to the depot or boat, immediately after she is made fast to the wharf.

9. All vessels, except regular packets, in ballast, waiting for freight, light, or occasionally taking in, discharging or retailing a cargo, at any wharf, shall give the inside berth to a loaded vessel that wants to discharge forthwith; and every such vessel shall likewise give inside berth to a vessel that wants to take on her cargo immediately. Any vessel except regular packet taking in a cargo at any wharf, shall give the inside berth to a loaded vessel, if at the time of application for such berth there be no other vacant or equally suitable berth for such loaded vessel.

10. Every vessel hauling past or lying alongside and made fast to another vessel shall put out, in a proper manner, good and sufficient fenders, and keep the same so placed as to prevent injury to the vessel she shall be alongside of, and shall likewise so place her moorings as to prevent injury to said vessel, and if discharging or taking in a cargo athwart another vessel's deck, she must also keep her plank or staging so fixed as not to cause injury.

11. Masters of vessels shall not permit ballast, rubbish or dirt of any kind to be thrown into the river or harbor. All ballast or coal shall be thrown ten feet back, clear of the heads of the wharves; a heavy sail or tarpaulin must be put between the vessel and the wharf, extending under and five feet on each side of the stage, to prevent any from falling into the river. The sweepings from the deck of ashes, from the caboose and rubbish of any kind must be put upon the wharf and carted away.

12. No vessel, while lying alongside the wharf, or another vessel, shall be smoked for the purpose of destroying rats, but must first be hauled into the stream and kept constantly afloat so as to be easily removed in case of taking fire.

13. No tar, pitch or turpentine shall be boiled on any vessel's deck, or within sixty yards of any vessel or warehouse. Notice in all cases to be given to the Harbor Master.

14. No raft of timber or lumber shall be broken up in the front river below low water mark, except that rafts of oak or

cypress may be broken up on north side of river, in accordance with provisions of ordinance passed in Council March 25, 1885. No raft shall be permitted to lie more than forty-eight hours afloat in the river, nor shall any stave, wood or shingle raft be landed at the heads of the wharves.

15. No vessel lying at any of the wharves on the southern side of the river between Habersham's mill and the eastern extremity of the city, shall be permitted to take on board any timber or lumber from rafts alongside, unless the owner or lessee of the wharf at which the vessel lies shall consent thereto and procure the consent of the owner or lessee of the adjacent wharves, which consent shall be in writing and filed with Harbor Master. In cases where it would not be safe to remove empty vessels, the Mayor will give permission to load a few sticks of timber at wharf, said sticks to be secured by chains and dogs after the raft shall have been broken up.

16. No person shall encumber the wharves with cotton, coal, brick, lumber, stone or other heavy article, so as to prevent the use of said wharf to vessels wishing to load or discharge cargoes.

17. Not more than two vessels of one hundred tons or more register shall be allowed to lay alongside at any wharf in the city so long as there shall be another wharf vacant, or with only one vessel thereat, except under special permit from the Harbor Master, approved by the Mayor.

18. No vessel or boat lying alongside of any other vessel or wharf shall have a fire in the caboose, or any other place on or under deck of said vessel or boat, except in an iron caboose, and such caboose or other fire place be well and safely covered and surrounded with a good and sufficient caboose house, hut or other covering and enclosure.

19. All vessels overlaying the city wharves and docks must pay proportional wharfage. No rafts shall be kept across or in them for the purpose of loading, except by permission.

20. No shingle or sand ballast, or rubbish of any description shall be landed without permission of the Harbor Master.

21. Any vessel will be admitted to a berth, or be allowed to change from one berth to another on application to the Harbor Master.

22. No master or other person having charge of any ship or vessel shall refuse or neglect to obey the directions of the Harbor Master or his assistant, in any matter or matters within his or their authority, or shall molest, resist or oppose the Harbor Master or his assistant in the execution of any of the duties of his or their office.

23. The master of any vessel, lying at anchor in any part of the river at night time, shall cause a good and sufficient light to be shown in some part of the rigging of such vessel, at least twenty feet above her deck, which light shall be kept burning during all hours of the night.

24. Every vessel must always have on board a ship-keeper, or other person capable to take charge of her.

25. In case of any dispute or difference of opinion arising between or amongst masters of vessels, or others concerned under the foregoing Harbor Regulations, the same should be settled by the arbitration of the Harbor Master, on the application to him of those interested,

879. Penalty for violation. Any person violating any of the regulations contained in the foregoing section, upon conviction thereof in the Police Court, shall be fined in a sum not exceeding one hundred dollars, or be imprisoned not more than thirty days, either or both, in the discretion of the officer presiding in said court.

Aug. 26, 1885.

CHAPTER 45.

PORT WARDENS.

SECTION 880. Port Wardens.

- 881. Clerk, records; seal, etc.
- 882. Rules, etc.; Clerk's bond and oath.
- 883. Office hours.
- 884. Two or more to make surveys.
- 885. Surveys, how held.
- 886. To employ a carpenter.

SEC. 887. Surveys held by other persons, penalty.

- 888. Clerk to collect sums due.
- 889. Port Warden's oath.
- 890. Neglect of duty, penalty.
- 891. Fees only when services rendered.
- 892. Not to certify without survey.
- 893. Fees.
- 894. Fees increased.

880. Port Wardens. At the first regular meeting of Council in January biennially, 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.

Mch 14, 1824.
c. 175.

881. Clerk; records, seal, etc. The said Port Wardens be and they are hereby required to keep a fair record of all their proceeding, to appoint a clerk for that purpose, and to furnish extracts or copies of the same at the request of any person or persons, and they shall have and use a common seal to be annexed to all extracts or copies of proceedings furnished by the clerk aforesaid, and the clerk shall be, and is hereby allowed the same fees for searches, extracts, copies of certificates as are allowed for the like services to the Clerk of the Superior Courts of this State.

Ibid.

882. Rules, etc.; Clerk's bond and oath. 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."

Ibid.

883. Office hours. The Clerk of the Board of Port Wardens shall be in attendance at some convenient place from 9 to 10 o'clock each day. It shall be lawful for the Clerk of the Board to appoint a deputy, who shall take the same oath as the principal: Provided, in case of neglect or misconduct of said deputy the

April 6, 1854.
c. 179.

principal and his sureties shall be liable to the penalties, fines, etc., prescribed by ordinances.

April 6, 1853,
c. 179.

884. Two or more to make surveys. The said Port Wardens, or any two of them, or more if required by the person 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.

Ibid.

885. Surveys, how held. At the request of any owner of a vessel, master, merchant or consignee, it shall be the duty of the said Port Wardens, or any two or more of them as aforesaid, upon the arrival of any ship or vessel within any port or district of Savannah in distress, or which may receive damage therein, or be in a leaky situation or condition, or on board of which there may be goods, wares, or merchandise damaged or supposed to be damaged, to examine and survey the said ship or vessel in her hull, masts, spars, sails, rigging and other appurtenances, and to report and certify the state thereof, and the repairs necessary to fit her for sea, so that she may be fully seaworthy, noting particularly the damages which appear to have been sustained by the perils of the sea, and the probable expense of repair as distinct from such as may become necessary from negligence or ordinary decay; and to assist the said Port Wardens in such examination, they shall have access to the log book of such ship or vessel. Also to examine and survey the stowage of the cargo of any ship or vessel, and to report and certify if the same be properly stowed and secured, and to examine and survey any such goods, wares and merchandise damaged or supposed to be damaged, and to report and certify if the same be damaged or not, and in case of damage the rate and degree of damage; and in surveys of packages of merchandise, they shall designate particularly the portion injured, and in no event recommend a sale of the parts not damaged; and generally to do and perform all the things which by the custom of merchants in the port of Savannah have been usually performed on surveys; and particularly to advise and recommend such measures in relation either to said ship or vessel and cargo as may be deemed best suited to promote the interest and benefit of all concerned.

Ibid.

886. To employ a carpenter. 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.

Ibid.

887. Surveys held by other persons, penalty. 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 Police Court, to the use of said Port Wardens.

Ibid.

888. Clerk to collect sums due. The Clerk of the said Board of Port Wardens shall collect all sums due to the said Board or either of the Port Wardens for services rendered, pursuant to

this article, and for which he shall be entitled to such compensation as the Port Wardens shall fix, and shall quarterly make a statement of the same so received, and pay over to each Port Warden his share thereof, 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.

April 6, 1854,
c. 179.

889. Port Warden's oath. Each Port Warden so appointed, before entering upon the duties of his office, shall subscribe before the Mayor the following oath or affirmation, as the case may be: "I do solemnly swear or affirm that I will truly, faithfully and impartially, to the best of my understanding, discharge the duties required of me by the ordinances of the City Council as Port Warden of the city of Savannah. So help me God." Which said oath or affirmation, after being sworn to and subscribed, shall be filed with the records of Council by the Clerk thereof.

Ibid.

890. Penalty for neglect of duty. If the said Port Wardens, or any of them, shall neglect or refuse to perform the duties enjoined by this or any other ordinance, he or they, unless sufficient cause be shown to the contrary, shall 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.

May 21, 1834

891. Each to receive fees only when services rendered. 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.

Ibid.

892. Not to certify unless he surveys. It shall not be lawful for any Port Warden to certify any survey, unless the same has been held by him in person; and any Port Warden herein offending shall, on conviction thereof before the Police Court, be dismissed from office.

Feb. 23, 1843,
c. 179.

893. Fees. 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:

For each survey on the hatches of a vessel, - - - - -	\$1 50
For each survey on a vessel, - - - - -	4 50
For each survey on a vessel and cargo, - - - - -	4 50
For each survey on a cargo, - - - - -	3 75
For each survey on the stowage of the hold of a vessel, -	3 75
For each survey on goods after they are landed, - - -	2 00

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.

Feb. 21, 1866.

894. Fees increased. The Port Wardens of said city are hereby authorized to receive and collect an additional sum of fifty (50) per centum upon all charges established by the ordinance passed 23d February, 1843, and also upon all other charges which they are entitled by law to make.¹

CHAPTER 46.

PILOTAGE.

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| <p>SECTION 895. Commissioners of Pilotage, how appointed.</p> <p>896. Powers.</p> <p>897. Pilot's license and oath.</p> <p>898. Pilot's bond.</p> <p>899. License, how forfeited.</p> <p>900. Duty of Commissioners as to pilotage fees.</p> <p>901. License forfeited by non-user, absence, etc.</p> <p>902. Duty of pilots.</p> <p>903. Vessels refusing to take pilots.</p> <p>904. Pilot bringing in may take out.</p> <p>905. Rights and duty of pilots.</p> <p>906. Pilot to be notified of vessel's departure.</p> <p>907. Pilot must moor vessel.</p> <p>908. Fees to be paid before vessel leaves.</p> <p>909. Penalty for carrying off or detaining pilot.</p> <p>910. Fees for taking pilot from vessel.</p> <p>911. Fees for delivering letters off bar.</p> <p>912. Fees for carrying vessel to another port.</p> <p>913. Default of pilot, how punished.</p> <p>914. Other cases of damages, how settled.</p> <p>915. Commissioners must keep record of rules.</p> <p>916. Fees of Secretary.</p> <p>917. Office and records of Secretary.</p> | <p>SEC. 918. Attendance of witnesses.</p> <p>919. Defaulting witnesses punished.</p> <p>920. May cite witnesses to answer interrogatories.</p> <p>921. Service of subpoenas.</p> <p>922. Fees for serving.</p> <p>923. Appeal from judgment of Commissioners.</p> <p>924. Commissioners to take testimony.</p> <p>925. Fines and forfeitures, how disposed of.</p> <p>926. Pilots, when to receive certificates.</p> <p>927. Branch pilots, how appointed.</p> <p>928. Penalty for discharging ballast in harbor.</p> <p>929. Proceeding for violating preceding sections.</p> <p>930. Penalty against pilot for concealing offense.</p> <p>931. City may prohibit discharge of ballast in river.</p> <p>932. Suits in the name of Commissioners.</p> <p>933. Present Commissioners, etc., to stand.</p> <p>934. Seven Commissioners of Pilotage, quorum.</p> <p>935. Vacancies, how filled.</p> <p>936. Seat how vacated.</p> <p>937. Power to prescribe regulations for pilots.</p> <p>938. Council to fill vacancies.</p> <p>939. Power to make rules for Harbor Master.</p> <p>940. Permanent Rules of Commissioners of Pilotage.</p> <p>941. Rates of pilotage.</p> |
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Code of Ga. §1504.

895. Commissioners of Pilotage, how appointed. The corporate authorities of Savannah, Darien, Brunswick and St. Mary's, 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

(1) This ordinance was omitted in the City Code of 1871.

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. Mary's for the bar of the Great Satilla river, the bar of St. Mary's, 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.

896. Powers of Commissioners of Pilotage. The Commissioners of Pilotage at each of the ports of this State are empowered to license such persons (being citizens of the United States), of good character, as they shall think most fit to act as pilots, for the purpose of conducting vessels inward to, and outward from, the several ports and rivers for which they shall be licensed, during their good behavior. Pilots already licensed for any of said ports or rivers shall continue to act until removed for cause. No additions shall be made to the present number of licensed pilots until the number shall not exceed twenty (20) for the port of Savannah, ten (10) for the ports of Doboy and Darien, fifteen (15) for the port of Brunswick, four (4) for the Great Satilla river, and eight (8) for the port of St. Mary's, and thereafter, when vacancies occur in the number of pilots in any one of the before-named ports or rivers, the Commissioners of that port may, in their discretion, grant licenses as pilots as hereinbefore provided, until the number of pilots reaches the number allowed by this act for that port or river. This act shall not prevent the Commissioners of any one of the before-named ports from, in their discretion, granting licenses to such apprentices as were apprentices at the date of the passage of this Act, when any one of such apprentices has fulfilled the requirements of the laws of the State of Georgia and the rules and regulations established by the Commissioners of said port. No 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, rivers or harbors for which a pilot shall be licensed. If any person, having no authority or license to act as pilot, or who having had any authority has had it suspended or revoked by the Commissioners, shall, while his license is suspended, pilot or conduct any vessel inward to, or outward from, any of the ports, rivers or harbors of this State; or if any person interferes with or disturbs a licensed pilot in the way of his duty, such person may, on conviction, be fined and imprisoned at the discretion of any court having jurisdiction; but any person may assist a vessel in distress without any pilot on board, if such person shall deliver up the vessel to the first pilot who comes on board and offers to conduct it. But the vessel must fly the signal for a pilot until one has been received or his services tendered.

Acts of 1886, p. 38.

897. Pilot's license and oath. The license to a pilot must be in the form of a certificate of his appointment, which must be signed by a majority of the Commissioners, or by their chairman, by their direction, and each pilot, on receiving his license shall take and subscribe an oath in the following form:

Code of Ga. §1506.

"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."

Code of Ga.
§1507.

898. Pilot's bond. Before receiving his license, the pilot must make and deliver to the Commissioners a bond, payable to the Chairman of the Board, and his successors in office, in the penal sum of two thousand dollars, with security, to be approved by the Commissioners, and with condition faithfully to perform his duties as pilot, which bond shall be renewable at the discretion of the Commissioners, with such security or additional security as they may require.

Acts of 1886,
p. 39.

899. License of pilot, how forfeited. The Commissioners shall suspend any pilot, or deprive him of his license, for want of skillfulness, or for negligently or carelessly losing or injuring any vessel in his charge, or when he is laboring under mental derangement, or is so addicted to habits of intoxication as to unfit him, in their judgment, to be entrusted with the charge of a vessel; but in every such case an appeal may be made, as is provided for by law.

Ibid.

900. Power and duty of Commissioners as to pilotage fees, etc. The Commissioners shall have power, and it is their duty, to prescribe rules and regulations for the government of pilots, and to prescribe the fees for their services, and they may also impose such penalties, not inconsistent with this law, for neglect of duty, or for a violation of the orders or of the rules and regulations of the Commissioners, as they may think proper. They shall immediately after the passage of this Act (and from time to time thereafter, whenever necessary), revise and grade the existing pilotage fees (both inward and outward) on vessels drawing seventeen (17) feet, or less, when loaded, so that said fees shall not exceed the average of the fees charged at the ports of Norfolk, Wilmington, Charleston, Port Royal or Beaufort, Fernandina, Pensacola, Apalachicola, Mobile and New Orleans. They shall exempt vessels from the payment of pilotage fees, either inward or outward, unless services are tendered outside the bar, and exempt from the payment of outward pilotage fees coastwise vessels changing ports by inside routes, either in changing ports or going to sea, after having changed ports by inside routes, unless a pilot is actually employed. They shall allow vessels running coastwise, under United States license, to pay (after paying the inward pilotage for that trip) an annual license fee of twenty-five (25) cents per registered ton, which shall belong to the pilot entitled to the inward pilotage fee, and the payment of said license fee shall exempt at that port said vessel for twelve (12) months thereafter from compulsory employment of a pilot, either inward or outward, or payment therefor, unless services of a pilot are accepted. Licenses shall be renewed to vessels after having arrived in port, and if they approach the port after the expiration of a former license, the licenses shall be granted only after they

have paid the inward pilotage for that trip, if service has been tendered outside the bar. And any vessel while in a port for which she has had a license may, within ninety (90) days after the expiration of said license, make application for, and on payment of the license fee shall receive a new license for twelve (12) months from the date of the expiration of the old license. They shall allow half the regular pilotage fees to be collected from all vessels (except those exempt by laws of the United States, or licensed as provided for in this Act), calling at the bar of any of the before-named ports or rivers, in ballast-seeking or for orders, if they do not load but leave in ballast; and allow half the regular pilotage fees, both inward and outward, on all vessels returning to the port at which they loaded (before completing the voyage) from stress of weather, or from being damaged or disabled, but vessels subject to go into quarantine shall pay full pilotage fees inward and outward.

901. License forfeited by non-user, absence, etc. Any pilot who fails to act as pilot for three months, or absents himself for ten days at any one time without leave of the Commissioners, may be deprived of his license; and any pilot who shall, with knowledge of the arrest 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.

Code of Ga.
§1510.

902. Duty of pilots. Every pilot boat cruising or standing out to sea must offer the services of a pilot to the vessel nearest the bar, unless a vessel more distant be in distress, under a penalty of fifty dollars for each and every neglect or refusal, either to approach the nearest vessel, or to aid her if required, or to aid any vessel in sight, showing signals of distress; and the Commissioners, or a majority of them, may, for such neglect or refusal, deprive the pilot of his license.

Ibid. § 1511.

903. Vessels refusing to take pilot. Any person, master or commander of a ship or vessel (except vessels exempt by United States laws, and vessels while licensed under the provisions of this act, and vessels of less than one hundred (100) tons burthen) bearing toward any of the ports, rivers or harbors of this State, and who refuses to receive a pilot on board, shall be liable, on his arrival in such port, river or harbor in this State, to pay the first pilot who may have offered his services outside the bar, and exhibited his license as pilot, if demanded by the master, the full rates of pilotage, inward and outward, established by law for such vessel.

Acts of 1886,
p. 41.

904. Pilots bringing in may take out. The pilot who brings in a vessel into port, or one attached to his pilot boat, shall have the exclusive right to take her out, unless the master of such vessel shall prove to the satisfaction of the Commissioners that such pilot misbehaved himself while in charge of the vessel, or was in the meantime deprived of his license, or that such pilot had obtained the inward pilotage against the right of some other pilot offering his services, and in any of these cases another pilot shall be employed, and in that event the outward pilotage fees shall belong to the pilot who takes her out.

Ibid.

905. Rights and duty of pilots. Any pilot having the right to take a vessel out of port may attend in person, or procure another person out of the pilot boat to which he is attached to

Code of Ga.
§1514.

attend for him; and if any master or owner of any vessel in port employ any other pilot to carry his vessel down the river, or out to sea, but the pilot who brought her, or one belonging to the same boat, unless good and sufficient cause shall appear therefor, on due proof thereof before the Commissioners, he shall be liable to a fine not exceeding one hundred dollars, one half to the pilot lawfully claiming the pilotage of the vessel; but should such pilot neglect or refuse to attend and carry down such vessel when ready for sea (wind, weather and tide permitting) when thereunto required by the master, owner, or consignee, such pilot shall, on conviction thereof before the Board of Commissioners, forfeit the upper pilotage of such vessel and be liable to a fine not exceeding one hundred dollars, and any pilot acting on board such vessel when he has no right, shall be liable to the same penalty, and shall, moreover, be liable to the pilot having the right for carrying the same vessel out: Provided, the Commissioners have no sufficient evidence of the necessity of his acting.

Code of Ga.
§1515.

906. Pilot to be notified of vessel's departure. The master of a vessel in readiness to leave must, if practicable, give notice to the pilot entitled to conduct the vessel out, of his intention to leave, or some other pilot belonging to the same boat: Provided, such pilot be at the place of departure of such vessel, or near thereto.

Acts of 1886.
p. 41.

907. Pilot must moor vessel. Every pilot in any of the ports, rivers or harbors aforesaid, bringing any vessel to anchor in any of said ports, rivers or harbors, shall moor such vessel, or give proper directions for the mooring of the same and the safe riding thereof, or shall dock such vessel, if required by the master on arrival, and said pilot shall not be entitled to compensation, in addition to his pilotage fees, for so doing.

Ibid.

908. Pilot's fees to be paid before vessel leaves. A pilot bringing a vessel into port, or who has tendered his services to her outside the bar (unless his services have been refused because of her being licensed as hereinbefore provided) shall be entitled to his fees, both inward and outward, before her departure from port, to be paid in advance, or security given for the payment, and on failure thereof he may refuse to carry the vessel out, and all fees for pilotage may be demanded and recovered, in any court having jurisdiction, from the owner, master or consignee of the vessel, and if any licensed pilot shall ask or demand more fees for his services than are specified in the rates of pilotage, on due proof thereof before the Commissioners, he shall forfeit double the amount of such vessel's pilotage.

Code of Ga.
§1518.

909. Penalty for carrying off or detaining pilot. The owner, master or consignee of any vessel carrying off any pilot of such vessel, and against his consent, to any port, either foreign or on the coast, shall be liable to such pilot, in an action on the case, for the payment of all reasonable expenses, and for the further sum of not exceeding three dollars a day, during the necessary absence of the pilot: Provided the carrying away of such pilot be not owing to any default, misconduct or negligence on his part; and the master of a vessel detaining a pilot on board his vessel, the wind and weather permitting him to go to sea, shall be liable to pay such pilot three dollars a day for every day he is so detained.

Ibid. § 1519.

910. Fees for taking pilot from vessel. When any pilot boat belonging to a different pilot than the one who may have con-

ducted a vessel out to sea takes such pilot off from such vessel, such pilot boat shall be entitled to one third of the pilotage.

911. Fees for delivering letters off bar. Whenever a vessel shall touch off the bar of any of the ports, rivers or harbors of this State for instructions, any pilot delivering on board such vessel any letters or orders shall be allowed one-half of the bar pilotage in and out.

Acts of 1886,
p. 38.

912. Fees for carrying vessel to another port. Any pilot belonging to any port in this State, meeting at sea with any vessel bound to another port within the same, shall, if capable and thereunto required, take charge of and pilot such vessel into such port, and shall be paid two dollars per day for every day such pilot may be on board such vessel at sea, without the bars, over and above the usual rate of pilotage, and no other pilot shall interfere while the former is willing to continue his services.

Ibid. § 1521.

913. Default of pilot how punished. If any vessel whatsoever, or the cargo or freight thereof, shall receive any damage or miscarriage, or be lost, through the negligence or default of any pilot, after such pilot takes charge of the same, and the claim exceeds one hundred dollars, the said pilot shall, in such case, on conviction thereof before any court of record in this State, be obliged to answer and make good to the sufferers, or the master of said vessel, all and every the damages which he shall sustain thereby.

Ibid. § 1522.

914. Other cases of damage, how settled. All other cases of damage or difference that may arise or be made against any master or pilot, for or concerning the pilotage of any vessel, or any other matter relating to the business or care of a pilot, in any of said harbors, shall be heard and determined by the Commissioners, or a majority of them, appointed for the care of the pilotage where such damage or dispute shall arise, who, by their decree or order, shall lawfully decide and regulate every such damage or difference, and who shall have power to enforce such decree or order by execution or warrant of distress under their hands and seals, or the hands and seals of any three of them, directed to any sheriff or constable of the county where such execution issues, commanding the sale of the offender's goods, or so much thereof as shall be sufficient to satisfy such execution or warrant, and all sales thereunder shall be conformable to the laws of the State in other cases of sale; and such sheriff or constable shall be liable to be ruled before the Judge of the Superior Court as in other cases, in term time or vacation, for any default in duly executing such process, but in case of a sentence or judgment for more than twenty dollars, an appeal may be had, as is hereinafter provided.

Ibid. § 1523.

915. Commissioners must keep a record of rules. The Commissioners shall preserve, in a neatly bound book, a record of all their acts, and of the rules and regulations adopted by them for the direction and government of the pilots; but in the city of Savannah such rules and regulations shall not be operative until approved by the City Council. They must designate one of their number as chairman and cause a record thereof to be made, and prescribe such fees for the service of the pilots, and impose such fines and penalties not inconsistent with the provisions of this chapter, as they may deem expedient. They must also preserve upon record a list of all persons appointed pilots by them, as well as those by them suspended.

Ibid. § 1524.

916. Fees of Secretary. All persons interested shall have access to, and be permitted to have, copies of the records; and copies thereof, certified by the chairman or secretary, shall be presumptive evidence of the facts therein stated. The Secretary of the Commissioners shall have such salary or fees as the Commissioners may determine, and such salary or fees shall be paid out of fines and forfeitures, or such other fund as shall be under the control of the Commissioners.

917. Office and records of Commissioners. The office of the Commissioners must be kept in some suitable place, of which the public shall have notice, and their books, papers and records may be kept in such office, or in the office of any court of record in the county.

918. Attendance of witnesses. When the attendance of any person shall be required as a witness before the Commissioners of Pilotage in any matter or claim of which they shall have jurisdiction, it shall be the duty of the Secretary, on application, to issue summonses in the nature of subpoena, to be signed by him and directed to the persons whose attendance shall be required, when such person reside in the county where such matter or claim may be depending. The summons shall express the cause and the party at whose suit it shall be issued, and shall be served on such witness at least twenty-four hours before the meeting of the Commissioners to which it shall be returnable, and it shall be served by the messenger of such Commissioners, or a constable, and the return of such officer shall be evidence of the service of the subpoena.

919. Defaulting witnesses punished. Any witness thus summoned, whose testimony shall appear to be material, and who shall fail to appear, may be attached by the Commissioners, and the attachment shall be directed to a sheriff or constable, and made returnable to the next Superior or Ordinary Court of the county; and such court may fine such witness in a sum not exceeding one hundred dollars, unless a good excuse be made to the judge of said court, but such witness shall nevertheless be liable to action at the suit of the party injured by such non-attendance.

920. May cite witnesses to answer interrogatories. When any witness may be a seaman or transient person, the Commissioners may issue subpoenas to such witness by their secretary, requiring such witness to appear at a time and place therein stated before any justice of the peace, or of the Ordinary of the county, to answer written interrogatories to be propounded to him.

921. Service of subpoenas. The subpoena must be served twenty-four hours before it is returnable, and notice for the same length of time must be given to the adverse party, or attorney, agent or consignee, of the time and place of putting such interrogatories. The officer taking the depositions shall seal up and properly endorse and return such deposition, which may be offered by consent or by order of the Commissioners, and shall stand in the place of the oral examination of such witness, when his personal attendance cannot be procured.

922. Fees for serving subpoenas. The secretary's fees for each subpoena shall be twenty-five cents; for each attachment fifty cents; for examining a witness the Justice of the Peace shall receive one dollar; the sheriff or constable, for serving any subpoena, shall receive twenty-five cents, and for executing and returning an attachment to court, fifty cents.

Acts of 1786,
§1525

Ibid. § 1526.

Ibid. § 1527.

Ibid. § 1528.

Ibid. § 1529.

Ibid. § 1530.

Ibid. § 1531.

923. Appeal from judgment of Commissioners. In any case where a pilot shall be suspended, or where a fine exceeding the sum of twenty dollars shall be imposed by any judgment or decision of the Board of Commissioners, or where the license or warrant of a pilot shall be revoked, then the person so fined or the pilot so suspended, or whose license or warrant shall be revoked, may petition the Judge of the Superior Court of the county where such judgment or sentence may be made, setting forth, on oath, the circumstances of the case, a copy of which petition shall be served on the acting chairman or secretary of such Board at least three days before the return of any rule thereon; and if, on reading such petition, the Judge shall think there is sufficient ground for the allowance of an appeal, he shall therein direct an issue to be made up between such Commissioners and the appellant, which issue shall be tried by a special jury as in other appeal cases, at the next term of the Superior Court, unless good cause be shown for a continuance; and if, upon such trial, a verdict shall be rendered in favor of the appellant, the said Judge shall make a rule remitting such fine, or restoring the suspended pilot, or the pilot whose warrant or license may have been revoked as aforesaid.

924. Commission to take testimony. In case of an appeal, as aforesaid, commissions may issue to take the depositions of any person not a resident of the county, or whose oral testimony cannot be conveniently had, as in other cases before such Superior Court, but no such commission shall issue but upon three days notice to the opposite party, by a service of a copy of the interrogatories to be exhibited, as in other cases.

925. Fines and forfeitures, how disposed of. All fines and forfeitures collected by the Commissioners shall be applied toward payment of the ordinary expenses of the Board, and the residue shall be expended by the Commissioners toward improving the navigation of the port or harbor, where such fines and forfeitures are inflicted.

926. Pilots, when to receive certificates. No person shall receive a certificate to act as pilot until he shall have served as an apprentice two full years in a decked pilot boat on the bar, for which he seeks to be a pilot, (the crew not to be considered as apprentices unless so registered in the office of the Commissioners of Pilotage), and have given satisfactory evidence of character and skill, and any certified pilot shall serve eighteen months before he shall be entitled to an increased authority; but in case of emergency, such additional pilot may be appointed as the Mayor or other chief officer of the port may determine—the foregoing restrictions to the contrary notwithstanding.

927. Branch pilots, how appointed. All branch pilots must be appointed by the Commissioners, and whenever a vacancy occurs in a branch, the person who has served the longest time as an apprentice must, if deemed competent by the Commissioners, be appointed to the vacancy; but no person can hold a branch who is not engaged in pilotage.

928. Penalty for discharging ballast in harbor. If any master of a vessel or water craft of any description, shall throw, or permit to be thrown from on board such vessel or water craft into any of the waters of any bay or harbor of this State, or within three miles of the outside bar of any such bay or harbor, any stone, gravel, or other ballast, he shall forfeit a sum not less than five hundred nor more two thousand dollars for any such offense,

Acts of 1886
1532

Ibid. § 1533.

Ibid. § 1534.

Ibid. § 1535.

Acts of 1882-3
p. 70.

Ibid. § 1536.

Ibid. § 1537.

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.

Acts of 1882-3
§1538.

929. Proceeding for violating preceding section. Upon the Commissioners receiving satisfactory evidence of the offense specified in the preceding section, it shall be their duty to proceed to recover such forfeiture by process of attachment, in the name of the State, which may be issued as other attachments, on the oath of the informer, or of one of the Commissioners, and be levied on the vessel from which the offense was committed. The vessel may be 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.

Ibid. § 1539.

930. Penalty against pilot for concealing such offense. It shall be the duty of every pilot having knowledge of the commission of the offense specified in the two preceding sections, to give, as soon as practicable thereafter, information thereof to the Commissioners; and, failing to do so, such pilot shall be deprived of his license, and be thereafter forever disqualified for the office of pilot.

Ibid. § 1540.

931. City may prohibit discharge of ballast in navigable water. The City Council of Savannah shall have authority to prohibit, under proper penalties, the throwing or depositing in the Savannah river and within the jurisdictional limits of said city, of any substance of any nature or kind which might in any degree, lessen the depth of water in said river, or any part thereof within said limits; and the same authority is hereby vested in the corporate authorities of the other towns respectively, as to navigable waters within their respective jurisdictions.

Ibid. § 1541.

932. Suits in the name of Commissioners. The same Boards of Commissioners are hereby authorized, in their own names, or in that of their Chairman respectively, as such, to sue for and recover to their own use and the improvement of navigation, any forfeiture which may accrue under this chapter, which is not otherwise specifically appropriated.

Ibid. § 1542.

933. Present Commissioners, etc., to stand. All existing appointments of Commissioners of Pilotage, and of officers under the same, as well as their rules and regulations not contrary to law at the time of their adoption of this Code, shall continue good and valid in law, according to their nature and terms, until superseded by authority of this Code.

Aug. 2, 1839.
c. 253.

934. Seven Commissioners of Pilotage, quorum. 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.

Ibid.

935. Vacancies how filled. Whenever a vacancy shall occur in the said Board by death, resignation or otherwise, it shall be the duty of Council to fill the same by an election, after ten days notice in one or more of the gazettes of the city of Savannah, and the person thus elected, before he enters upon his duty as such Commissioner, shall take and subscribe the following oath or affirmation, to wit: "I do solemnly swear (or affirm) that I am a citizen of the United States, and an inhabitant of the State of Georgia, and that I will truly and faithfully discharge the duty

of a Commissioner of Pilotage without fear, favor or affection. So help me God."

936. Seat how vacated. Six month's 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.

Aug. 2, 1839,
c. 253.

937. Power to prescribe regulations for pilots. 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 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.

Ibid.

938. Council to fill vacancies. All ordinances or parts of ordinances directing the annual election of Commissioners of Pilotage 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.

Ibid.

939. Power to make rules, etc., for Harbor Master. 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.

Feb. 19, 1868,
c. 354.

940. 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;

Revised Feb.
20, 1880.

and it shall be the duty of every pilot coming on board of a vessel to take charge as 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 9.

RULE 4—Whereas great inconvenience and injury to the commercial interests of this port have arisen from pilots absenting themselves, on various pretences and for various purposes, from their regular duty 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 subject 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 contingencies 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 a pilot of a 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:

DRAFT.	Sav'h. to Tybee,	Sav. to Venus Pt.	Sav. to 4 m. Pt.	Sav. to 5 Fathom
	or Tybee to Sav'h.	or Venus Pt. to Sav.	or 4 m. Pt. to Sav.	or 5 Fathom to Sav.
FEET.				
6	\$ 8 00	\$ 8 00	\$ 6 00	\$ 4 00
7	8 00	8 00	6 00	4 00
8	8 00	8 00	6 00	4 00
9	10 00	10 00	8 00	6 00
10	10 00	10 00	8 00	6 00
11	11 00	11 00	10 00	8 00
12	11 00	11 00	10 00	8 00
13	12 00	11 00	10 00	8 00
14	14 00	14 00	12 00	10 00
15	17 00	15 00	13 00	10 00
16 and upwards.	18 00	16 00	14 00	12 00

From Tybee to Venus Point same as from Venus Point to Savannah.

From Tybee to 4 mile Point same as from Savannah to Venus Point.

From Venus Point to 4 mile Point same as from 4 mile Point to Savannah.

From Quarantine to Savannah same as from Tybee to Savannah.

Detention per day, \$4 32

And all vessels bound up or down the river, and detained one tide, to alter the trim of the vessel, to pay the pilot a drop of 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 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 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 the 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 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 case of one vessel following another which has a pilot on board, if said pilot shortens sail or in other matters so conduct 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 principle, 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 the 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 and a half 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 directions for the mooring of the same and the 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 weigh 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 the Ocean Steamship Company's wharves—without extra pay. Provided, that the pilots be held harmless from all damage, 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 30 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 \$10, 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 pilots 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, etc.

RULE 28—All vessels bound to Cockspur Island as their ultimate place of discharge, shall pay to the pilot bringing in said 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 such intention on the part of the master.

RULE 29—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 draw over seven feet water. In case of her drawing seven feet or under, he shall be entitled only to river pilotage up.

RULE 30—The is designated by this Board as the place 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 the above place, and it shall be the duty of pilots to examine the books at said place.

RULE 31—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 (10th) day of December next, pilots violating either of these rules will, on proof, render themselves liable to a fine or suspension.

RULE 32—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.

RULE 33—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.

RULE 34—Ordered that no pilot who has the privilege of acting as 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 case of urgent necessity, nor shall he use a steam tug for the purpose of boarding vessels, unless from the same necessity.

RULE 35—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.

RULE 36—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.

RULE 37—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, will be deprived of his license. Such leave may be given by the Chairman, in writing, but before the same shall be used, it must be recorded by the Secretary, and endorsed by him.

Jan. 27, 1882. RULE 38—Garden Bank—All small vessels and pilot boats shall anchor as near the western end at this point as can be done with safety, and such vessel shall not anchor anywhere opposite the city where they may interfere with the commerce of the port.

Five Fathom—All vessels must anchor as near the south shore as may be safe, in order to leave the channel to the northward clear for vessels to pass and repass.

Four-Mile Point—All vessels must anchor as near the north shore as possible, so as to leave the channel open to the southward.

Venus Point—All vessels must anchor as near the north shore as possible, so as to leave the channel open to the southward.

Long Island—All vessels must anchor as near the south shore as possible, leaving the channel open to the northward.

Cunningham Spit—All vessels are positively prohibited from anchoring at the eastern end at this point.

Quarantine—All vessels bound to Quarantine Station shall anchor opposite the station or to the eastward thereof, and are positively prohibited from anchoring to the westward of the station.

Tybee Knoll—All vessels are prohibited from anchoring anywhere at this point.

Tybee Roads—All vessels anchoring at Tybee Roads must anchor so as to leave the channel clear for vessels arriving and departing.

General Rule—Vessels arriving at this port and anchoring opposite the city, must anchor so as to leave a clear passage for vessels arriving and departing.

All pilots violating any of these rules shall be liable to suspension and such other penalties as the Board of Commissioners may prescribe.

941. Rates of Pilotage for Tybee Bar and river Savannah.

As Revised by the Commissioners of Pilotage for the Port of Savannah, December 6th, 1886.

DRAFT.	Bar Pilotage and to Cockspur.	From Cockspur to Savannah.	Total Amount.
6 feet and under	\$ 10 76	\$ 6 46	\$ 17 22
7 feet and under	13 06	7 83	20 89
8 feet and under	14 83	8 89	23 72
9 feet and under	16 69	10 01	26 70
10 feet and under	21 08	12 64	33 72
11 feet and under	25 55	15 33	40 88
12 feet and under	28 58	17 14	45 72
12½ feet and under	30 30	18 18	48 48
13 feet and under	31 84	19 11	50 95
13½ feet and under	34 15	20 49	54 64
14 feet and under	38 91	23 35	62 26
14½ feet and under	42 74	25 64	68 38
15 feet and under	45 08	27 04	72 12
15½ feet and under	47 17	28 30	75 47
16 feet and under	50 32	30 19	80 51
16½ feet and under	54 13	32 48	86 61
17 feet and under	57 34	34 41	91 75
17½ feet and under	61 02	36 72	97 74
18 feet and under	64 05	38 55	102 60
18½ feet and under	67 17	40 34	107 51
19 feet and under	71 72	43 04	114 76
19½ feet and under	74 96	44 99	119 95
20 feet and under	78 30	46 98	125 28
20½ feet and under	82 81	49 69	132 50
21 feet and under	87 50	52 50	140 00
21½ feet and under	93 75	56 25	150 00
22 feet and under	100 00	60 00	160 00
22½ feet and under	106 25	63 75	170 00
23 feet and under	114 06	68 44	182 50
23½ feet and under	121 88	73 12	195 00
24 feet and under	131 25	78 75	210 00

CHAPTER 47.

SAVANNAH RIVER, DOCKS, WHARVES, VESSELS, ETC.

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| <p>SECTION 942. Water line of wharf lots established,</p> <p>943. Diagram established.</p> <p>944. Wharves to be annually inspected.</p> <p>945. Breaking up unseaworthy vessels.</p> <p>946. Such vessels to be removed.</p> <p>947. Obstructions in river.</p> <p>948. Vessels, wrecks, etc. likely to become obstructions.</p> <p>949. Vessels, wrecks, etc., on shoal.</p> <p>950. Suits how brought.</p> <p>951. Throwing out ballast or rubbish.</p> <p>952. Proceedings against offenders.</p> <p>953. Obstructing proceedings under this act.</p> <p>954. Fines how collected.</p> <p>955. Appropriation of fines.</p> <p>956. Notice of meeting.</p> <p>957. Mode of laying out wharf lines.</p> <p>958. Not to affect vested rights.</p> <p>959. Rates of wharfage, storage, and dockage.</p> <p>960. Wharf lot fronts, how built.</p> <p>961. Lines to be established by Surveyor.</p> <p>962. Penalty for building, etc., on other lines.</p> <p>963. Wharves subject to inspection of Commissioners of Pilotage.</p> <p>964. Public docks, depositing merchandise on prohibited.</p> <p>965. Obstruction by boats, penalty.</p> <p>966. Making boats fast to, or landing of oysters, etc., at.</p> | <p>SEC. 967. Landing of ballast regulated.</p> <p>968. Throwing ballast, ashes, etc., in river, penalty.</p> <p>969. Harbor Master to incorporate in his rules.</p> <p>970. Vessels in stream to keep lights at masthead.</p> <p>971. Under weigh to keep lights suspended.</p> <p>972. Penalty for violation.</p> <p>973. Speed of steamers passing line of wharves.</p> <p>974. Vessels at wharves, fires on board, regulated.</p> <p>975. Penalty for violation.</p> <p>976. Captain to be summoned before Police Court.</p> <p>977. Smoking prohibited about wharves.</p> <p>978. Using matches on vessels loading cotton, etc., prohibited.</p> <p>979. Notices posted at wharves, etc., unlawful to remove.</p> <p>980. Penalty for violation.</p> <p>981. Lighters, etc., to be covered with tarpaulins.</p> <p>982. Smoking on cotton ships prohibited.</p> <p>983. Penalty.</p> <p>984. Rafts may lie at wharves 48 hours.</p> <p>985. Owners to remove binders, etc.</p> <p>986. Penalty.</p> <p>987. Raft limits.</p> <p>988. Rafts on shores of Hutchinson's Island.</p> <p>989. Keeping rafts on front river over four days, penalty.</p> <p>990. Rafts to be seized and sold when.</p> <p>991. Breaking up rafts, except in booms, prohibited.</p> <p>992. Rafts, etc., at mouth of Bilbo canal prohibited.</p> |
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Acts of Dec.
21, 1833.

942. Water line of wharf lots established. 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:

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 forty-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, Gaway 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.

943. Diagram established. And the said commissioners have determined upon, and report and make known, that they have established a street between Indian street and [the above described water line, to be called Canal street, which street shall have for its northern 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 Yamacraw, to the canal, and the south side of the said street be formed by a line thirty feet apart from and parallel to the said described northern line of the said street. And

Acts of Dec.
21, 1833.

(1) The name of Canal street was changed to River street, Nov. 7, 1833.

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 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 1,249 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 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 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, PETER MITCHEL,
R. R. CUYLER, R. F. WILLIAMS,
JOSEPH W. JACKSON, FRANCIS SORREL,
JAMES HUNTER.

GEORGE ANDERSON, R. W. POOLER,
WM. TAYLOR, GAZ. B. LAMAR,
GEORGE JONES, JOHN DAVIDSON.

944. Wharves to be annually inspected. 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 the city of Savannah, a wharf owner, and a master carpenter or wharf builder; and if said surveyors shall be of opinion that such wharves, or any one of them, require repair or alteration, or are or is in a situation to threaten injury to the river, then the owner or owners, or tenant or tenants of said wharves or wharf shall, within one week after notice to that effect shall have been served upon her, him or them, begin to repair and continue, in good faith, and with reasonable diligence, alter or repair said wharf, or place the same in proper condition; and if he, she or they shall neglect or refuse so to do, it shall be the duty of the Commissioners of Pilotage to cause the same to be done, and they may recover against the owner or tenant of said wharf or wharves, his or her agent or representatives, the expenses incurred by them in effecting said object, together with the sum of two hundred dollars in the nature of damages, the whole to be recovered in a special action of (on) the case, to be brought by said Commissioners of Pilotage, in the Superior Court of Chatham county, and the judgment of said court shall operate as a lien on said wharf or wharves from the time of the institution of said action, so as to cut out all liens on said wharf or wharves, and all conveyances of the same, which may have accrued or been executed intermediate the institution of said suit, and the filing of said judgment.

945. Breaking up unseaworthy vessels. 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

Acts of Dec. 30.
1847.

Ibid.

county, shall be fined in the sum of five hundred dollars, and the master, owner or consignee of such vessel, wreck or hulk, shall forfeit to said Commissioners a sum not exceeding two hundred dollars, to be assessed by them, and to be recovered by action of debt in the Superior Court of Chatham county.

Acts of Dec.
30, 1847.

946. Such vessels to be removed. Whenever any vessel, wreck or hulk in said river shall be deemed by said Commissioners to be unseaworthy or liable to sink, it shall be the duty of said Commissioners to give notice to the owner, consignee, master or person having charge thereof, or any one of them, to remove the same within three days, to such spot as shall be designated in said notice; and in case of the failure of such person or persons so to remove the same, it shall be the duty of said Commissioners to cause the same to be removed as aforesaid, and the owner, consignee, master or other person, shall forfeit and pay to said Commissioners a penalty not exceeding five hundred dollars, to be assessed by said Commissioners, and to be recovered by action of debt in the Superior Court of Chatham county.

Ibid.

947. Obstructions in river. 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 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.

Ibid.

948. Vessels, wrecks, etc., likely to become obstructions. Whenever any vessel, wreck, hulk, or other erection, be deemed by the Commissioners to be likely to become an obstruction, or to cause injury to the navigation of the Savannah river, it shall be the duty of said Commissioners to serve a notice on the master or consignee of said vessel or to the person having in charge, or having last had in charge any such erection, or to their agent or representatives, to remove the same to such spot as may be designated in said notice, within the time therein specified; and on failure of such person so notified so to remove the same, the said Commissioners shall cause the same to be done, and the party so offending shall forfeit and pay to said Commissioners a penalty not exceeding the sum of two hundred dollars, to be recovered by action of debt in said Superior Court. And whenever any vessel, wreck, hulk or flat deemed by the Commissioners an obstruction, or likely to cause injury to the navigation of the river, shall be sold, it shall be the duty of the auctioneer, or other person selling the same, to take, as one of the conditions of the sale, from the purchaser thereof, a bond, with sufficient security, to be approved by the Chairman of said Commissioners, in the sum of five hundred dollars, to remove the same in the manner hereinbefore prescribed; and if said auctioneer, or other person, shall fail to take such bond, he shall forfeit and pay to said Commissioners a penalty not exceeding five hundred dollars, to be recovered in an action of debt in said Superior Court.

949. Vessels, wrecks, etc., on shoal. 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 paid 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.

Acts of Dec.
30, 1847.

950. Suits how brought. 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.

Ibid.

951. Throwing out ballast or rubbish. 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 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.

Ibid.

952. Proceedings against offenders. 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 preemptory challenges.

Ibid.

953. Obstructing proceedings under this act. 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.

Ibid.

954. Fines how collected. 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

Ibid.

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 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.

Acts of Dec. 30, 1847.

955. Appropriation of fines. 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 aggrieved or prosecuting, shall be paid to the said Commissioners of Pilotage for the bar of Tybee and port of Savannah, to be by them applied to improving the navigation of said Savannah river.

Ibid.

956. Notice of meeting. 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.

Ibid.

957. Mode of laying out wharf lines. Where any wharf lines are to be laid out in the parts of the 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 the said court shall direct.

Ibid.

958. Not to affect vested rights. Nothing in this act shall be construed as to interfere with any vested rights of any of the property holders on Hutchinson's Island.

Acts of Dec. 22, 1829.

959. Wharfage, storage and dockage rates. 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 storage thereof, and no more; that is to say:

	\$	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

	\$	cts.
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
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, etc.,		2
Bacon, per thousand pounds,	37	½
Bark (tanners') per cord,	37	½
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, etc.,		3
Bags almonds, coffee, cocoanuts, pepper, pimento, ginger,		3
Bags grain,		1
Bags shot,		½
Ballast per ton,	25	
Bale rope, per coil,		3
Cultivators,		6¼
Cornshellers,		6¼
Cambooses,		20
Cheese, per hundred pound, 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

	\$	cts.
Crates crockery, onions, etc.,	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, etc.,	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, etc., 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, etc.,	37½	
Iron, bar and pig, per ton,	25	
Iron, hollow ware, and other castings, each under forty pounds weight,	1	
Iron, hollow ware, over forty pounds weight, per one hun- dred pounds,	2½	
Iron grates, stoves, etc.,	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, etc.,	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, etc.,	1	
Kegs paints, and others, same size,	1	
Kegs shot, lead, etc., 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 hops, 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	

	\$	cts.
Pipes liquor, one hundred gallons and upwards,	12½	
Pipes liquor, of sixty gallons and upwards,	8	
Pipes liquor, halves, under sixty gallons,	6	
Pipes liquors, quarters, under forty gallons,	5	
Pipes liquors, eighths, under twenty gallons,	3	
Ploughs and cultivators,	6¼	
Pineapples, per hundred,	6	
Potatoes, per hundred bushels,	25	
Paper, bundles 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 on cotton, per week, for the first and last week,	8
and for each intervening week,	5
Rice, per week,	6
Tobacco, per hogshead,	20

Every other article, the same as its wharfage.
Dockage of vessels, per day, under one hundred tons,
employed, 50
Dockage of vessels under one hundred tons, when idle, . 1 00
Dockage of vessels over one hundred tons, employed, . 75
Dockage of vessels, when idle, 1 50

960. Wharf lot fronts, how built. 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.

Sept. 9, 1874.
s. 1. R. 190.

961. Lines for building or repairing to be established by City Surveyor. Whenever any wharf within the limits of said city shall be built or repaired, it shall be the duty of the owner or occupant of the lot upon which such wharf is to be built or repaired, to have the lines of said wharf established by the City Surveyor, who shall receive therefor the same fees as are provided in the case of the establishment of the lines of other lots in the said city, and all new wharves hereafter built shall be built in accordance with the plan drawn by John B. Hogg, City Surveyor, dated September 9th, 1874, and now on file in the office of the City Surveyor, or such other plan as may hereafter be adopted by the said the Mayor and Aldermen.

Ibid. s. 2.

962. Penalty for building, etc., on other lines. If any owner or occupant of any wharf lot, or any person contracting with him, her or them, shall build or repair or cause to be built or repaired, any wharf within the limits of said city, on any other lines than such as may be established by the City Surveyor, or on any other plan or in any other manner than is hereinbefore ordained, except under a special permission from the said Mayor and Aldermen to deviate from such plan, shall be fined, on conviction thereof in the Police Court, in a sum not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, or both, in the discretion of the court—each day's continuance of any such forbidden structure to be considered a separate offense and punished accordingly, and such forbidden structure shall be deemed a nuisance, and liable to abatement in the same manner as other nuisances, and at the expense of the owner or occupant of the lot on which the same shall be erected—for the amount of which expense execution may be issued and collected in the same manner as executions for taxes due to the city.

Ibid. s. 3.

963. Wharves subject to inspection, etc., of Commissioners of Pilotage. All wharves within the limits of said city shall be subject to the inspection of the Commissioners of Pilotage, who shall have power and authority to order the repair of old wharves and the construction of new ones, whenever in their judgment necessary; and any owner or occupant of any wharf neglecting or refusing to repair the same or construct a new wharf for thirty (30) days after having been notified so to do by the Commissioners of Pilotage or their authority, shall be fined, on conviction thereof in the Police Court, in a sum not exceeding one hundred dollars, or imprisoned not exceeding thirty days, or both, in the discretion of the court, for each and every day after the time prescribed by such notice, during which such

omission or refusal shall continue: Provided, nevertheless, that such construction or repair shall be in the manner herein prescribed.

964. Public docks, depositing merchandise on, prohibited. No person shall bring, deposit, lay, or cause to be brought, deposited, or laid on any or either of the public docks, wharves, or landing places at the north end of, or opposite to the streets of the city, any boards, plank, ranging timber, staves, fire-wood, shingles or other lumber whatever, and no person shall ship from or land at, or cause to be shipped from or landed at any of the public wharves or docks within the city of Savannah, any rice, tobacco, cotton, lumber, corn, bales, packages, trunks, or any species of merchandise whatever; and no person shall erect, or cause to be erected on any of the public wharves, scales or triangles for the purpose of weighing or ascertaining the weight of any article whatever: Provided, that nothing contained in this section shall be construed to prevent any planter from landing out of his boat or canoe the product of his or her plantation, either for sale or for family use, but in no case shall he or she be allowed to occupy the said public wharf or dock longer than is absolutely necessary. And all offenders against any provision of this section, shall, on conviction, be subject to a fine of one hundred dollars for each and every offense, and the said articles may be seized and retained until the fine imposed be paid.

Aug. 19, 1839.
c. 226.

965. Obstruction of public wharves by boats, penalty. When any of the said boats shall be found moored or lying at any public wharf or wharves of the city, so as to obstruct said wharf or wharves, or be found discharging or taking in a cargo, or any part thereof, at such wharf or wharves, contrary to the 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.

June 11, 1810,
c. 491.

966. Making boats fast or landing oysters, etc., at public docks. 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. All offenders against any of the provisions of this section, shall, upon conviction, be fined in the sum of one hundred dollars.

Aug. 19, 1839,
c. 227.

967. Landing of ballast regulated. 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.

Ibid. c. 491.

968. Throwing ballast, ashes, etc., in Savannah river, penalty. It shall not be lawful for any person to throw, cast, or deposit, or cause to be thrown, cast or deposited in 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

April 18, 1866.
c. 435.

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, 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.

April 18, 1866,
c. 435.

969. Harbor Master to incorporate in his rules. The Harbor Master is hereby required to incorporate the provisions of the preceding section into his rules, and to furnish a copy thereof to every vessel visiting this port.

Feb. 19, 1846.
c. 492.

970. Vessels in stream to keep lights. It shall be the duty of the master or commander of every vessel or craft, of whatever description, not moored at some wharf within the limits of the city, and lying in the stream of the river Savannah, within the said limits or below the same, between the city and Tybee, to suspend and keep suspended during all the hours of night, at the masthead, or in some prominent part of the rigging of such vessel or craft, a lamp properly trimmed and lighted, sufficiently large and brilliant to give timely notice of the presence of such vessel or craft to all navigating the stream. For every violation of this section, the offender shall be fined not exceeding thirty dollars, one-half to the informer.

June 16, 1851,
c. 492.

971. Vessels under weigh to keep lights suspended. It shall be the duty of the master or commander of every vessel or craft of whatever description, under weigh, within the limits of the city, or below the same, between the city and Tybee, to suspend and keep suspended during the time said vessel or craft is under weigh at night, a lighted lantern at the bowsprit or jib-boom, so that another vessel or craft may know how she is standing.

Ibid.

972. Penalty for violation. 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.

March 25, 1874,
R. 189.

973. Speed of steamers passing line of wharves, etc. 1. No steamer shall, while passing along the line of the wharves of the city, exceed in speed four (4) miles an hour; and where two or more vessels are moored abreast of any of said wharves, the steamer passing will stop her engine and "turn over slow" using every precaution to avoid unnecessary suction, until the vessels in her immediate vicinity are passed by. In passing near the dredge and dredge flats employed at any point on the river between the western limits of the city and Tybee, steamers must be slowed down, and, where necessary, stopped and worked as above specified, until the dredge or flats are passed. Every steamer violating the foregoing requirements, the owner or owners thereof shall be subject to a fine not exceeding one hundred dollars for each and every offense, on conviction before the Police Court or before the Mayor.

May 2, 1888,
s. 16.

2. No steamer while passing the line of quarantine wharves, opposite the eastern end of Long Island, shall exceed a speed of five miles per hour. Every steamer so violating, the owner or owners thereof shall be subject to a fine not exceeding one hundred dollars for each and every offense.

Nov. 28, 1803,
c. 489.

974. Vessels at wharves, fires on board regulated. No vessel, ship or boat lying at or near any wharf or store, or alongside any ship, vessel or boat, lying at or near any wharf or store, shall be allowed or permitted to kindle, light or have or keep any fire in

any caboose, fireplace, or otherwise upon or above the deck of said vessel, ship or boat unless said caboose, fireplace 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, fireplace or other convenience.

975. Penalty for violation. The master, commander, or other person having charge of any ship, vessel or boat on board of which there shall have been kindled, lighted or kept any fire or fires contrary to the intent and meaning of this article, shall upon conviction thereof before the Police Court, forfeit and pay a sum not exceeding fifty dollars for each offense.

Nov. 28, 1832,
c. 489.

976. Captain, etc., to be summoned before Police Court. Whenever it shall be made to appear to the Mayor or any one of the Aldermen of said city that any fire or fires have been kindled, or lighted, or used, except in a covered caboose on board of any boat or other small craft, lying at, or being near any of the wharves of the city of Savannah, he shall forthwith issue 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 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 lessees of said wharf or water lot, to appear and answer as aforesaid. When the person or persons so cited to appear shall make default, or after appearance it shall appear to Council that the said fire or fires were lighted, kindled or used on board said 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 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.

June 11, 1810,
c. 489.

977. Smoking prohibited about wharves, etc., where cotton, naval stores, etc., stored, or vessels being loaded. It shall be unlawful for any person to smoke any pipe, cigar, cigarette or tobacco ignited in any way by fire, upon any of the wharves in said city, where any vessel or vessels are loading or unloading cotton, naval stores, hay, oil or other inflammable merchandise, or where cotton, naval stores, hay, oil or other inflammable merchandise is stored or in any of the railroads, depots or yards in said city where cotton, naval stores, hay, oil or other inflammable merchandise is stored temporarily or permanently.

Mich. 11, 1885,
s. 1.

978. Unlawful to use matches in holds or on decks of vessels loading or unloading cotton, naval stores, etc. It shall be unlawful for any person to make or to use matches in any way in the holds of vessels of any description, or on the decks of the same, during the time said vessels may be taking in or unloading

Ibid, s. 2.

cargoes of cotton, naval stores, hay, oil or other inflammable merchandise.

979. Notices posted at wharves, etc., unlawful to remove.

Mch. 11, 1835,
s. 3.

There may be prepared and put up in conspicuous places upon the wharves or other places used for loading or unloading, or storing, cotton, naval stores, hay, oil, or other inflammable merchandise, sign boards or notices to the effect that no smoking allowed under penalty of the law, and it shall be unlawful for any person except the owner, lessee or agent of the building, or wharf upon which said sign is placed to remove or take away any such sign or notice so erected.

Ibid, s. 4.

980. Penalty for violation. Any person violating any of the provisions of this ordinance shall, on conviction thereof in the Police Court of Savannah, be fined in a sum not greater than one hundred dollars or imprisoned not longer than thirty days, either or both, in the discretion of the officer presiding in said court.

Oct. 19, 1887,
s. 1.

981. Lighters, etc., to be covered with tarpaulins, when. All persons engaged in lightering or otherwise transporting cotton, hay, straw or other inflammable merchandise (except naval stores) on the Savannah river, or other waters within the limits over which the said Mayor and Aldermen of the city of Savannah have jurisdiction, be, and they are hereby required to cover the same, while on lighters or other crafts, with tarpaulins or other more permanent and substantial materials; and each failure so to do shall be considered a violation of this ordinance and be punished as hereinafter provided.

Ibid, s. 2.

982. Smoking prohibited upon vessels loading or unloading cotton, etc. It shall not be lawful for any person on board of any tug, lighter, steamer, vessel, or other craft engaged in loading, unloading or transshipping cotton or other inflammable merchandise while laying at any wharf in the city of Savannah, or while laying in or navigating said Savannah river, or other waters within the jurisdictional limits aforesaid, to smoke any cigar, cigarette, pipe or other ignited substance under the penalty, for each and every offense, hereinafter prescribed,

Ibid, s. 3.

983. Penalty for violation. Each and every violation of this ordinance, or of any article or clause herein contained, shall be punished by a fine of not more than one hundred dollars, and imprisonment for not more than thirty (30) days, either or both, in the discretion of the Mayor or other officer presiding in the Police Court.

Act. of Dec.
30, 1847.

984. Rafts may lie forty-eight hours near wharves. Rafts of any kind may lie in the Savannah river forty-eight hours at or near the wharves on the Savannah.

Nov. 1, 1791,
c. 417.

985. Owners to remove binders, etc., in six hours. 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.

Ibid.

986. Penalty. 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, 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.

987. Raft limits. 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 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.

May 18, 1854,
c. 417.

988. Rafts on shores of Hutchinson's Island. 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.

Ibid.

989. Keeping rafts on front river over four days, penalty-

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 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.

Ibid.

990. Rafts to be seized and sold, when. 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

Ibid.

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.

Mch. 27, 1872,
R. 139.

991. Breaking up of rafts, except in booms or basins, prohibited.

It shall not hereafter be lawful for any person to break up, or permit or suffer to be broken up, any raft of timber, lumber or wood, anywhere in or upon the river Savannah, at any point between the upper portion or limit of said city and the western extremity of Elba Island, under a penalty of not more than one hundred dollars for each and every violation of this ordinance; and it shall be the duty of the Harbor Master and his assistant to report every such violation coming to his knowledge, or of which he has credible information: Provided, always, nevertheless, that it shall not be a violation of this ordinance to break up such raft, where the same is done with a boom or basin; "and provided further that it shall not be a violation of this ordinance to break up rafts of oak or cypress and load the same on the north side of the Savannah river, when the same are broken up under a permit first had and obtained through the Harbor Master from the Mayor or acting Mayor of the city of Savannah, who is hereby authorized to give such permit as he may see fit from time to time under such regulations as he may prescribe, and in the event that any person shall violate any of the regulations prescribed to govern said breaking up and loading, upon conviction thereof in the Police Court, such person shall be fined in a sum not exceeding one hundred dollars, or imprisoned not more than thirty days, either or both, in the discretion of the officer presiding in said court."

Mch. 25, 1885.

July 3, 1872,
c. 140.

992. Rafts, etc., at mouth of Bilbo canal prohibited. It shall not hereafter be lawful for any person to put or place, at or near the mouth of the canal known as the Bilbo canal, that is to say, between the said mouth and the flood-gate of said canal, any raft, flat, hulk or other obstruction, so as in any wise to obstruct the free flow of water out of said canal; and any person violating this ordinance, or any part thereof, shall be liable to a penalty of not more than one hundred dollars for every act of offense, and for every day's continuance of any such obstruction.

CHAPTER 48.

EDUCATION.

- SECTION 993. Board of Education.
994. Incorporation.
995. Control of buildings.
996. May demand and receive educational fund.
997. Powers extended over Chatham county.
998. Declared a substitute for County Board.
999. Not effected by general laws.

- SEC. 1000. Vested with Free School Fund.
1001. Use of fund.
1002. Not to affect right of County Commissioners.
1003. Commissioners of Massie School.
1004. Ex officio part of Board of Education.
1005. Grant to Trustees of Chatham Academy.
1006. How forfeited.

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

Acts of 1866,
P. 78.

Amendment
of Charter by
Superior Court
of Chatham
county, Dec.
2, 1878.

994. Incorporation of Board. The following named citizens of Savannah: Richard D. Arnold, John Stoddard, Solomon Cohen, Henry Williams, Edward J. Harden, John L. Villalonga, John Williamson, Edward C. Anderson and John C. Ferrill, together with the Commissioners of the Massie School, who may from time to time be appointed under the ordinance 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,

Acts of 1866,
P. 78.

powers and privileges incident to corporations, and necessary and convenient for carrying out the purposes of their creation.

Acts of 1866,
p. 78.

995. Control of buildings. The said Board and corporation shall, for the purposes aforesaid, have possession and control of the building in Savannah known as the "Public School," with the grounds appertaining thereto, of the building known as the "Massie School," with the grounds appertaining thereto, and of all and any other buildings and grounds that may be placed in their possession, or under their management, control and superintendence, for the purposes aforesaid, without divesting or changing nevertheless the title of any of the said buildings or grounds, unless the same shall be distinctly conveyed to the said Board.

Ibid.

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

Acts of 1866.

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

Ibid.

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

Ibid.

999. Altered or repealed only by express enactment. No general law upon the subject of public education, now in force, or hereafter to be enacted, shall be held, deemed or construed to interfere with, diminish, or supercede the rights, powers and author-

ity 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.

1000. Vested with Free School Fund. The treasurer of the county of Chatham, immediately upon the passage of this act, shall assign, transfer and deliver to the said Board of Public Education all the stocks, bonds, securities, moneys, properties and effects, whatsoever, in his possession or control, under the provisions of said act of December 16, 1851, and to this end said county treasurer is hereby fully empowered to make all necessary or usual entries and transfers upon the books of corporations or companies. Upon making such transfer and delivery, and taking the receipt of said Board of Public Education for all stocks, bonds, securities, moneys or effects so transferred, delivered or paid, the said county treasurer and his securities shall stand discharged from all further liability under said act. Such transfer and delivery shall be free from cost or charges to said Board of Public Education.

Acts of 1886,
p. 309.

1001. Use of said Fund. Said Board of Public Education for the city of Savannah and the county of Chatham, shall receive, hold, use and apply said fund for the purpose of common or free school education in their sound discretion under their charter, and may employ the income or principal of said fund, in whole or in part, to pay the expense of maintaining the public schools in the city of Savannah and the county of Chatham, in the repair or improvement of existing school buildings, in the construction of new ones, in the acquisition of school sites, or as they may deem best for the cause of public education committed to their charge.

Ibid.

1002. Rights of County Commissioners as to extra tax, not affected. Nothing herein contained shall be construed in any manner to affect the right of the County Commissioners, under laws now existing, or hereafter to be passed, to levy an extra tax, or to appropriate the surplus funds of the county, for the purposes of education, or to deprive the said county of any share of any fund for the purpose of education now existing or hereafter to be created by law or otherwise.

Ibid.

1003. Mayor to appoint three Commissioners of Massie School. At the first regular meeting of Council in January of each year, the Mayor shall appoint three Commissioners of the Massie School, one of whom shall be the Mayor, when he is not a regular member of the Board of Public Education for the city of Savannah; another of whom shall be one of the Board of County Commissioners, (provided said commissioners are not represented on said Board of Public Education) to be appointed on the recommendation of the said Board of Public Education, and the third to be selected from the Aldermen or citizens at large on the recommendation of said Board of Public Education.

May 16, 1866,
c. 248.

May 25, 1881.

1004. Ex-officio part of Board of Education. 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

May 16, 1866,
c. 248.

of Public Education for the city of Savannah and the county of Chatham," may from time to time ordain for its government.

Dec. 22, 1859,
c. 248.

1005. Grant of Lots to Trustees of Chatham Academy. That lots numbers seventeen, eighteen and nineteen, Brown ward, and such portion of the adjacent lane as is now enclosed by the Trustees of Chatham Academy, be, and the same are hereby granted to said the Trustees of Chatham Academy, and their successors, for the education of youth, so long as the above described lots, and the adjacent portion of the lane now enclosed, shall be held and used by the said Trustees, and their successors, for the purpose of education of youth, as aforesaid: Provided, always, nevertheless, and on this condition, that the said, the Trustees of Chatham Academy and their successors in office, shall and will, in consideration of the grant hereby made, receive for the purpose of education, and teach, annually, at least five scholars, free of charge, bestowing upon them like care, attention and instruction with that extended to pay scholars in the said institution known as Chatham Academy; said five scholars to be known as city scholars, and to be selected from among the scholars of the Massie School, by the commissioners of the said, the Massie School, and to be received and admitted into the Chatham Academy only upon the recommendation of the said, the commissioners of the Massie School; and, in case of the discontinuance or permanent cessation of the Massie School, then on the recommendation of the City Council of Savannah.

Ibid.

1006. Shall revert to city, when, etc. The said lots, and the enclosed portion of the adjacent lane, shall revert to the city of Savannah, and again become a part and parcel of its domain, whenever the same shall be appropriated by the said, the Trustees of Chatham Academy, or their successors, to any purpose or purposes other than the education of youth; and also whenever the said Trustees of Chatham Academy, or their successors, shall refuse to educate annually, free of charge, at least five scholars, to be received as hereinbefore specified: Provided, the same be duly recommended, as aforesaid, by the commissioners of the Massie School, or the City Council, in case the said Massie school shall be discontinued or shall cease to exist.

CHAPTER 49.

PUBLIC DOMAIN—CITY DOMAIN.

<p>SECTION 1007. Town common, alienation prohibited.</p> <p>1008. Former alienations confirmed.</p> <p>1009. May sell corporate property, but not if dedicated to public use.</p> <p>1010. Authority to enclose lanes or alleys.</p>	<p>SEC. 1011. Selling on reservation of ground rent prohibited.</p> <p>1012. Ground rent lots re-entered are part of city domain.</p> <p>1013. Minimum price when resold.</p> <p>1014. Sales of city property how made.</p> <p>1015. Sale of Dillon tract provided for.</p> <p>1016. Sales of city property under lease.</p> <p>SEC. 1017. Book of city property to be kept.</p>
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Acts of May
1, 1760.
M. & C. Dig.,
p. 117.

1007. Town common ascertained; alienation except by act of legislature prohibited. The common appertaining to the said town, extending southerly from the extremity of the bluff on the river Savannah, to the north line of the garden lots, and westerly from the west line of the garden lots, lying east of the said town

to the east line of the lots lately laid out between Musgrove's creek and the said town, including all the squares, streets, lanes, and passages, described in the plan of the said town in the Surveyor-General's office, and have been heretofore accustomed or made use of by the inhabitants of the said town, shall be and continue the common property of the lot holders in the said town, and shall not be alienated or granted away for any purpose, whatsoever, than by act of the General Assembly.¹

1008. All former conveyances by Mayor and Aldermen confirmed. The Mayor and Aldermen of the city of Savannah having been prohibited, by an act passed on the first of December, seventeen hundred and sixty, from alienating or granting away for any purpose whatsoever, than by an act of the General Assembly, the common appertaining to the said town, and it being represented to the Legislature that the said Mayor and Aldermen, to the great advantage of the lot holders, and with much profit to the treasury of said city, have at different times heretofore alienated, granted and conveyed certain parts or lots of the said common; and justice requiring that the agreements made by the corporation with the purchasers be confirmed; all and singular the conveyances heretofore made of the said town common under the authority of the Mayor and Aldermen, whether in fee-simple or otherwise, shall be, and they are hereby declared to be legalized, confirmed, and made valid, to all intents and purposes, according to the covenants, limitations and agreements of the same.

Act of Dec.
21, 1822.
Dawson's
Comp., p. 443.

1009. Power to hold or sell property, etc. The said city, in its corporate capacity, may hold real and personal property, and 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)² shall be alienated by said corporation except by authority of the General Assembly. All rights of property existing in said corporation at the adoption of this Code are hereby expressly reserved to it.

Act of Dec.
24, 1825.
Dawson's
Comp., p. 464.

1010. Power to enclose lanes, or alleys, when, etc. The municipal authorities of any incorporated city in this State are hereby authorized to permit the enclosure of any lane, or alley, or portion of a lane or alley, in such city, when the owners of the lots abutting on such lane or alley or portion of the lane or alley sought to be secluded, and the owners of any other lots to the enjoyment of which access through said lane or alley is necessary, consent: Provided, that said municipal authorities may have the right at any time to re-open said lane or alley.

Acts of 1878-79,
p. 174.

1011. Selling on reservation of ground rent prohibited. It shall not hereafter be lawful to sell any part of the present or future domain of the city of Savannah, on stipulation for, or reservation of ground rent, as to any part of the value or price of such domain.

June 31, 1872,
R. 52.

1012. Lots re-entered for non payment of ground rent held to be part of city domain. All lots re-entered for non payment of

April 28, 1880.

(1) Act of May 1, 1760 applied: City has no power to grant away the use of a street for any purpose whatsoever, so as to deprive inhabitants of its common use. Damages allowed for temporary erection of market shed in St. Julian street. Wilson & Gibson's case, 49 Ga., 476. The State has eminent domain over streets and squares dedicated to the use of the inhabitants by the act of 1760, 45 Ga., 802; 50 Ga., 451; 71 Ga., 106. The city has no power to grant to a railroad privilege of appropriating street to its exclusive use. Shiel's case—33 Ga., 601.

(2) Dedication to public use, what amounts to, 12 Ga., 239; 44 Ga., 529; 55 Ga., 609.

ground rent shall be held to be a part of the city domain, and may be sold in the same manner as is provided for the sale of the city domain, or in such other manner as the Mayor and Aldermen of the city of Savannah in council assembled may by resolution from time to time direct.

April 13, 1881,
s. 1.

1013. Minimum price when resold. In all sales of property re-entered by the city for the non-payment of ground rent, the Mayor and Aldermen shall determine by resolution duly passed in Council, the minimum price for which said re-entered property shall be sold, and in no event shall said sale be made except for a sum sufficient to cover all arrearages of ground rents, taxes and unpaid purchase money in the event that the fee in the said property is sold.

Ibid, s. 2.

1014. Sales of city property how made. All sales of property belonging to the Mayor and Aldermen of the city of Savannah shall be made at public outcry by the city Marshal, before the Court House of Chatham county, upon the first Tuesday in each month, and shall be between the legal hours of sale fixed by the laws of the State, and all property so offered for sale shall be advertised by publishing the resolution of Council under which it is sold for five days before the day of sale, in a public gazette published in said city.

Aug. 8, 1887.

1015. Sale of Dillon tract provided for. The tract of land recently purchased by the city of Savannah, known as the Dillon tract, in the city of Savannah, except so much thereof as is laid out in streets and squares, according to the present plan of said city, may be sold at such time, place, and in such manner and on such terms as the Mayor and Aldermen of the city of Savannah in Council assembled may determine, notwithstanding the ordinance passed in Council the 13th day of April, 1881, entitled an ordinance to regulate the sale of the lots re-entered by the city for non-payment of ground rent, said ordinance being so far amended as to permit such sale of said tract notwithstanding any other ordinance of the city of Savannah.

Jan. 19, 1820,
c 403.

1016. Sales, etc., of city property under lease. 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. 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.

Resolution,
Aug. 16, 1860,
c. 407.

1017. Book of city property, to be kept. 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 memoranda of all the real property owned or held by the corporation of Savannah, and of all existing leases of the same, or any part thereof, and the time such leases have to run, whether 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.

CHAPTER 50.

EXTENSIONS OF THE CITY OF SAVANNAH FROM 1787 TO 1866.

(And Herein of Ground Rent Lots.)

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| <p>SECTION 1018. Percival, Derby, Anson, Reynolds, Heathcote, Dicker and Oglethorpe Wards laid out.</p> <p>1019. Franklin, Warren and Washington Wards.</p> <p>1020. Lots, how sold.</p> <p>1021. Title, and reversion of.</p> <p>1022. Purchasers to give bond.</p> <p>1023. Lots re-entered in five years to be resold.</p> <p>1024. Notice of sale.</p> <p>1025. Lots to be surveyed.</p> <p>1026. Seven lots in Franklin Ward, how sold.</p> <p>1027. Washington, Warren and Franklin squares, East Broad, Houston, Price, Habersham, Lincoln, West Broad, Montgomery and Jefferson streets named.</p> <p>1028. Columbia, Greene and Liberty Wards.</p> <p>1029. Lots how sold.</p> <p>1030. Liberty, Columbia and Greene squares named.</p> <p>1031. Elbert Ward.</p> <p>1032. Lots how sold.</p> <p>1033. Title.</p> <p>1034. Purchasers to give bond.</p> <p>1035. Sales of re-entered lots after five years.</p> <p>1036. Elbert Square and Ward; Liberty, Perry, McDonough, Hull and South Broad streets named.</p> <p>1037. Oglethorpe Ward.</p> <p>1038. President, State and Congress streets named.</p> <p>1039. New Franklin Ward.</p> <p>1040. Title to lots in.</p> <p>1041. Sales of lots re-entered.</p> <p>1042. New Franklin Ward.</p> <p>1043. South Broad street, name restored.</p> <p>1044. Railroad street.</p> <p>1045. Currytown, Berrien, Gaston, North, Middle and South Oglethorpe Wards. Berrien and Lumber sts.</p> <p>1046. Jackson, Arnold, Anderson and McAllister streets.</p> <p>1047. Fig Island. 22 acres sold.</p> <p>1048. Terms of sale.</p> <p>1049. Lots in New Franklin Ward, how sold.</p> <p>1050. Brown and Jackson Wards.</p> <p>1051. Lots how sold.</p> <p>1052. Brown and Jackson Wards; Chippewa and Orleans Squares; Perry, Hull and McDonough streets.</p> | <p>SEC. 1053. Addition to Brown Ward; Floyd street.</p> <p>1054. Lots how sold.</p> <p>1055. Jasper, Lafayette and Pulaski Wards; Harris and Tattal streets.</p> <p>1056. Lots how sold.</p> <p>1057. Liberty street and lane, width, etc.</p> <p>1058. Currytown.</p> <p>1059. Abercorn, Drayton, Bull, Whitaker and Barnard streets extended.</p> <p>1060. Lots south of Harris street.</p> <p>1061. Lafayette, Jasper and Pulaski Wards; Macon, Charlton and Jones streets; Madison and Pulaski Squares.</p> <p>1062. Lots how numbered.</p> <p>1063. How valued and sold.</p> <p>1064. Crawford Ward.</p> <p>1065. Lots how sold.</p> <p>1066. Lots attached to Crawford Ward.</p> <p>1067. Chatham and Monterey Wards; Taylor, Gordon and Gaston streets.</p> <p>1068. Lots how valued.</p> <p>1069. How sold.</p> <p>1070. Monterey Ward, new titles to lots in.</p> <p>1071. Monterey and Chatham Wards, dimensions of trust lots.</p> <p>1072. Gaston street, width reduced.</p> <p>1073. Conveyance of 20 feet additional to lot holders.</p> <p>1074. Addition to Lafayette Ward.</p> <p>1075. Calhoun, Troup and Wesley Wards; Calhoun, Troup and Whitfield squares; Wayne street</p> <p>1076. Lots how valued and sold.</p> <p>1077. Addition to Calhoun Ward.</p> <p>1078. Lots how sold.</p> <p>1079. Springfield tract.</p> <p>1080. Sales confirmed.</p> <p>1081. Lots 19 and 20 subdivided.</p> <p>1082. How numbered and bounded.</p> <p>1083. Sales confirmed.</p> <p>1084. Springfield plantation, new contract of lease for certain lots.</p> <p>1085. When to go into effect.</p> <p>1086. Forsyth Ward.</p> <p>1087. Forsyth Place.</p> <p>1088. Lots how sold.</p> <p>1089. Military parade ground.</p> <p>1090. Charlton Ward.</p> <p>1091. Lots how sold.</p> |
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1018. Percival, Derby, Anson, Reynolds, Heathcote, Dicker and Oglethorpe Wards laid out. That the said town be divided into seven wards, the town as usual to consist of six, viz.: Percival, Derby, Anson, Reynolds, Heathcote and Dicker wards, and the

Act of Feb.
10, 1787.
Mar. & Craw.
p. 121.

hamlets of Ewensburg and Yamacraw, shall constitute the seventh, and be known by the name of Oglethorpe's ward.

Sept. 28, 1790,
c. 88.

1019. Franklin, Warren, and Washington Wards laid off into 120 lots. 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. one (1) 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.

Ibid.

1020. How sold, valuation and increase money. 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 to either 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.

Ibid.

1021. Title; to revert on non payment of ground rent. 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 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 proper 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,¹ 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.

1022. Purchaser to give bond. 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.

Sept. 28, 1790,
c. 88.

1023. All lots re-entered in five years to be resold. 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.

Ibid.

1024. Three months notice of sale. Not less than three months notice shall be given of the intended sale of the said lots, and

Ibid.

(1) Posting a notice of re-entry on the lots according to the terms of the deed would constitute a re-entry thereon, and after the expiration of ten days would defeat the title of the purchaser. *Swoll vs. Olives*, 61 Ga., 248. The right of re-entry on re-sale was for the purpose of receiving the amount due the city, and after the payment of this, the holder under the original grantee had an equitable claim to the balance, and a bill for the purpose of enforcing such claim was not demurrable. *Lawrence's case*, 71 Ga., 393.

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

Sept. 23, 1790,
c. 88.

1025. County Surveyor to lay out the lots. 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.

Jan. 12, 1791,
c. 91.

1026. Seven lots on Bay in Franklin Ward, how sold. 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.

Ibid.

1027. Washington, Warren and Franklin Squares named, and East Broad, Houston, Price, Habersham, Lincoln, West Broad, Montgomery and Jefferson streets named. 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 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.

1028. Columbia, Green and Liberty Wards laid off into 120 lots.

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.

May 30, 1799,
c. 92.

1029. Lots how sold. The said lots shall be put up at 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.

Ibid.

For title see sections 1021, 1022, 1023 of this article, except 20 days in lieu of 15 days, and \$100 in lieu of £20 sterling.

1030. Liberty, Columbia and Greene Squares and Wards named.

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.

Ibid.

1031. Elbert Ward laid off into 40 lots. All that part of the southwest common situate and bounded as follows: to the north by Liberty Ward, to the south by the five acre lots, to the east by Jefferson street, and to the west by West Broad street, be laid off into forty lots, each lot to contain sixty feet in width and ninety feet in depth, with certain squares, streets, and lanes in and between the same, corresponding with the plan of this city; and being so laid off, the said lots, or so many of them as can be, shall be sold and disposed of on the terms and conditions hereinafter

April 20, 1801,
c. 93.

mentioned, that is to say: the said lots shall be valued according to the estimate or schedule hereto annexed from six hundred and seven 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.

May 20, 1801,
c. 93.

1032. Lots, how sold. 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 said valuation and increase money, with whatever rent may be due at that time, in full discharge and extinguishment of the said ground rent.

Ibid.

1033. Title. 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 of the valuation and increase money shall be paid down, or a conditional one if the said valuation and increase money shall not be paid down—this latter also to become absolute, if and when the said valuation and increase money shall at any future time be paid into the treasury, and an acknowledgement 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 re-vested 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.

1034. Bond for payment of quarterly rent. 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 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 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.

May 20, 1801,
c. 93.

Ibid.

1035. Sales of re-entered lots after five years. All lots from time to time re-entered upon by and re-vested 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.

1036. Elbert square and Ward named; Liberty, Perry, McDonough, Hull and South Broad streets named. 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 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 know 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.

Ibid.

1037. Oglethorpe Ward divided into tythings. 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

Ibid.

called Ewensberg 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).¹

Feb. 21, 1803.

1038. President, State and Congress streets named. 1. The streets now called King street, Prince street and Duke street, shall be hereafter called and known by the names following, that is to say: The street now called King street shall be called President street; the street called Prince street shall be called State street, and the street called Duke street shall be called Congress street.

May 14, 1846,

2. The width of President street, between Bull and Barnard streets, in the city of Savannah, is hereby recognized to be seventy feet and two inches.

June 27, 1803,
c. 97.

1039. New Franklin Ward laid off into lots. All that space of ground situate and being on the Bay, bounded to the eastward by lots of Edward Telfair and Joseph Clay, Esq's., 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.

Ibid.

1040. Title; re-entry for non-payment. 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,

(1) The Spring Hill tract comprised the premises now occupied by the Central Railroad and Building Company.

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 re-vested 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, 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.

June 27, 1803,
c. 97.

1041. Sales of re-entered lots. All lots, from time to time re-entered upon and re-vested 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.

Mch. 22, 1819,
c. 98.

1042. New Franklin Ward. 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.

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.

Dec. 30, 1882.

1043. South Broad street re-named. 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.

1044. Railroad street. The street running from West Broad westwardly to the canal bridge, and south of the Central Railroad Depot, shall be known and called Railroad street.

Aug. 26, 1841,
c. 462.

The width of said Railroad street shall be fifty feet from the brick wall of the railroad Depot to the buildings on the south of the said depot, the sidewalks being included in said measurement.

Jan. 24, 1856,
c. 462.

1045. Currytown, Berrien, Gaston, North, Middle and South Oglethorpe wards, and Berrien and Lumber streets named. 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 Currytown Ward.

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 Ward, and that the unnamed street therein shall be named Berrien street.

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.

All that part of Oglethorpe Ward between the Savannah river and Bryan street, shall be named and designated North Oglethorpe Ward; and 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.

Ibid.

1046. Jackson, Arnold, Anderson and McAllister streets named. 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.

May 14, 1846,
c. 118.

1047. Fig Island, 22 acres to be sold. 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 Islands, thence eastwardly to an old dam now existing, running north seven degrees west, which will make the quantity of land twenty-two acres.

Ibid.

1048. Terms of sale. The Mayor shall 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.

Jan. 16, 1851,
c. 99.

1049. Sale of lots in New Franklin Ward. 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.

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.

1050. Brown and Jackson Wards, lots in. 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.

June 19, 1851,
c. 99.

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

1051. How sold. 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.

Ibid.

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.

As to titles, bonds and security, see sections 1032, 1033, 1034 of this Code.

1052. Brown and Jackson Wards, Chippewa and Orleans Squares, Perry, Hull and McDonough streets named. 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.

Ibid.

1053. Addition to Brown Ward; Floyd street named. 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,

Nov. 3, 1853,
c. 100.

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.

Ibid.

1054. Lots how sold. 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 the interest due thereon, up to the time of said payment, receiving, upon said payment, a fee simple title.

As to title, see section 1033 of this Code.

Feb. 3, 1837,
c. 101.

1055. Jasper, Lafayette and Pulaski Wards named; Harris and Tattnell streets named. 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 Currytown, shall form part of a Ward to be called Pulaski Ward. The street running south of the southern range of all the said lots and parallel to Liberty street, shall be called and known by the name of Harris street; and the street of sixty-eight feet, next to Currytown, shall be called and known by the name of Tattnell street.

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.

Ibid.

1056. Lots how valued and sold. 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.

As to title, see section 1033 of this Code.

1057. Width of Liberty street, etc. 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.

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.

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.

1058. Jurisdiction extended over Currytown. The jurisdiction and ordinances of the city of Savannah be extended according to the provisions of the 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 is the said persons resided, and the said property was situate within the old limits of the city.

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

1059. Abercorn, Drayton, Bull, Whitaker and Barnard Streets extended, to retain their names. 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.

1060. Lots south of Harris street, etc., laid off. 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.

1061. Lafayette, Jasper and Pulaski Wards; Macon Charlton and Jones streets named, also Madison and Pulaski Squares. 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 Tattnell street, shall form part of the Ward called Pulaski

Mch. 28, 1837,
c. 102.Mch. 14, 1839,
c. 103.

Ibid.

Ibid.

Ibid.

Ward; and that the first street running south of Harris street, and parallel thereto, between the trust lots, shall be sixty feet in width, and shall be called and known by the name of Macon street; and that the next street running parallel therewith, and fronting on the squares, be also sixty feet in width, and be called and known by the name of Charlton street; and that the street running south of the southern range of lots, and parallel with Harris street, be also sixty feet in width, and be called and known by the name of Jones street; and that the lane between Charlton and Jones 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.

Mch. 14, 1839,
c. 103.

1062. Lots, how numbered. 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.

Ibid.

1063. How valued and sold. 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 laid over the valuation of a lot, twenty per cent. upon the aggregate of such increase and of the valuation money, shall be paid into the city treasury in cash, and the highest bidder shall be the purchaser of the lot thus sold. In regard to the residue of the said valuation and increase money, it shall be optional with the purchaser to pay the same in cash, or else to retain the same in his or her hands, receiving in the latter case, a deed from the Mayor and Aldermen of the city of Savannah and the hamlets thereof, on condition of the quarterly payment of an annual ground rent to this corporation, equal to the interest on the amount of the said residue, at the rate of six per cent. per annum, and on such further conditions and limitations as are 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.

As to title, see section 1033 of this Code.

Feb. 11, 1841,
Nov. 2, 1843,
c. 105.

1064. Crawford Ward laid off into 86 lots. 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 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.

1065. Lots, how valued and sold. 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 such 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 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 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 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.

As to title see section 1033 of this Code.

1066. Lots attached to Crawford Ward. The five lots south of the Old Cemetery, known on the plan of the city by the numbers 69, 70, 71, 72 and 73, fronting south on Liberty street, and also the lots separated from the same by Lincoln street, and numbered 65, 66, 67 and 68, are hereby attached to and made parcel of Crawford Ward.

April 4, 1844,
Aug. 19, 1847,
c. 106.

1067. Chatham and Monterey Wards named; Taylor, Gordon, Gaston streets named. 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 Tatt nall 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

Mch. 4, 1847,
c. 107.

Nov. 2, 1843
c. 105.

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.

Mch 4, 1847,
c. 107.

1068. Lots, how valued. 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.

Aug. 4, 1848,
c. 107.

1069. How sold. The fourth and fifth sections of the above recited ordinance of March 4, 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 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.

Nov. 23, 1848,
c. 108.

1070. Former purchasers of lots in Monterey Ward may have new titles. 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 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.

Oct. 11, 1849.

1071. Trust lots in Monterey and Chatham Wards; dimensions. 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.

July 31, 1851,
c. 108.

1072. Width of Gaston street, and lots fronting thereon fixed. 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.

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

payments to be due and payable at the same time that the regular ground rent on said lots falls due.

1073. Endorsement on conveyance for 20 feet. 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:

July 31, 1851,
c. 108.

WHEREAS, under and by virtue of an ordinance, passed 31st of 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 the 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.

1074. Part of Lafayette Ward. 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.

Mch. 13, 1851,
c. 110.

1075. Calhoun, Troup and Wesley Wards named; Calhoun, Troup and Whitfield squares and Wayne street named. The new wards 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

ibid.

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.

Mch. 13, 1851,
c. 110.

1076. Lots how valued and sold. 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.

(For title see section 1033.)

Mch. 9, 1854,
c. 111.

1077. Part of Calhoun Ward. 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.

Ibid.

1078. Lots, how valued and sold. 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 same as 3d section, ordinance, April 20, 1801, section 1033 of this article.)

Jan. 16, 1851,
c. 111.

1079. Springfield tract, lots how valued and sold. 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.

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 December 5, 1850, under the superintendence of the Committee on Public Sales and City Lots, and whatever amount shall, at the sale, be bid on the valuation of a lot, twenty per cent. upon the aggregate of said increase and the valuation, shall be paid into the city treasury in cash, and the highest bidder shall be the purchaser of the lot then sold. In regard to the residue of the said valuation and increase money, it shall be optional with the purchaser to pay the same in cash, or else to retain the same, or any portion thereof unpaid, in his or her hands, twenty-four years from day of sale, receiving in the latter case, a deed from the Mayor and Aldermen

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

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 13 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 same as section 3d of ordinance of 20th April, 1801, section 1033 of this article.)

1080. Sales already made confirmed. 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.

Jan. 16, 1851,
c. 111.

1081. Lots 19 and 20 Springfield tract laid off into lots. All that portion of the Springfield tract of land numbered 19 and 20 on the map drawn by William Hughes, surveyor, be laid off into lots, with the numbers, letters and boundaries as described on the subsequent map, drawn by said surveyor, dated 3d February, 1851.

Mch. 13, 1851,
c. 112.

1082. How numbered and bounded. 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 renumbered 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.

Ibid.

The balance of the said Springfield tract of land shall 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.

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

1083. Previous sales confirmed. 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.

Ibid.

1084. Springfield plantation, certain lots relieved from ground rent arrearages upon entering into a new contract. All that portion of Springfield plantation formerly used for the culture of rice and embraced in the contract with said city known as the Dry Culture Contract, be and is hereby relieved from all ground

May 22, 1872,
R. 169.

rent now due or claimed to be due to said city, on the terms and conditions hereinafter specified; and that all that portion of said Springfield plantation, other than the above, be and is hereby relieved from all ground rent due, or claimed to be due to the said city, from the year eighteen hundred and sixty, exclusive, to the year eighteen hundred and sixty-six, inclusive, on the terms and conditions hereinafter specified: Provided always, nevertheless, and on the following terms and conditions, to wit: That every owner or lessee of a lot so exempted and relieved shall pay all arrearages of ground rent, and enter into a new contract with said city, extending the time for the payment of the residue of unpaid purchase money for twenty-four years from the time when said residue is now payable under the existing contract, in which new contract it shall be expressly provided that in future, that is to say, from the date of the passing of this ordinance the said city shall be exempt from all liability or supposed liability for overflow from any cause or source, and from any and all liability or supposed liability, to drain such lands, or any of them, except so far as the authorities of said city may deem best for the public good; and in which new contract there shall be an express stipulation, by every such owner or lessee for the punctual payment of all accruing ground rent, and all thereafter to accrue, under and according to the true intent and meaning of this ordinance, and on the further condition that this ordinance shall have no force or effect until such new contract shall have been executed by and between the said city of the one part, and such owner or lessee of the other part; it being expressly understood that the lots known as Union Society lots are not included or embraced within the meaning or spirit of this ordinance; and, further, that in no case shall any owner or lessee as aforesaid, have any right to call upon the city to refund any ground rent heretofore paid into the City Treasury.

May 22, 1872,
R. 169

1085. When to go into effect. So soon as any such owner or lessee shall, in writing before the Mayor, have signified his or her acceptance of the terms and conditions of this ordinance, it shall be the duty of the Mayor to have prepared the new contract aforesaid at the expense of said city; and that upon the execution of the same by every such owner or lessee as aforesaid, and not before, this ordinance shall go into effect and be operative as to such owner or lessee, the said Union Society lots being excepted as aforesaid; it being understood that such acceptance in writing shall be made within thirty days from the passing of this ordinance, and that said new contract shall be executed within thirty days from such acceptance; and that in such new contract there shall be reserved to the lessee or owner as aforesaid the usual right of turning his title into fee simple on paying the unpaid balance of purchase money and complying with such other terms as may now be prescribed by existing ordinances in that behalf.

April 26, 1851,
c. 113.

1086. Forsyth Ward. 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.

Ibid.

1087. Forsyth Place. 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 is hereby forever set apart as a public place, to be called and known as Forsyth place.

1088. Lots in Forsyth Ward, how valued and sold. The lots in said Ward be laid off under the supervision of the Committee on Public Sales and City Lots, in conformity with the plan above mentioned, and that they be valued and sold in the usual manner, at such time or times as to said committee shall appear expedient and proper—the terms of the sale to be those prescribed in the third section of an ordinance for laying off and selling the part of the city domain north of Gordon street and east of Drayton street, passed March 13, 1851.

(Title same as 3d section, ordinance 20th April, 1801, section 1033 of this article.)

1089. Military Parade Ground added to Forsyth Place. 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.

1090. Charlton Ward laid off into lots. 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.

1091. How valued and sold. 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. (Title same as section 3d of ordinance 20th April, 1801, section 1033, of this article).

April 26, 1851,
c. 113.

Oct. 17, 1866,
c. 116.

Mch. 9, 1854,
c. 114.

Ibid.

CHAPTER 51.

EXTENSIONS OF THE CITY OF SAVANNAH—1866 TO 1888.

- SECTION 1092. Plan of city extended over Farm Lot 2, Holland Tything, Percival Ward.
1093. Relinquishment to W. B. Bulloch, et al., of bed of Ogeechee road.
1094. Not to be taxed until improved.
1095. Taxable limits extended to Anderson street.
1096. Railroad, Choctaw, O'Neil, Screven, Elliott Marshall, Gue, Gallie and Cuthbert Wards
1097. Cleburn, Cemetery, Cuyler, Burroughs, Sims and Walker streets.
1098. Choctaw Ward and lands of Dr. B. A. White.
1099. Habersham, Lincoln, Huntingdon, Hall, Bolton, Duffy, Montgomery, Gordon and Gaston streets extended.
1100. Damages how assessed.
1101. West Boundary street extended.
1102. White and Waring Wards.
1103. Mercer, Lee, Padelford, Johnson, Kelly, Telfair, Atlantic, Schley, Weed and Haywood Wards.
1104. Bolton street opened.
1105. Joachim street extended.
1106. Extended west of Ogeechee canal.
1107. Declared a public way.
1108. Ogeechee canal to be bridged at Joachim street.
1109. Street 75 feet wide west of Ogeechee canal.
1110. Plan of city extended west of Ogeechee canal.
1111. Joachim street widened.
1112. Name changed to Bay street.
1113. Wadley street.

- SEC. 1114. Canal street.
1115. Width.
1116. Opened west of Ogeechee Canal.
1117. Canal street bridge, a public way.
1118. Canal street widened.
1119. Name changed to River street.
1120. Extension of Indian street.
1121. Water street.
1122. Ann street.
1123. Howard street extended through old jail tract.
1124. St. James square name changed to Telfair Place.
1125. Streets extended south of Anderson street.
1126. Bull street extended.
1127. Florance, Harden and Bulloch streets.
1128. First, Second, Third, Fourth, West Fourth, Fifth, West Fifth, Sixth, West Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh and Twelfth streets.
1129. Lines of buildings and fences how to be fixed.
1130. Cumming, Reppard, Falligant, Lester, Meldrim, Law, Owens, Duncan, Flannery, Estill, Thomas, Dasher, Griffin, Wadley, Solomons, Lovell, Da'e, Bacon, Brownville and Demere Wards.
1131. West half of Trust Lot, Tyronnell Tything, Derby Ward—plan of city extended over.
1132. Lavinia, Willard, Wilder and Nichols streets.
1133. Stiles Ward.
1134. Haines and Plant streets.
1135. Wells square.
1136. Plan extended over Dillon tract.
1137. Bowen, Davis, Hartridge, Goodwin, Lorch, Cohen, Spruce, Guerard, Sycamore and Spring streets.

Oct. 3, 1866,
c. 115.

1092. Plan of city extended over Farm Lot 2, Holland Tything, Percival ward. The plan of the city 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 Walburg street—Walburg street continued—a lane between Walburg street and New Houstoun street—New Houstoun street continued—a lane between New Houston street and Duffy street—Duffy street continued—a lane between Duffy street and Henry street, and Henry street continued.

1093. Relinquishment of city's interests in bed of Ogeechee road thereon. 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 Ogeechee road as traverses any part or parts of said farm lot not conveyed by the said owners thereof, for streets and lanes as aforesaid.

Oct. 3, 1866,
c. 115.

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.

1094. Not subject to taxation until improved. 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.

Ibid.

1095. Taxable limits extended to Anderson street. 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, 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 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.

Aug. 31, 1870,
c. 117.

1096. Wards; Railroad, Choctaw, O'Neil, Screven, Elliott, Marshall, Wylly, Gue, Gallie, and Cuthbert Wards named. The committee recommend that 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.

Report of Committee adopted
Dec. 11, 1867,
c. 120.

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.

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'Neil 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.

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

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

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

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

All that portion lying between New Houston street on the north, Bull street on the east, Anderson street on the south, and Barnard street on the west, be called Gallie 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 Houston and Anderson, and Drayton street on that portion between New Houston and Gwinnett streets on the west, be called Cuthbert Ward.

1097. Streets; Cleburne, Cemetery, Cuyler, Burroughs, Sims and Walker streets named. 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 Cleburn street.

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

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

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

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.

1098. Streets, lanes, etc., declared through Choctaw Ward, and lands of Dr. B. A. White. 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.

1099. Habersham, Lincoln, Huntingdon, Hall, Bolton, Duffy, Montgomery, Gordon and Gaston streets extended. 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, eastwardly 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.

1100. Damages how assessed. 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 street 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.¹

1101. West Boundary street extended. All that area or portion of land necessary for the opening and extension of West Boundary street, by a width of forty feet, from Joachim street northwardly to Canal street, in the said city of Savannah, is hereby declared to be open and a part of a public way, and an extension of said West Boundary street, from and immediately after freeholders appointed by lawful authority shall lay out and assess the value of said area or portion, and the award of such freeholders shall have been returned to and accepted by the City Council of Savannah.

1102. White and Waring Wards laid off. The area of ground in the city of Savannah bounded west by Gwinnett street, on the east by Habersham street, on the south by Anderson street, and on the west by Abercorn street, is hereby laid off and made a new ward, and shall be known as White Ward; and the area of ground in said city bounded on the north by Gwinnett street, on the east by East Broad street, on the south by Anderson street, and on the west by Habersham street, is hereby laid off and made a new ward, and shall be known as Waring Ward.

1103. Mercer, Lee, Padelford, Johnston, Kelly, Telfair, Atlantic, Schley, Weed and Haywood Wards laid off. All that portion of land lying between Huntingdon street continued on the north, East Broad street on the east, Price street on the west, and Gwinnett street on the south, is hereby laid off into a ward to be known as Mercer Ward.

All that portion of land lying between Gwinnett street on the north, East Broad street on the east, Habersham street on the west and New Houston street on the south, is hereby taken from Waring Ward, and laid off into a new ward to be called and known as Lee Ward; and the boundaries of Waring Ward shall hereafter be as follows, to wit: New Houston street on the north,

(1) 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.

July 7, 1870.
R. 469.

Dec. 20, 1871,
R. 171.

Sept. 13, 1871,
R. 184.

Nov. 6, 1872,
R. 185.

Dec. 11, 1867,
c. 120.

July 7, 1870.
c. 469.

Ibid.

East Broad street on the east, Hebersham street on the west, and Anderson street on the south.

All that portion of land lying between New Houston street extended on the north, lands of estate of Wolfe on the east, Anderson street extended on the south, and lands of Jacob Waldburg and Dr. J. M. Schley on the west, is hereby laid off into a ward to be called and known as Padelford Ward.

All that portion of land lying between lands of the Atlantic and Gulf Railroad Company on the north, Thunderbolt road on the northeast, Waters' road on the east, Gwinnett street continued on the south, and lands of the said Atlantic and Gulf Railroad Company and of Mrs. M. J. Bond and Henry Bryan on the west, is hereby laid off into a ward to be called and known as Johnston Ward.

All that portion of land lying between Gwinnett street on the north, Waters' road on the east, lands of the estate of Wolfe on the south, and lands of Mrs. Nevitt and of the city of Savannah on the west, is hereby laid off into a ward to be called and known as Kelly Ward.

That all that portion of land lying between New Houston street extended on the north, Waters' road on the east, Anderson street extended on the south, and lands of Stotesbury and Mrs. Nevitt on the west, is hereby laid off into a ward to be called and known as Telfair Ward.

All that portion of land lying between Liberty street on the north, Thunderbolt road on the northeast, lands of the city of Savannah and of Jas. A. LaRoche on the east, Gwinnett street and lands of said city and said LaRoche on the south, and East Broad street on the west, is hereby laid off into a ward to be called and known as Atlantic Ward.

All that portion of land lying between Gwinnett street on the north, lands of Henry Bryan and estate of Jas. F. Cann on the east, New Houston street extended on the south, and East Broad street extended on the west, is hereby laid off into a ward to be called and known as Schley Ward.

All that portion of land lying between New Houston street extended on the north, lands of said estate of Jas. F. Cann and Mrs. Nevitt on the east, Anderson street extended on the south, and East Broad street on the west, is hereby laid off into a ward to be called and known as Weed Ward.

And all those portions of land lying between Gwinnett street on the north, lands of Mrs. Brennan and the estate of Wolfe on the east, New Houston street extended on the south, and lands of Dr. J. M. Schley and Henry Bryan on the west, is hereby laid off into a ward to be called and known as Haywood Ward.

June 9, 1880,

1104. Bolton street opened. All that area or portion of land necessary for the opening of Bolton street, between Drayton and Abercorn streets, said Bolton street being now open through the city to Drayton street from the west, and to Abercorn street from the east, be and is hereby declared to be open, and a part of the public way, and an extension of said Bolton street from and immediately after freeholders appointed by lawful authority, shall lay out and assess the value of said area or portion, and the award of such freeholders shall have been returned to and accepted by the City Council of Savannah.

June 8, 1881.

1105. Extension of Joachim street declared a public way. All that area or portion of land necessary for the widening and extension of Joachim street, to a width of fifty feet from the north

line of the Paper Mill lots, from West Boundary street westwardly to the Savannah and Ogeechee canal, in said city of Savannah, is hereby declared to be open and a part of a public way, and an extension of Joachim street in said city of Savannah, from and immediately after freeholders appointed by lawful authority, shall lay out and assess the value of said area or portion required for said widening and extension, and the award of such freeholders shall have been returned to and accepted by the City Council of Savannah.

1106. Extension of Joachim street west of Ogeechee canal. All that area or portion of land necessary for the extension of a street westwardly from the west bank of the Savannah and Ogeechee canal in the prolongation of the street, provided for in the first section of this ordinance, on the east of said canal, to the width of fifty (50) feet from the said western bank of said canal westwardly to the intersection of the street to be laid out west of and between the Water Works tract and the land recently conveyed to the Ocean Steamship Company, is hereby declared to be open and a part of a public way, and an extension of Joachim street, in the city of Savannah, from and immediately after the same shall have been laid off by the City Surveyor, and accepted by the City Council, the land necessary for this purpose having been given to said city for the purpose of extending said street; and that all that area or portion of land east of the land so given by the Ocean Steamship Company lying between it and said canal, necessary for the projection of said street west of said canal, be and the same is hereby declared to be open and a part of a public way and an extension of Bay street, formerly Joachim street, in said city of Savannah, from and immediately after freeholders appointed by lawful authority shall lay out and assess the value of said area or portion of land so taken and the award of such freeholders shall have been returned to and accepted by the City Council of Savannah.

June 8, 1881.

June 19, 1884.

1107. Same declared a public way. All that portion of land lying west of the Ogeechee canal conveyed to said city by the Ocean Steamship Company of Savannah and situate and being between warehouse Number One of the Ocean Steamship Company of Savannah and the property of the city of Savannah on which the Water Works are now erected, said strip beginning on the western lands of the right of way of the Ogeechee canal sixty-one feet six inches from the north wall of the warehouse Number One running thence in a southerly direction along the right of way of said canal thirty feet three inches, thence in a westerly direction and parallel with the said north wall of said warehouse three hundred and ninety-one feet six inches, thence in a northerly direction twenty-six feet three inches, thence straight to point of beginning, is hereby declared to be open and a public way of said city, and shall be known and designated as Joachim street.

Sept. 27, 1882.

1108. Canal to be bridged at Joachim street. That Joachim street as extended on the east and west side of the Savannah and Ogeechee canal, be connected by a bridge, to cross said canal at the extension of said street, of such dimensions and of such character as may be hereafter determined upon by said Mayor and Aldermen of the city of Savannah.

June 8, 1881.

1109. A street 75 feet wide opened west of Ogeechee canal. That on the western side of the Savannah and Ogeechee canal a street of the width of seventy-five (75) feet, measuring from

Ibid.

the western boundary of the Savannah Water Works tract, be laid out from the point where the street provided for in the second section of this ordinance, the extension of Joachim street intersects the boundary line between the Savannah Water Works tract and the land recently conveyed by the Mayor and Aldermen of the city of Savannah to the Ocean Steamship Company, in a northwardly direction until said street shall intersect the extension of Canal street, as said street is extended west of the Ogeechee canal, said land for the purposes of the extension of said street northwardly to said Canal street having been reserved to the said Mayor and Aldermen of the city of Savannah in the conveyance made to the Ocean Steamship Company of the land west of said Water Works tract, and that said street be and the same is hereby declared to be a public way of the city of Savannah from and immediately after the same shall have been laid off by the City Surveyor and accepted by the City Council of Savannah.

June 8, 1881.

1110. Plan of city extended west of Ogeechee canal. That from and immediately after the laying out and acceptance by the City Council of the streets mentioned in the foregoing sections of this ordinance the plan of the city of Savannah be and the same is hereby extended over the city west of the Savannah and Ogeechee canal, and that the streets provided for in this ordinance be and the same are hereby declared to be the streets of the city of Savannah in said extension.

Nov. 15, 1883.

1111. Joachim street widened. All that area or portion of land necessary for the extension of Joachim street, from Fahm street to the Savannah and Ogeechee Canal, by a width of sixty feet, the north line of said Joachim street being extended through to said canal, and the said area being taken south of said line, be and the same is declared to be open and a part of a public way and an extension of Joachim street in said city to said Savannah and Ogeechee Canal from and immediately after freeholders appointed by lawful authority shall lay out and assess the value of said area or portion of land, and the award of such freeholders shall have been returned to and accepted by the said Mayor and Aldermen of the city of Savannah in Council assembled.

Ibid.

1112. Joachim street name changed to Bay street. From and immediately after the opening and extension of said Joachim street to the said canal, that the name of Joachim street, from West Broad street to the Savannah and Ogeechee Canal, shall be changed to Bay street, and shall in future be known and designated by that name.

Sept. 27, 1882.

1113. Wadley street declared a public way. All that portion of land lying west of the Ogeechee Canal, conveyed to said city by the Ocean Steamship Company of Savannah, being that strip of land seventy-five feet wide and one thousand one hundred and fifty feet long on one side and one thousand one hundred and seventy-six feet long on the other, extending from the south side of Canal street, as extended by the first section of this ordinance, to the north side of the street as laid out and described in the third section of this ordinance, the eastern limit of this strip of land, being the line of the western fence of Water Works lot on said Ogeechee Canal, is hereby declared to be open and a public way of said city, and shall be known and designated as Wadley street.

1114. Canal street. 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.

Act of 1833,
p. 326, c. 220.

1115. Width of Canal street. 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.

April 4, 1833,
c. 462.

The street so named as aforesaid shall be thirty feet wide, as laid down on the map drawn under the direction of the Commissioners.

1116. Opened west of Ogeechee Canal. All that portion of land seventy-five feet in width and twelve hundred and sixteen feet in length extending from the western side of the Ogeechee Canal to a point fifteen feet east of the centre of the V track of the Central Railroad and Banking Company on the Vale Royal plantation, the north side of said strip being a prolongation of the north side of Canal street in said city, is hereby declared to be open and a part of the public way and an extension of said Canal street to the west, and shall be known as Canal street.

Sept. 27, 1882

1117. Canal street bridge across Ogeechee Canal declared a public way. The bridge connecting Canal street in said city and the extension of the same as hereby laid out is hereby declared open and a part of the public way of said city.

Ibid.

1118. Canal street widened. That all that area or portion of land necessary for the widening of Canal street on the south side to a width of sixty (60) feet from West Broad street westwardly to the building known as the Planters' Rice Mill, and along the front of said rice mill to a width of fifty (50) feet and from the western side of said Planters' Rice Mill to the Savannah and Ogeechee Canal at the width of sixty (60) feet be, and the same is hereby declared to be open and a part of a public way from and immediately after freeholders, appointed by lawful authority, shall lay out and assess the value of said area or portion of land, and the award of such freeholders shall have been returned and accepted by the said Mayor and Aldermen of the city of Savannah in Council assembled.

Nov. 15, 1883.

1119. Canal street changed to River street. That from and immediately after the widening of said street to the canal, that the name of said Canal street be changed, and all said area from West Broad to Canal street shall be known as River street.

Ibid.

1120. Extension of Indian street declared a public highway. All that area or portion of land necessary for the extension of Indian street from its present western terminus to the Savannah and Ogeechee Canal by a width of sixty-six feet, the present width of said Indian street, is declared to be open and a part of a public way, and an extension of Indian street, in said city, to said Savannah and Ogeechee Canal, from and immediately after freeholders appointed by lawful authority shall lay out and assess the value of said area or portion of land, and the award of said freeholders shall have been returned to and accepted by the said Mayor and Aldermen of the city of Savannah in Council assembled, and said area when so opened shall be known as Indian street.

Ibid.

Nov. 15, 1883.

1121. Water street declared a public way. All that area or portion of land necessary for the the opening of a street running north and south to connect Joachim or Bay street as extended by first section of this ordinance, and Canal street, the eastern side of said street beginning at a point on north side of Joachim street as extended sixty feet from the eastern side of the tow-path of Savannah and Ogeechee Canal, and running thence northwardly parallel to West Boundary street to a point eighty feet from the east side of the tow-path of the Savannah and Ogeechee Canal, and thence to Canal street on a line parallel to the north and south lines of the wharf lots on River street; the western side of said street being the eastern side of the tow-path of the Savannah and Ogeechee Canal, is declared to be open and a public way, or street, in said city from and immediately after freeholders, appointed by lawful authority, shall lay out and assess the value of said area or portion of land, and the award of said freeholders shall have been returned to and accepted by the said the Mayor and Aldermen of the city of Savannah in Council assembled, and said area when so opened known and designated as Water street.

Ibid.

1122. Extension of Ann street. All that area or portion of land necessary for the extension of Ann street, from Joachim street to Canal street, in said city, by a width of — feet, the present width of Ann street, is declared to be open and a part of a public way and an extension of Ann street, in said city, to Indian street, from and immediately after freeholders, appointed by lawful authority, shall lay out and assess the value of said area or portion of land, and the award of such freeholders shall have been returned to and accepted by the said, the Mayor and Aldermen of the city of Savannah in Council assembled, and said area, when so opened, shall be known as Ann street.

June 6, 1883.
Mch. 12, 1884.
Jan. 28, 1885.
Mch. 11, 1886.
Jan. 11, 1885.

1123. Howard street extended through old jail tract in Forsyth Ward. All that tract or parcel of land situate, lying and being in the said city of Savannah, in Forsyth Ward, bounded north by Hall street, east by Whitaker street, south by lots Nos. thirty-seven (37) and thirty-eight (38) Forsyth Ward, and west by Barnard street, excepting thereof Howard street, which is hereby continued and extended north and south through said property, is hereby granted to the Commissioners of Chatham county and ex-officio Judges and their successors in office and assigns in fee simple, to be by them appropriated to aid in the construction of a new jail, this grant to take effect immediately.

July 18, 1883,

1124. St. James square name changed to Telfair Place. The portion of the public domain in the city of Savannah heretofore known and distinguished as St. James square shall be known and distinguished as Telfair Place, and shall be so designated and described in all future maps or plans of said city.

May 21, 1884,
s. 1.

1125. Habersham, Lincoln, Abercorn, Drayton, Whitaker, Barnard, Jefferson, Montgomery, West Broad, and Burroughs streets, extended south of Anderson street. The following streets in the city of Savannah running north and south, to wit: Habersham, Lincoln, Abercorn, Drayton, Whitaker, Barnard, Jefferson, Montgomery, West Broad and Burroughs, shall be extended south to the southern limits of the city of Savannah, as defined in said act of the General Assembly, approved September 21, 1883, at right angles to Anderson street in said city; the centre lines on the streets thus extended shall be an extension in a right line of the centre lines of the street, as they now exist,

and the width of the said streets to the southern limits of said city shall be as follows: That is to say, Habersham street shall be 62½ feet in width; Lincoln street shall be 50 feet in width; Abercorn shall be 75 feet in width; Drayton street shall be 45 feet in width; Whitaker street shall be 45 feet in width; Barnard street shall be 75 feet in width; Jefferson street shall be 50 feet in width; Montgomery street shall be 75 feet in width; West Broad street shall be 100 feet in width; Burroughs street shall be 60 feet in width.

1126. Bull street extended. Bull street in said city of Savannah shall be extended south to the southern limits of the city of Savannah as defined in the act of the General Assembly, approved September 21, 1883, as follows: That is to say, the western line of Bull street, between Anderson street and First street, shall be a line drawn from the intersection of the south line of Anderson street with the western line of Bull street to the point of intersection of the northern line of First street and the White Bluff road in said city; and that the western line of Bull street from said First street to the southern limits of the city shall be the western line of the White Bluff road, and the eastern line of Bull street shall be parallel to and seventy-five feet at all points from the western side of said Bull street as laid out between said Anderson street and said Twelfth street.

1127. Florance, Harden and Bulloch streets laid out. The eastern, middle and western streets as now laid out in Brownsville shall be extended northward to the Ogeechee road forty (40) feet in width each, and each of said streets north of Willow street shall be parallel to the centre line of Burroughs street in said city, and that the eastern street in said Brownsville shall be known and designated as Florance street, the middle street shall be known and designated as Harden street, and the western street shall be known and designated as Bulloch street.

1128. First, Second, Third, Fourth, West Fourth, Fifth, West Fifth, Sixth, West Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh and Twelfth streets laid out. That the following streets be laid out in the city of Savannah southeasterly from Anderson street, in said city, as follows: That is to say, the first street south of Anderson street shall be 230 feet from the southern side of Anderson street, and shall be parallel to said street, shall be 55 feet in width, and shall extend from Habersham street on the east to the Ogeechee road on the west, and shall be known as First street; the second street south of Anderson street shall be 260 feet from the southern line of First street and shall extend between Habersham street on the east and Florance street on the west, and shall be parallel to the said First street and shall be 50 feet in width; Third street shall be parallel to and a distance of 123 feet from the southern line of Second street, and shall be 50 feet wide, and extend from Habersham street on the east to Montgomery street on the west; [the width of Third street, between Bull and Habersham streets is hereby changed from fifty to sixty feet. That the north side of said Third street, between Bull and Habersham streets, shall remain as heretofore laid out in the extension of the city limits, and the line of the south side shall be moved ten feet south, so as to coincide and be identical with the line of the south side of Reppard street, as originally laid out by Reppard & Cann in their plan of the section including Reppard street]. Fourth street shall be parallel to and 250 feet from the southern line of Third street, and shall be

May 21, 1884,
s. 1.

Feb. 24, 1886,
s. 2.

July 14, 1886,
s. 1.

Feb. 9, 1887,
s. 1.

s. 1.

May 21, 1884,
s. 3.

Nov. 5, 1884,
s. 1.

s. 1.

May 21, 1884,
s. 4.

Feb. 24, 1886,
s. 1.

s. 1.

60 feet wide and extend from Habersham street on the east to Montgomery street on the west; West Third street shall be parallel to and 165 feet from the southern line of Second street, and shall be 55 feet wide, and extend from Montgomery street on the east to Florance street on the west; West Fourth street shall be parallel to and — feet from southern line of West Third street, and shall be 50 feet wide and extend from Montgomery street on the east to Florance street on the west; Fifth street shall be parallel to and — feet from the southern line of Fourth street, and shall be 60 feet wide, and shall extend from Habersham street on the east to Burroughs street on the west; West Fifth street shall be parallel to an 813 feet from the southern line of Second street, and shall be 40 feet wide, and shall extend from Burroughs street on the east to Florance street on the west; Sixth street shall be — feet from and parallel to the southern line of Fifth street, and shall be 60 feet wide, and shall extend from Habersham street on the east to Burroughs street on the west; West Sixth street shall be parallel to and 194 feet from the southern line of West Fifth street, and shall be 40 feet wide, and shall extend from Burroughs street on the east to Florance street on the west; Seventh street shall be 250 feet distant from and parallel to the southern line of Sixth street, and shall be 100 feet wide, and shall extend from the — line of East Broad street, projected on the east to the Ogeechee road on the west; Eighth street shall be 250 feet from and parallel to the southern line of Seventh street, and shall be 60 feet wide, and extend from Habersham street on the east to Florance street on the west; Ninth street shall be parallel to and 250 feet from the southern line of Eighth street, and shall be 60 feet wide and extend from Habersham street on the east to Florance street on the west; Tenth street shall be parallel to and 250 feet from the southern line of Ninth street, and shall be 60 feet wide and extend from Habersham street on the east to Florance street on the west; Eleventh street shall be parallel to and 250 feet from the southern line of Tenth street, and shall be 60 feet wide and extend from Habersham street on the east to Florance street on the west; Twelfth street shall be parallel to and 250 feet from the southern line of Eleventh street, and shall be 60 feet wide and extend from Habersham street on the east to Florance street on the west.

Nov. 18, 1837,
s. 1.

May 21, 1884,
s. 5.

1129. City Surveyor to fix lines of buildings and fences. It shall be the duty of the City Surveyor to indicate the true line on which buildings and fences are to be placed in the said extended limits under same regulations as same are done in other parts of the city of Savannah, and all persons building in the portion of the city over which this plan is extended shall be required to conform to all ordinances of the city in reference to erecting buildings within the city of Savannah.

Ibid.

Feb. 24, 1886,
s. 3.

1130. Cumming, Reppard, Falligant, Lester, Meldrim, Law, Owens, Duncan, Flannery, Estill, Thomas, Dasher, Griffin, Wadley, Solomons, Lovell, Dale, Bacon, Brownsville and Demere Wards laid off. The wards in said city in which streets have been laid out under this ordinance be and the same are hereby laid out and designated as follows: That portion of city bounded on north by Anderson street, east by Habersham street, south by Fourth street and west by Abercorn street, shall be known and designated as Cumming Ward; that portion of city bounded on north

by Anderson street, east by Abercorn, south by Fourth street and west by Bull street, shall be known and designated as Reppard Ward; that portion of the city bounded on the north by Anderson street, east by Bull street, south by Fourth street and west by Barnard street, shall be known and designated as Falligant Ward; that portion bounded on the north by Anderson street, east by Barnard street, south by Fourth street and west by Montgomery street, shall be known and designated as Lester Ward; that portion bounded on the north by Anderson street, east by Montgomery street, south by West Fourth street and west by Burroughs street, shall be known and designated as Meldrim Ward; that portion of the city bounded on the north by Anderson street, east by Burroughs street, south by West Fifth street, and west by Florance street and Ogeechee road, shall be known and designated as Law Ward; that portion of the city bounded on the north by West Fifth street, east by Burroughs street, south by Eighth street; west by Florance street, shall be known and designated as Owens Ward; that portion of the city bounded north by Fifth street, east by Montgomery street, south by Eighth street and west by Burroughs street, shall be known and designated as Duncan Ward; that portion of city bounded north by Fourth street, east by Barnard street, south by Eighth street and west by Montgomery street, shall be known and designated as Flannery Ward; that portion of city bounded on the north by Fourth street, east by Bull street, south by Eighth street and west by Barnard street, shall be known and designated as Estill Ward; that portion of the city bounded north by Fourth street, east by Abercorn street, south by Eighth street and west by Bull street, shall be known and designated as Thomas Ward; and that portion of said ward which is bounded on the north by Fifth street, on the east by Drayton street, south by Sixth street, and west by Bull street, which area or portion of land is the property of the city of Savannah, is hereby set apart and dedicated as a public park, and the same shall be known and designated as Thomas square, and shall be used as a public park for the benefit of the inhabitants of said city; that portion of the city bounded north by Fourth street, east by Habersham street, south by Eighth street and west by Abercorn street, shall be known and designated as Dasher Ward; that portion of the city bounded on the north by Eighth street, east by Habersham street, south by Twelfth street and west by Abercorn street, shall be known and designated as Griffin Ward; that portion of the city bounded on the north by Eighth street, east by Abercorn street, south by Twelfth street, and west by Bull street, shall be known and designated as Wadley Ward; that portion of the city bounded on the north by Eighth street, east by Bull street, south by Twelfth street and west by Barnard street, shall be known and designated as Solomons Ward; that portion of the city bounded on the north by Eighth street, east by Barnard street, south by Twelfth street and west by Montgomery street, shall be known and designated as Lovell Ward; that portion of the city bounded on the north by Eighth street, east by Montgomery street, south by Twelfth street, and west by Burroughs street, shall be known and designated as Dale Ward; that portion of the city bounded on the north and west by Ogeechee road, east by Florance street, and south by Willow street, shall be known and designated as Bacon Ward; that portion of the city bounded north by Willow street, east by Florance street,

south by southern limit of city, and west by Bulloch street, shall be known and designated as Brownsville Ward; that portion of the city bounded north by Willow street, east by Bulloch street, south by the southern limit of the city, and west by Ogeechee road, shall be known and designated as Demere Ward.

May 21, 1884,
s. 7.

1131. Plan of city over west half of trust lot in Tyrconnel Tything, Derby Ward, adopted. The plan of that portion of the city of Savannah east of Habersham and south of Anderson street, known as the west half of the trust lot in Tyrconnel tything, Derby Ward, as laid out by Gen. Jos. Finnegan and Messrs. Bryan and Hunter, be and the same is hereby adopted as the plan of the city over said portion of Tyrconnel tything, Derby Ward, as above described.

Ibid. s. 8.

1132. Lavinia, Willard, Wilder and Nichols streets designated. In that portion of the city west of Florance street, the street running through the southern portion of Bacon Ward, from Florance street to Bacon Ward, is hereby declared to be a street of said city, of the width of thirty feet, and shall be known as Lavinia street, and the street lying north of Bacon Ward, running from Florence street to Ogeechee road, be and the same is hereby declared to be a street of the city, and shall be known as Willard street, and shall be of the width of thirty feet; and the central street in said Bacon Ward, running from Florance street to the Ogeechee road, be and the same is hereby declared to be a street of said city, and shall be known as Wilder, and shall be of the width of thirty feet; and the street lying between West Fourth and West Fifth streets, and running from Burroughs to Florance streets, be and the same is hereby declared to be a street of said city, and shall be known as Nichols street, and shall be of the width of forty feet.

June 18, 1884,
s. 1.

1133. Stiles Ward, laid off. The portion of the city south of Anderson street, bounded on north by Eighth street, east by Burroughs street, south by the southern limits of the city, and west by Florance street, shall be known and designated as Styles Ward, and the southern boundary of Meldrim Ward shall be Fifth street instead of West Fourth street, as is provided in section six of the ordinance passed in Council May 21, 1884.

Feb. 9, 1887,
s. 2.

1134. Haines and Plant streets designated. That thirty-seven and a half feet on each side of the track of the Savannah, Florida and Western railway, extending from Anderson street to Seventh street in said city, be laid out and opened and declared streets as soon as a dedication of the same be made by the Savannah, Florida and Western Railway Company to the city of Savannah; and that on said streets as laid out under this ordinance the said the Savannah, Florida and Western Railway Company shall be required to put only two crossings between said Anderson and said Seventh street in said city in addition to one crossing on Anderson street and one on Seventh street; and said streets shall be known as Haines street and Plant street.

Ibid. s. 3.

1135. Wells square laid out. That portion of said city lying between Eighth street on the north and Ninth street on the south and between Montgomery street on the east, and West Broad street on the west, is hereby laid out, opened and declared a square of said city; and said square shall be known as Wells square.

McH. 23, 1887,

1136. Plan of city extended over Dillon tract. The plan of the city is extended by the ordinance passed in Council May 21st,

1884, and the ordinances amendatory thereof, over the property known and distinguished as the Dillon tract, purchased by the city of Savannah on the 6th day of August, 1886, be and the same is hereby confirmed as the plan of the streets of said city through said property, and the streets laid out through said property by said ordinance are hereby declared to be open as streets of said city, and in any sale of the whole or any part of the said Dillon tract, the said streets shall be retained as streets of the city of Savannah.

Nov. 19, 1884,

1137. Bowen, Davis, Hartridge, Goodwin, Lorch, Cohen, Spruce, Guerard, Sycamore and Spring streets named. The following streets which have been laid out and dedicated as streets be and the same are hereby named as follows: That street in Davis Ward running north and south from Gordon street lane, in said city, to lot belonging to estate of A. S. Hartridge, which street is forty feet in width, shall be known as Bowen street. That certain other street in said ward running east and west from said Bowen street to Price street in said city, which street is forty feet in width, and is next street south of Gordon street, shall be known as Davis street. That certain other street in said ward running east and west from said Bowen street to Price street in said city, which street is forty feet in width, and is next street south of said Davis street, shall be known as Hartridge street. That certain other street running from Gwinnett street to Huntingdon street in said city, between Abercorn and Drayton streets, which street is forty (40) feet in width, shall be known as Goodwin street. That certain other street running from Jefferson to Montgomery street, next south of Huntingdon street, in said city, which street is forty (40) feet in width, shall be known as Lorch street. That certain other street running east and west from the Hebrew Congregation lot to West Boundary street, next south of Walker street, in said city, which street is forty (40) feet in width, shall be known as Cohen street. That certain other street running north and south from Jones street continued to Garden Lot No. 4 of the tan yard tract, being the first street west of Wilson street, in said city, which street is thirty-five feet wide, shall be known as Spruce street. That certain other street, running north and south from Jones street (continued) to Garden Lot No. 4 of the tan yard tract, being the second street west of Wilson street, in said city, which street is forty feet in width, shall be known as Guerard street. That certain other street lying north of and running parallel with the north line of Laurel Grove Cemetery, which street is twenty (20) feet wide, shall be known as Sycamore street. That certain other street lying west of Laurel Grove Cemetery and running north and south, which said street is forty feet in width, shall be known as Spring street.

CHAPTER 52.

PARKS AND SQUARES.

<p>SECTION 1138. Forsyth Place. 1139. Military Parade Ground. 1140. Police to preserve order in, 1141. To disperse crowds obstructing. 1142. Not lawful to smoke in Park. 1143. Dogs excluded. 1144. Penalty for carrying dogs in. 1145. Velocipedes, trucks, wheelbarrows, etc., forbidden. 1146. Bicycles, etc., permitted in Park Extension.</p>	<p>SEC. 1147. Base ball, etc., prohibited in Park Extension. 1148. Base ball, etc., prohibited in any park, square or street. 1149. Assemblages in for playing such games, prohibited. 1150. Assemblages in, except for military parades, prohibited. 1151. Penalty for violating. 1152. Beating carpets in, forbidden. 1153. Driving animals or vehicles through, prohibited.</p>
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April 24, 1851
c. 113. **1138. Forsyth Place.** All that portion of Forsyth 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, is hereby forever set apart as a public place, to be called and known as Forsyth Place.

Feb. 6, 1867,
c. 116. **1139. Military Parade Ground.** The piece of ground known as the Military Parade Ground, containing nineteen acres, more or less, and bounded on the north by Forsyth Place, on the east by Drayton street, on the south by 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 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.

Oct. 17, 1866,
c. 116. **1140. Police to preserve order in.** It shall be the duty of the Chief of Police, under the order of the Mayor, to detail a sufficient force to preserve order and decency in and around the public park known as Forsyth Place, and such policemen so detailed shall arrest and bring before the Police Court for trial, all persons who may in any manner disturb the public peace or be guilty of any indecent, riotous or disorderly conduct, or offensive or insulting demeanor, or who may use any indecent or improper language in or around said park; and any person convicted before said Police Court of disturbing the public peace, or of indecent, riotous, or disorderly conduct, or offensive or insulting demeanor, or of using indecent or improper language in or around said park, shall be fined in a sum not exceeding one hundred dollars, or be imprisoned, or be made to labor on the public streets, squares or lanes for a period not longer than thirty days.

Ibid. **1141. To disperse crowds obstructing.** 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.

Ibid. **1142. Not lawful to smoke in park.** It shall not be lawful for any person to smoke in said park, under such penalty as is prescribed in section first (§ 1140) of this ordinance.

May 14, 1879,
R. 132. **1143. Dogs to be excluded.** No dogs shall be allowed in that portion of Forsyth Place which is enclosed by an iron fence, and any dog found in said portion of said place shall be impounded, and so kept for the space of five days, after which it

may be disposed of as ordered by the Mayor, unless, before the expiration of said five days, the owner shall pay a penalty of five dollars and costs and expenses attending the impounding, in which case the dog shall be delivered up to him.

1144. Penalty for carrying dog in park. If any person shall carry or have a dog within said portion of said place, in addition to the impounding the dog, such person shall, upon conviction before the Police Court, be fined in a sum not less than five nor more than twenty-five dollars, or be imprisoned not exceeding ten days, either or both, at the discretion of the presiding officer of said court.

1145. Velocipedes, trucks, wheelbarrows, etc., forbidden on sidewalks, squares or parks. No person shall use upon any of the sidewalks, squares or parks of the city of Savannah any vehicle known as a velocipede, under a penalty of twenty-five dollars for each offense. [The provisions of this ordinance shall extend to barrels, trucks, wheelbarrows and handcarts of every description, except when necessary to cross any sidewalk from the curb to the entrance of any lot, building or enclosure.]

1146. Riding of bicycles, etc., permitted in Park Extension. It shall and may be lawful to ride velocipedes, bicycles or tricycles, of any size, in the enclosure known as the extension of Forsyth Park, notwithstanding any ordinance heretofore passed by Council.

1147. Base ball, foot-ball, etc., prohibited in Park Extension. It shall be unlawful for any person or persons to play any game of base ball or foot ball, or any game of ball, in the enclosure known as the extension of Forsyth Park in said city; and any person playing or joining in any game of base ball or foot ball, or any other game of ball, in the said extension, shall, on conviction thereof in the Police Court of Savannah, be fined in the sum not less than \$10 nor more than \$20, or be imprisoned not exceeding ten days, or either or both, in the discretion of the officer presiding in said court.

1148. Base ball and similar games prohibited in any park, square or street. The playing or carrying on any manner of base ball, foot ball, tennis, cricket, bandy, shinny and other similar games or sports, in any public square, park or street of the city of Savannah, is prohibited.

1149. Assemblages for playing such games prohibited. All assemblages and all gatherings and collections of persons in any public square, park or street of said city for the purpose of playing or carrying on any of the aforesaid games or sports, or any part thereof, or any similar practices are hereby prohibited.

1150. Assemblages in squares or parks without permit of Mayor, except for military parades, prohibited. Any gathering or assemblage of persons in any public square or park of the city of Savannah, except for the purpose of lawful military parades in the extension of Forsyth Park, without the consent of the Mayor or acting Mayor of said city first had and obtained, are hereby prohibited.

1151. Penalty for violating. Any person or persons violating or offending against the provisions of this ordinance, or any part thereof, shall, upon conviction before the Police Court, be fined for each and every such offense not less than five nor more than thirty dollars, or be imprisoned not more than thirty days, or both, at the discretion of the Mayor or person or persons presiding in said Police Court.

May 14, 1879,
R. 132.

May 12, 1869,
c. 466.

Aug. 22, 1877,
R. 183.

Jan. 16, 1884.

April 9, 1884.

July 10, 1878,
s. 1, R. 21.

Ibid. s. 2.

Ibid. s. 3.

Ibid. s. 4.

July 15, 1874,
R. 138. **1152. Beating carpets in, forbidden.** It shall be unlawful for any person or persons to beat, shake or dust any carpet or rug in any public square (including the Park and extended park), or street in the city of Savannah, and any person or persons violating the provisions of this ordinance shall, on conviction before the Police Court, be fined in the sum not exceeding thirty dollars for every such act of violation.

July 6, 1881,
R. 148. **1153. Driving animals or vehicles through, prohibited.** It shall not be lawful for animals or vehicles (other than the street railroad cars and their teams over their respective lines of track), to be ridden or driven through any of the parks or squares of the city; and any person offending herein, shall, upon conviction in the Police Court, be fined in a sum not exceeding thirty dollars, or imprisoned for a period not exceeding thirty days, for each and every contravention.

CHAPTER 53.

SUBDIVISIONS OF LOTS.

SECTION 1154. Half lot in fee simple. 1155. Half lot on ground rent.	SEC. 1156. Subdivisions to have not less than twenty feet front.
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Feb. 27, 1851,
c. 114. **1154. Half lot in fee simple.** Any person holding a lot in the city of Savannah as joint tenant or tenants in common with another, under the ordinary city deed, may pay one-half of the balance of purchase money due on the same, and upon such payment, shall receive a deed in fee for one-half of said lot; which shall be designated as the eastern, western, northern or southern half, as the case may be.

Ibid. **1155. Half lot on ground rent.** Any lessee of a city lot may, on application to Council, divide the said lot into two parts, and receive separate leases for the same, and in all cases referred to in this ordinance, the parties shall severally pay for the deed issued.

June 26, 1856,
c. 118. **1156. Divisions of lot to have not less than 20 feet front.** Joint owners of any lot or lots in the city, under the ordinary deed, are authorized to divide the same in any manner that they may deem to their interest: Provided, that no part or portion is less than twenty feet front on a public street or square. All the rights and privileges granted to lot holders as to one-half of a lot are extended to them as to the division or divisions authorized by this section.

CHAPTER 54.

DEPARTMENT OF STREETS AND LANES.

SECTION 1157. Committee to appoint three Foremen. 1158. Duties of Foremen.	SEC. 1159. Appeal from acts of Committee and Surveyor.
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1157. Committee to appoint three Foremen of Streets and Lanes. Dec. 20, 1871, R. 59. The duties heretofore devolving on the Commissioner of Streets and Lanes shall, after the first meeting in January next, be performed by three foremen, to be appointed by the Committee on Streets and Lanes, in conjunction with the Mayor, for such compensation and time of service as said Committee and Mayor may determine. Said Foreman shall be under the direction of the City Surveyor and the Chairman of the Committee on Streets and Lanes; shall be responsible for the proper and efficient working of the men under their control, and may be removed at any time for incompetency or inattention to the discharge of their duties.

1158. Duties of Foremen. July 21, 1870, c. 465. They 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 pay roll; 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.

1159. Appeal from acts of Surveyor and Street and Lane Committee. July 2, 1840, c. 197. 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.

CHAPTER 55.

SIDEWALKS.

- SECTION 1160. Must be paved.
 1161. Marshal to serve notice.
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- SEC. 1181. West Broad opposite C. R. R.
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 1186. Bull, between State and Congress
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 1188. Owner failing to curb and pave, to be done by city.
 1189. Barnard, between Congress and State.
 1190. Owner failing, to be done by city.
 1191. Habersham, between Gwinnett and Anderson.
 1192. Congress, between Drayton and West Broad.
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 1194. Cost of work, collection how enforced.
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 1196. Sale of goods, so displayed, prohibited.
 1197. Obstructing sidewalks, penalty.
 1198. Velocipedes, trucks, etc., forbidden on.

Aug. 28, 1851.
c. 459.

July 14, 1875,
R. 163.

April 6, 1887.

June 22, 1881.

Aug. 28, 1851.
c. 409.
June 22, 1881.

Aug. 28, 1851.
c. 450.
July 14, 1875,
R. 163.

1160. Sidewalks to be paved. 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 [thirty days] of the notice given, 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 or wood 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 Marshal shall, under the order of the Mayor and Aldermen of the city of Savannah passed at any regular meeting, 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.

1161. Marshal to serve notice. 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 preceding section, and on failing to comply, the Marshal shall proceed as in case of default under the preceding section.

1162. Sidewalks to be kept in repair. 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 ten days, then the City Marshal shall proceed as directed in section 1160 of this Code.

1163. Notice how served. The notice provided in the three preceding sections shall be in writing, signed by the Marshal (who shall retain a second original thereof), and shall be served upon the person or persons to be notified, either personally or by leaving the same at his or their most notorious place of abode, provided said person shall reside within the corporate limits of the city of Savannah, but should said person or persons be non-resident then the same shall be mailed to his or their post office address, or served upon the agent or agents of such person or persons, in the same manner as is provided for the service upon residents, and said notice so served as aforesaid shall be deemed and held valid and sufficient.

1164. Return of service, prima facie evidence. The Marshal shall make a return of service upon the first original of said notice, in which he shall specify the date and mode of service, and shall file the same in his office, and said return when made shall be *prima facie* evidence of the fact therein contained.

1165. Marshal to report to Council parties in default. It shall be the duty of the Marshal to report in writing at the regular meeting of Council occurring first after the expiration of the time allowed by the ordinance first aforesaid, or any amendment thereof, for the regulation of the laying down and repairing of pavements and sidewalks, all cases where notice has been given and the party or parties are in default, and the said the Mayor and Aldermen shall by resolution to be passed at the meeting when said report is made, order the Marshal to proceed as directed by said ordinance.

1166. Time allowed for laying down or repairing. The time allowed for laying down or entirely renewing any sidewalk after notice to the property or lot holder so to do shall be thirty (30) days, and no more, from the date of such notice, and the time allowed for repairing a sidewalk already laid shall be ten (10) days, and no more, from the date of the notice.

1167. Sidewalk to be laid down or repaired in perfect order. 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.

1168. "Perfect order" construed; material required. 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 of good quality and suitable size, or the best quality of Northern paving brick, or the best quality of Georgia red paving brick. The material used to be approved

June 22, 1881.
s. 3.

Ibid. s. 4.

Ibid. s. 5.

July 14, 1875,
R. 163.

May 10, 1871,
c. 473.

June 30, 1886.

May 10, 1871,
c. 474.

May 19, 1875,
R. 162.

in advance by the Street and Lane Committee. The pavement shall also be provided with a good and sufficient curb.

April 6, 1887. **1169. Curbs may be of wood or stone.** It may be lawful to use stone or wood for the curbs of sidewalks in the city, the dimensions of which shall not be less than three by twelve inches. Where wood is used for curbs they shall be strapped at the corner with iron straps not less than one and a half inches wide and extending eight inches on each side of corner.

June 30, 1886. **1170. Sidewalks to be kept in good order and repair.** All pavements now finished, or hereafter to be finished, shall be kept in good order and repair by the owner or owners of the lot adjoining the same, from time to time as the same may require; and in putting in good order and repairing the same, all persons shall be required to maintain the grade as laid down by the City Surveyor, and no pavement shall be taken and held as in good order in which any part of its surface may be raised out of the proper grade by any cause, or in which the cellar areas shall be out of grade, or which hold water in any part thereof.

Nov. 3, 1886. **1171. City laid off into ten sidewalk divisions.** Said city is here by divided into ten parts, to be known as Sidewalk Divisions A, B, C, D, E, F, G, H, I and K.

Ibid. s. 2. **1172. Divisions how bounded.** Division A shall include that portion of said city bounded by East Broad, West Broad, Bay and the southern line of Liberty street. Division B shall include all that portion of said city bounded by the southern line of Liberty street, Gaston, Price and Tattnall streets. Division C shall include all that portion of said city bounded by Gaston, Bolton, Lincoln and Barnard streets. Division D shall include that portion of said city bounded by Bolton, Anderson, Abercorn and Barnard streets. Division E shall include that portion of said city bounded by Bay and Liberty streets extended, and between East Broad and Randolph streets. Division F shall include that portion of said city bounded by River, New, West Broad and West Boundary streets. Division G shall include that portion of said city bounded by a line beginning at the corner of Gaston and Lincoln streets, running thence to Bolton street, thence to Abercorn street, thence to Anderson street, thence to Habersham street, thence to Gaston street, and thence to the point of beginning. Division H shall include that portion of said city west of Tattnall street and between New and Liberty streets on the north and Gaston street on the south. Division I shall include that portion of said city west of Barnard street between Gaston and Anderson streets, and Division K shall include that portion of said city bounded by Liberty, Gaston, East Broad and Price streets.

Ibid. s. 3. **1173. How paved and graded.** All the sidewalks to Divisions A, B, C, and D shall be paved in terms of the existing ordinance in relation to the paving of sidewalks, and that the sidewalks of said Divisions E, F, G, H, I and K shall be graded according to elevations to be furnished by the City Surveyor with a pitch of one-half inch to each foot in width toward the roadway of the streets, and with a curb of not less than twelve by three inches in dimensions.

Ibid. s. 4. **1174. Paving of each, when to be finished.** The paving of the sidewalks of Division A shall be finished by January 1, 1887; those of Division B by February 1, 1887; those of Division C by March 1, 1888; those of Division D by April 1, 1887; that the grading of those of Division E by May 1, 1887, and those

of Division F by May 1, 1887; and those of Division G by December 1, 1887; and those of Division H by February 1, 1888, and those of Divisions I and K by April 1, 1888. But the said Mayor and Aldermen of the city of Savannah may, by resolution, extend the times of paving or grading as above set forth not more than sixty (60) days.

1175. Owner refusing, work to be done by Committee on Streets and Lanes. If said paving or grading is not completed by said above specified dates by the owner or owners of the abutting property, then said work may be done under the direction of the Committee on Streets and Lanes at the expense of such owner or owners, either by day's work or contract, in the discretion of said committee. And when said work is so done by said committee, if the owner or owners of the abutting property fail to pay the cost of the same within thirty days from the date of completion to the same, then and in that event the Treasurer of said city shall issue execution for the amount of the cost of such work, and put the same in the hands of the City Marshal, by him to be levied on the property of such owner or owners of the abutting property, and satisfied by the sale of such property according to the laws of Georgia governing Marshals' sales.

1176. Division "A" enlarged. 1. There shall be included in Division "A" as a part thereof both sides of Liberty street, from Wheaton to East Broad street, the north side of Bay street, between Drayton and Lincoln streets, the north side of Bay street, between Jefferson and West Broad street, both sides of Montgomery street, between Williamson and Bay streets, east side of West Broad street, between River and Bay streets.

2. All sidewalks on the parts of the streets designated in the preceding paragraph shall be paved in terms of the existing ordinance in relation to the paving of sidewalks by the first day of February, 1888; and if not paved by that time the work may be done by the Mayor and Aldermen of the city of Savannah under the terms and provisions and with all the rights and powers of section five of the said ordinance of November 3d, 1886, including the manner and means of collection mentioned in said section five (1175).

3. The sidewalks on the north side of Liberty street, between the east side of East Broad street and the west side of Wheaton street, in the city of Savannah, is hereby placed in Division A of that certain ordinance of the city of Savannah, entitled "An Ordinance to be entitled An Ordinance to provide for the improvement of the sidewalks of the city of Savannah, adopted November 3, 1886," and that the said sidewalk shall be paved as provided in section three (1173) of said ordinance of November 3, 1886, by the first day of November, 1888.

4. If the said sidewalk is not paved by the first day of November, 1888, as provided in said ordinance of November 3, 1886, then the said work may be done under the direction of the Committee on Streets and Lanes, at the expense of the owner or owners of abutting property under the terms, provisions and powers of section five of the said ordinance of November 3, 1886, and with the right in the city of Savannah to collect for the cost of said work by execution, levy and sale as provided for in said section (1175).

1177. Division "K" enlarged, how and when to be paved. The sidewalk on the east side of East Broad street, between Liberty and Gaston streets, is hereby placed in Division K of the said

Nov. 3, 1886.
s. 5.

Nov. 30, 1887.
s. 1.

Ibid. s. 2.

May 2, 1888.
s. 1.

Ibid. s. 2.

Nov. 30, 1887.
s. 3.

ordinance of November 3, 1886, and the said sidewalk is hereby required to be graded under the terms of said ordinance, and in the manner therein provided by the first day of February, 1888. In case the said grading is not done by the first day of February then the said Mayor and Aldermen of the city of Savannah may proceed in the manner pointed out in section five of the said ordinance, with all the rights and powers, including the manner and means of collection for the work done provided for by said section five (1175).

Aug. 19, 1839,
c. 453.

1178. No person to increase or lower height of sidewalks. 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 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.

Aug. 4, 1869,
c. 464.

1179. Width of sidewalks. 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: The sidewalks of such streets which are not more than thirty-five (35) feet in width shall be six (6) feet wide; of the streets which are more than thirty-five (35) feet and not exceeding forty (40) feet in width the sidewalks shall be seven (7) feet wide; of the streets wider than forty (40) feet and less than seventy-five (75) feet, the sidewalks shall be nine (9) feet in width; on streets of seventy-five feet and less than one hundred feet, twelve feet; on streets of one hundred feet and upwards, fourteen feet. And all ordinances or parts of ordinances militating against this ordinance are hereby repealed.

Mch. 7, 1887.

Aug. 4, 1880.

1180. May be increased when lot holders unite. Pavements or sidewalks on all the streets in the city, sixty to one hundred feet in width, may be widened as follows: On streets of sixty feet in width, they may be made thirteen feet wide; on streets seventy-five feet in width, they may be made fifteen feet wide; and on streets more than seventy-five feet and less than one hundred feet, they may be also made fifteen feet wide. Provided, no pavement or sidewalk in any street shall be widened as above, unless all the lot owners in a block, or parties owning fronts on the street on which widening is to be made, shall unite and agree to execute the work simultaneously, which agreement must be made by each owner with the Mayor and Aldermen of the city of Savannah, and filed in the office of the Clerk of Council before the work of widening is begun.

Oct. 13, 1869,
c. 466.

1181. Width on West Broad street on property of Central Railroad and Banking Company. The Central Railroad 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 passage 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 Railroad street to the south side of South Broad street.

1182. Other sidewalks on West Broad to conform, when. 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 Railroad 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 railroad company, that is to say, twenty feet.

Oct. 13, 1869,
c. 466.

1183. On West Broad street, between Bay and Anderson. All sidewalks hereafter laid or altered, or improved on West Broad street between Bay and Anderson streets in the city of Savannah, shall be fourteen feet in width, and shall be improved as sidewalks are now required to be under existing ordinances; and that the next eleven feet to a curb shall be filled in with a grade one-half inch to the foot.

May 2, 1888.

1184. Width on River street. It shall not be lawful to lay any pavement or sidewalk on River street, of said city, except that such pavements or sidewalks of a width of not more than six feet may be laid on the southern side of such portions of said street as may be not less than sixty feet wide.

May 21, 1884.

1185. On Broughton street. 1. That the sidewalks on Broughton street, between West Broad and Abercorn streets, be increased to fifteen feet, so that the curbs on Broughton street, between West Broad and Abercorn streets, shall be forty-five feet apart, and every owner of a lot, piece or parcel of land on said Broughton street, between said streets, whether the same be held in fee simple or held under the usual title from the city, shall, within thirty (30) days after the new curb in front of their respective lots is laid, place a good and sufficient sidewalk over the sidewalk as prescribed by this ordinance of such material as sidewalks are required to be built of in said city.

Mch 11, 1885.

2. The sidewalks on both sides of Broughton street, between the west side of Abercorn street and the west side of East Broad street in the city of Savannah, are hereby required to be of the uniform width of fifteen (15) feet. If the owners of real property abutting on said sidewalk do not make the same of the said width by the first day of April, 1888, the Committee on Streets and Lanes shall proceed to have the said sidewalks made of the said width at the expense of the owners of real property abutting on the said sidewalks, and if the bills for the same are not paid by said owners within thirty days after their presentation executions for the collection of the said bills, together with costs, shall be issued by the City Treasurer against the said owners and the said abutting property, which executions shall be made and levied out of the property described therein as executions for city taxes.

Dec. 23, 1887.

1186. Bull street, between State and Congress. That the sidewalks on Bull street, between State and Congress streets, be increased to fifteen feet so that the curbs on Bull street, between State and Congress streets, shall be forty-five feet apart, and every owner of a lot, piece or parcel of land on said Bull street, between State and Congress streets, whether the same be held in fee simple, or held under the usual title from the city shall within thirty (30) days after the new curb in front of their respective lots is laid, place a good and sufficient sidewalk over the sidewalk, as prescribed by this ordinance, of such material as sidewalks are required to be built of in said city.

May 10, 1886.

Jan. 11, 1888,
s. 1. **1187. Bull street between New Houston and Anderson.** 1. The roadway of Bull street, between New Houston and Anderson streets, in the city of Savannah, is hereby required to be forty (40) feet in width and to occupy the centre of the said portion of Bull street.

Ibid. s. 2. 2. Curbing is hereby required to be placed on each side of said portion of Bull street, and twenty (20) feet from the centre of the street.

Ibid. s. 3. 3. The said portion of Bull street is hereby required to be paved, and the said pavement shall extend ten feet from the property line of said portion of the street; the space between the said curbing and a line ten feet from the abutting property on said portion of Bull street shall be either paved or graded, as the owners of said abutting property may elect.

Ibid. s. 4. **1188. Owners failing to curb and pave in 60 days, work to be done by city.** In the event the paving and curbing contemplated by this ordinance are not done by the owners of the property abutting on said portion of Bull street within sixty (60) days from the passage of this ordinance, the said work shall be done at once by the Committee on Streets and Lanes at the cost and expense of the said owners, and the said abutting property, and a bill for the same shall be presented to the said owners. If said bill is not paid within thirty days after its presentation, it shall be turned over to the Treasurer of the city of Savannah, who shall forthwith issue an execution against the said owner and the said abutting property for the said bills and costs, which execution shall be made and levied as executions for city taxes.

Jan. 25, 1888,
s. 1. **1189. Width on Barnard street between Congress and State streets.** The sidewalks on both sides of Barnard street between Congress and State streets, in the city of Savannah, are hereby required to be of the uniform width of fifteen (15) feet.

Ibid. s. 2. **1190. Owners failing, city to widen sidewalks.** If the owners of real property abutting on said sidewalk do not make the same of the said width by the first day of April, 1888, the Committee on Streets and Lanes shall proceed to have the said sidewalks made of the said width at the expense of the owners of real property abutting on said sidewalks, and if the bills for the same are not paid by said owners within thirty days after their presentation, execution for the collection of said bills with costs shall be issued by the City Treasurer against the said owners and the said abutting property, which execution shall be made and levied out of the property described therein as executions for city taxes.

Mch. 23, 1887. **1191. Habersham street, between Gwinnett and Anderson streets.** All sidewalks on Habersham streets, between Gwinnett and Anderson streets, shall be fifteen feet wide.

Sept. 7, 1837. **1192. Width on Congress street, between Drayton and West Broad streets.** The sidewalk on the south side of Congress street, in the city of Savannah, between Drayton and West Broad streets, is hereby required to be of the uniform width of eight feet and six inches, and on the north side of said Congress street, between Bull and West Broad streets, of the uniform width of seven feet and six inches.

Ibid. s. 2. **1193. Owner failing, city to widen the sidewalk.** If the owner or owners of any property on either side of the said Congress street, between Drayton and West Broad street, shall fail to make the sidewalk in front of the property of such owner or owners

of the width herein required, the city shall proceed to do so, after the lapse of thirty days from the time of notice of the requirements of this ordinance given to such owner or owners, which notice shall be given by the Marshal of said city.

1194. Collection of cost of work, how enforced. In the event the city shall proceed to do work as provided in the preceding section, said work shall be done at the expense and cost of such owner or owners, in the event a bill thereof shall remain unpaid ten days after its presentation to such owner or owners, then said bill for said cost and expenses shall be turned over to the City Treasurer, who shall issue an execution for its collection, together with all costs, against said owner or owners and the abutting property, which execution shall be levied and made in the manner pointed out by law for the levy and making of the tax executions issued for taxes due the city of Savannah.

1195. Display of merchandise on sidewalks regulated. It shall and may be lawful for any person or persons to display their goods, wares and merchandise on the sidewalks of said city in front of their places of business in show cases or otherwise, provided that no person or persons shall occupy more than two (2) feet six (6) inches from the wall or front of such place of business with any goods, wares or merchandise, or with any show case for the same, and that no person or persons shall be permitted to put any of their goods, wares or merchandise on the curb or further than two (2) feet six (6) inches from the wall or front of such place of business: Provided, That nothing herein contained shall be taken to give any person or persons any rights in the streets of the city of Savannah which may not be revoked at will by the said the Mayor and Aldermen of the city of Savannah in Council assembled.

1196. Sale of goods so displayed, prohibited. It shall be unlawful for any person or persons to sell from the goods, wares or merchandise exposed on the sidewalk or street, any part of such goods, wares or merchandise, and any person or persons so exposing their goods, wares or merchandise and selling from the same, shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred dollars or imprisoned for not more than thirty days, or either or both in the discretion of the officer presiding in said Police Court.

1197. Obstructing sidewalks, penalty. Any person or persons who shall obstruct the streets or sidewalks of said city, except as permitted by the ordinances of the city, shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred dollars or imprisoned not more than thirty days, in the discretion of the Mayor or acting Mayor presiding in said court.

1198. Velocipedes, trucks, wheelbarrows, etc., forbidden on. No person shall use upon any of the sidewalks, squares or parks of the city of Savannah any vehicle known as a velocipede, under a penalty of twenty-five dollars for each offense. The provisions of this ordinance shall extend to barrels, trucks, wheelbarrows and hand carts of every description, except when necessary to cross any sidewalk from the curb to the entrance of any lot, building or enclosure.

Sept. 7, 1887.
s. 3.

April 25, 1883,
s. 1.

Jan. 13, 1886

April 25, 1883.
s. 2.

May 12, 1869,
c. 466.

Aug. 22, 1877
R. 183.

CHAPTER 56.

ENCROACHMENTS.

- SECTION 1199. Surveyor to fix lines and report encroachments.
- 1200. How marked out and removed.
- 1201. Encroachments by open garden or fence.
- 1202. Open fences allowed outside line of certain lots.
- 1203. No repairs allowed where encroachment within fire limits.
- 1204. Encroachment by railings.
- 1205. Encroachment on lanes.
- 1206. Excavation of areas into lanes for cellars.

- SEC. 1207. Construction regulated.
- 1208. Owners to indemnify city from damages.
- 1209. By steps or porticos.
- 1210. South of Anderson street, penalty.
- 1211. Cellars.
- 1212. Entrance to cellars.
- 1213. Steps, railing, etc., how constructed.
- 1214. Failure to keep in safe condition, penalty.
- 1215. Water closets projecting into streets or lanes.

Aug. 19, 1839,
c. 194.

1199. Surveyor to fix lines and report all encroachments. 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 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.

Ibid. c. 195.

1200. Encroachments how marked out and removed. 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.

Aug. 4, 1869,
c. 463.

1201. Encroachments by open garden or fence on any street, lane, etc., unlawful. It shall not be lawful for any owner or lessee of any lot, or part of a lot, in the city of Savannah, to encroach by 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 person offending against any part of this section, may be fined in the Police Court, in a sum not exceeding thirty dollars for every day's offense or default: Provided that the Mayor and Aldermen in Council assembled may, in their discretion, under special circumstances and for special purposes, when the same shall be of advantage to the public, authorize such encroachments to be made under their direction.¹

July 29, 1874,
R. 172.

1202. Open fences allowed outside line of certain trust lots. The ordinance passed in Council on the fourth day of August, 1869, 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.

Feb. 15, 1871,
c. 472.

1203. No repairs allowed where encroachment within fire limits. 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.

April 3, 1857,
c. 56.

1204. Encroachment by railing. No railing, either of wood or iron 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.

Feb. 3, 1869,
c. 463.

1205. Encroachments on lanes. No step or portico or other encroachment of any kind shall be so constructed as to extend beyond the line of the lot so as to encroach on any lane of the city, and all ordinances or parts of ordinances heretofore in force allowing such encroachments are hereby repealed, and if any such encroachments hereafter made, 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, for which expense the City Treasurer is hereby authorized to issue an execution and place the same in the hands of the City Marshal, who shall collect the same as other executions due the city are collected.

Nov. 14, 1883.

1206. Excavation of areas into lanes to light, or ventilate cellars, Council may grant permits for. It shall and may be lawful for Council, at any time and from time to time to grant by

July 13, 1887.

(1) The city enjoined from removing fence as encroachment, when 30 years possession under undisputed claim of right; order to remove being peremptory and offering no compensation. Shields case, 55 Ga. 150.

resolution or otherwise, permits to owners of lots and improvements within the city to excavate, construct and use areas extending into the lanes of the city.

All such permits, unless otherwise therein provided, shall be granted subject to the conditions herein named and the acceptance of such permit, or the excavation, erection and use of such area by any property owner, shall be taken and construed as an acceptance of the said conditions, and binding upon the said property owner and his assigns, future owners of the said property.

1207. Construction of such areas regulated. All such areas, including all walls and material of any sort in the construction of the same shall not extend into the lane for a distance greater than four (4) feet from the line of said lot. They shall be set at such grade as the proper officers of the city may designate, and kept and maintained at such grade as may from time to time be determined on for the said lane without expense to the city. They shall be used only for the purpose of light and ventilation, and for no other purpose whatsoever, and shall be covered with a substantial wrought iron grating of such form as shall be an ample protection to persons and property passing through said lane, which grating shall be stationary and immovable, and not set upon hinges or other devices arranged for entrance and exit into the buildings through said area.

1208. Owners to indemnify city from all damages. The owners for the time being of any property, adjacent to which areas may be erected under the provisions of this ordinance shall indemnify and hold harmless the Mayor and Aldermen of the city of Savannah, of and from any and all loss or damage that may accrue against it by reason of the excavation, erection, use or occupation of the area herein provided for, or the obstruction of the lanes of the city.

1209. Encroachments by steps or porticos forbidden. It shall not be lawful to occupy any part of the sidewalks or pavements for steps or porticos in future, and no steps or porticos shall be built as to encroach on any part of the streets or lanes of this city; Provided, that the owner or owners of any house or building erected prior to the passage of this ordinance, to the reasonable use or enjoyment of which steps or a portico are or is a necessity, shall be permitted, upon application to Council, and approved thereof by Council, to occupy not exceeding four feet of the sidewalk of the streets (but not of the lanes) measured from the inner line thereof for steps or porticos; And provided, further, that nothing herein contained shall be held to prevent the Mayor and Aldermen from permitting the erection of steps or porticos in the streets of the city on any block on which a majority of the lots already have steps or porticos in the streets.

1210. South of Anderson street, penalty. It shall be unlawful to build any portico, stoop or other structure within the lines of any street or lane south of Anderson street in said city, and any person violating this provision of this ordinance shall, on conviction thereof in the Police Court of Savannah, be fined for each offense in such sum no greater than \$100, as the offense pending in the Police Court shall determine, or be imprisoned not more than thirty days, either or both, as the officer presiding in said court shall determine.

1211. Cellars, permitted upon conditions. No person shall be permitted to erect or place any steps, descending into any vault

Aug. 19, 1839,
c. 62.

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 conditions 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. All offenders against any provision of this section, on conviction, be subject to a fine not exceeding one hundred dollars for each and every offense.

1212. Council may authorize other entrance to cellar. 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 preceding section, as convenience may justify in any particular cases.

1213. Steps, railings, etc., how constructed. The width allowed 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 officers as may be deputed to inspect the same.

1214. Failure to close up cellars or to keep in safe condition, penalty. 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 offense; besides which it shall be in the power of the Mayor or of the City Council to close up any such area whenever the same or the steps or railing thereof, shall be dangerous to persons passing the same, and in every instance the occupant or occupants of the store or building, where the cellar door or doors is or are left open, shall be deemed the offender or offenders, and when the same is kept in bad order or repair, the owner or owners shall be deemed the offender or offenders.¹

1215. Water closets prohibited over line of streets or lanes. It shall not be lawful for any person or persons to build or construct any water closet or place to be used as such over or into the line of any street or lane in this city. Any such place so

(1) City liable for damages, when. 61 Ga., 48; 59-151; 55-161. Whether encroachment on sidewalk for cellars stairs is *per se* a nuisance: *Quere*, 72 Ga., 209.

Dec. 11, 1857,
c. 62.

Aug. 31, 1870,
c. 63.

Ibid.

Dec. 11, 1857,
c. 63.

Aug. 20, 1879

built or constructed shall be deemed a public nuisance, and shall be liable to immediate removal as such at the expense of the offending party. Any person violating the provisions of this ordinance shall be liable to a fine of not less than fifty dollars for every day that such nuisance may continue after notice to abate the same.

CHAPTER 57.

STREETS AND LANES—GENERAL REGULATIONS.

<p>SECTION 1216. Obstructions by building material, etc. 1217. Rubbish from buildings. 1218. Cotton, hides, merchandise, etc. 1219. Digging or removing sand from streets. 1220. Excavations, permits required for. 1221. Lights to be placed at excavations. 1222. How to be filled. 1223. Plumbers to give bond to properly fill. 1224. Requirements of bond. 1225. Laying pipes on paved streets, regulated. 1226. Making sewer connections, regulated. 1227. Paved streets, unlawfully digging up, penalty. 1228. Vehicles left in streets, etc. 1229. Vehicles obstructing passengers. 1230. Vehicles not to drive through lanes. 1231. Moving houses through streets. 1232. Throwing cotton bales, etc., from upper stories. 1233. Ball games in streets prohibited. 1234. Throwing rubbish, filth, etc., in the streets. 1235. Hauling sand, manure, slops, etc.</p>	<p>SEC. 1236. Signs upon posts regulated. 1237. Signs suspended from buildings. 1238. Signs, when unlawful. 1239. Sign posts to be within curbing. 1240. Dangerous signs. 1241. Disused signs to be removed. 1242. Illegal signs, penalty. 1243. No vested rights in signs. 1244. Awnings of wood prohibited. 1245. Cloth awnings how constructed. 1246. Illegal awnings. 1247. Penalty and how removed. 1248. Poles. 1249. Location may be changed. 1250. Prongs on poles. 1251. Poles not to be placarded. 1252. Must be painted, numbered, etc. 1253. Penalty for violation. 1254. Bill boards in streets, prohibited. 1255. Pasting advertisements, etc., on trees. 1256. Trees, how planted. 1257. If planted otherwise may be removed; and penalty. 1258. Processions after sunset, permit required. 1259. Processions with music after 8 p. m. permit required. 1260. Washing or drying clothes in streets. 1261. Peddlers not to occupy streets with tables, etc. 1262. Parapet walls to have balustrades. 1263. Houses to be numbered.</p>
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Aug. 19, 1839,
c. 455.

1216. Obstructions in streets by building material, merchandise, etc. No person shall bring, lay, put, or cause to be laid, or put, any timber, bricks, stones, or others materials for building, or fire wood, goods, wares, and merchandise, or other bulky thing whatsoever, and permit and suffer the same to continue and remain in any square, street, lane, or alley within the said city, for a longer time than six hours; nor shall any person permit or suffer any cart, dray, wagon, or carriage of any sort, to stand and remain in any square, street, lane, or alley, longer than such time as aforesaid; nor shall any person, without previously obtaining the written consent of the Mayor and two-thirds of the members of the City Council, place, erect, or construct, or cause to be placed, erected, or constructed, in any square, street or lane, or other place, of or in the city of Savannah, any booths, tent, or other obstruction; nor shall any person dig, or cause to be dug, any hole or pit in any square, street, lane, or alley, whereby the free passage of persons on foot or on horseback, or in or with any

carriage, may be in any wise obstructed or rendered unsafe. And any person offending against the provisions of this section shall, on conviction, be subject to a fine not exceeding one hundred dollars for each and every offense. 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.¹ 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; Provided always nevertheless, that any person or persons actually building or repairing, or about to build or repair any building, may collect and lay all such materials as may be necessary for such building or repairs, in the square, street, lane, or alley next adjoining to the place or spot whereon such buildings or repairs are intended to be made: And provided, that such materials be so enclosed in a sufficient space (and no more) as will effectually prevent the spreading into the streets, lanes, or squares, and the said space so enclosed shall, in no case, except with the written permission of a majority of the Committee on Streets and Lanes, extend beyond ten feet on any street, lane or square, and during all such time as such materials shall so lay in any square, street, lane, or alley, the owner or proprietor of such materials shall cause a lamp or lantern, with a good and sufficient light therein, to be securely hung up, placed, or fixed on a post or otherwise, at each of the two corners of such enclosure, and in such manner as clearly and plainly to show the place and extent occupied by such materials. And the said lamp or lantern shall be lighted at or before dark, in the evening, and shall continue to burn until daylight.² And the City Marshal and city constables are hereby enjoined to notice and report to the Mayor all encroachments, obstructions or nuisances mentioned herein.

1217. Rubbish from buildings to be removed. 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.

(1) The placing of a permanent obstruction in any street without proper authority to do so creates a public nuisance, which equity will enjoin whether in progress or about to be commenced. *Shiels' case*, 33 Ga., 601.

(2) Materials left on sidewalk, without proper lights, owner liable for injury. 71 Ga., 484.

Jan. 11, 1888.

Ibid.

1218. Obstructing passengers, by cotton, hides, merchandise, etc. 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 damaged by rain or water in its transportation to Savannah, to expose the same while in its wet condition, not exceeding three days, in any public place contiguous to the store or warehouse in which it is intended to be deposited when dry: Provided, that nothing herein contained shall authorize any such exposure in any of lanes; nor of any hides or other article of merchandise whatever, which may be injurious to the health, or disgusting to the smell of the citizens, nor of any cotton not packed in bags. Nor shall any person be authorized to obstruct, block up, or in any many 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 prescribed in section 1216.¹

1219. Digging or removing sand from streets, except by permit, penalty. It shall not be lawful for any person to remove any sand from the bank or bluff of this city. Any person who shall dig or remove sand or earth, or deposit sand, earth or other material, at any point hereafter under the bluff, or anywhere 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.

1220. Excavations forbidden, except by permission of Council. 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.²

(1.) Warehousemen unnecessarily obstructing or negligently placing cotton on sidewalk liable for injury resulting. 68 Ga. 431.

(2) It is the duty of the city, whilst dangerous works such as sewers, etc., are being constructed across a street to have proper precautionary measures taken to prevent accidents to passengers during such construction, whether the same is being done by the corporation through its own servants, or by contract, or by sub-contractors under a primary contractor. Such duty, at least, in the cases of independent contractors or sub-contractors, is not founded on the principle of *respondant superior*, but is deducible from the authority in the corporation over the streets and the obligation flowing therefrom to protect the public against nuisances or dangerous obstructions in the highways of the city. Waldner's case, 49 Ga., 1316. Permission by city to open a ditch across a street, makes city liable for resulting injury. Donnelly's case, 71 Ga., 258.—City liable where excavation existed long enough to presume that city had notice, 53 Ga., 607.—One voluntarily leaving safe sidewalk and falling into excavation cannot recover, 66 Ga. 195.

Jan. 11, 1888,
c. 458.

Aug. 19, 1839.

May 2, 1844,
c. 521.

Jan. 18, 1871.
c. 472.

1221. Lights to be placed at excavations, at night. At the place of every excavation in a street, lane or thoroughfare, there shall be placed at night, a light or lights, sufficient to warn persons of the existence of such 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.

1222. Manner of filling excavations regulated. In all cases where excavations are made for any purpose in the streets and lanes of the city of Savannah, the earth must be replaced in layers not greater than six inches, and each layer levelled and well rammed until the service is reached. The paving, (if on a paved street) to be replaced in conformity with the grade of the street, and to be done by an expert, and in case of settlement to be taken up, the surface regraded and repaved. If any person shall violate any of the provisions of this ordinance, he or they shall on conviction before the Police Court, be fined in a sum not exceeding one hundred dollars for every such violation, or imprisonment not exceeding thirty days, or both at the discretion of the Mayor.

1223. Plumbers to give bond to properly fill excavations, etc. Every person engaged in the business of gas fitting or plumbing, or both, shall take out a license, for which he shall pay forty dollars; and as a prerequisite to the issuing of such license, every plumber and gas fitter shall on or before the 15th day of January, 1888, make and file with the Clerk of Council, a bond in the sum of \$2,000, with good and sufficient securities, to be approved by the Mayor, conditioned to comply with the ordinances of the city of Savannah and the rules and regulations governing the Water Works Department of said city, and to answer over to the Mayor and Aldermen of the city of Savannah for all damages the city may sustain, by reason of negligence or default of such plumber or gas fitter in negligently closing or leaving open such excavations in the public streets; and no person shall do or perform the work of a plumber or gas fitter without taking out said license, under penalty, upon conviction before the Police Court, of a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, either or both, in the discretion of the officer presiding in said court.

1224. Requirements of bond. The bond required to be made and filed with the Clerk of Council by every plumber and gas fitter conditioned to answer over to the Mayor and Aldermen of the city of Savannah for all damages it may sustain by reason of the negligence or default of such plumber or gas fitter in negligently closing such excavations in the public streets by the ordinance passed in Council December 27, 1882, be and the same is hereby fixed at the sum of two thousand dollars, and all such bonds shall be conditioned to save the said Mayor and Aldermen of the city of Savannah the just and full sum of any and all damages that the said the Mayor and Aldermen of the city of Savannah may sustain by reason of the negligence or default of the principal or principals in said bond as plumber or gas fitter, in negligently closing excavations in the public streets or by any excavation or obstruction made in the streets, lanes and other public domain of said city by the principal or principals in said bond, his or their agents or servants.

Jan. 30, 1840.
c. 472.

Feb. 1, 1882.

Dec. 28, 1887.
s. 5.

Feb. 28, 1883.

Nov. 19, 1884,
s. 1.

1225. Paved streets, laying sewer, gas or water pipes, and railroad tracks on, manner regulated. It shall be unlawful for any plumber, gas fitter, or other person or corporation, to dig up any portion of any paved street in said city of Savannah for the purpose of laying down gas or water pipes or making sewer connection or laying railroad tracks; but whenever it shall be necessary for said purpose to take up any portion of the pavement on any street in said city, the same shall be done on application by the said city at the cost and expense of the party for whom the work is done.

Ibid. s. 2.

1226. Sewer connections, when and how to be made. All sewer connections shall be made only on such days as may be designated by the Chairman of the Committee on Streets and Lanes, and all such connections shall be made only by such person or persons as he may appoint, and such person appointed to make such connection shall supervise the excavating and filling up of same by any person, and shall require that the same be done in accordance with the regulations governing such work, and the cost of such connection and of such supervision shall be paid by the person for whom such work is done.

Ibid. s. 3.

1227. Unlawfully digging up paved streets, penalty. If any person or corporation shall dig up any portion of any paved street in said city of Savannah, for the purpose of laying down gas or water pipes, or making sewer connections, or laying railroad tracks, or cause the same to be done, or any person or corporation offending against any part of this ordinance shall be fined on conviction thereof in the Police Court of Savannah, in a sum not more than one hundred dollars, or imprisoned not exceeding thirty days, or both, in the discretion of the Mayor or officer presiding in said court.

May 26, 1869,
c. 467.

1228. Vehicles left standing in the street, penalty. It shall not hereafter be lawful for any carriage, wagon, cart or other vehicle, not attached to a horse or other draft animal, to remain in any street, lane or alley, for a longer time than two hours, under a 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.

Jan. 8, 1870,
c. 468.

1229. Vehicles obstructing street passengers, penalty. It shall not be lawful for any person to obstruct by any dray, wagon, cart or other vehicle, having or not having an animal or animals attached thereto, the free passage of persons through any street or other thoroughfare in said city, or the free access of any person to his or her property, or to any sidewalk in said city, or so to place any vehicle in any such street or thoroughfare, as to cause injury to any shade trees; and no person shall keep any dray, wagon, cart or other vehicle, except on his or her premises, or opposite thereto, for such time only as may be allowed by 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 offense as above defined. It shall be the special duty of every officer and member of the Police Force to report every violation of this section.

June 6, 1839,
c. 53.

1230. No vehicle to drive through lanes. 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 ex-

cuse, the driver thereof, or the owner or employer thereof, shall be fined in a sum not exceeding three dollars.

1231. Houses not to be moved through streets without permit. It shall not be lawful to remove any house or building through the streets of Savannah, without the 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.

Oct. 30, 1856,
c. 258.

1232. Throwing down cotton bales, etc., from upper stories. It shall not be lawful for any person to cast, throw out, or suffer to fall from the upper or second stories of buildings within the limits of the city, any 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.

Aug. 2, 1839,
c. 53.

1233. Playing base-ball, foot-ball, etc., prohibited. The playing or carrying on in any manner of base-ball, foot-ball, cricket, bandy, shinny, and other similar games or sports, in any public square, park or street of the city of Savannah, is prohibited. Also all assemblages, and all gatherings and collections of persons in any public square, park or street of said city for the purpose of playing or carrying on any of the aforesaid games or sports, or any part thereof, or any similar practices, are hereby prohibited. Any person or persons violating or offending against the provisions of this ordinance, or any part thereof, shall, upon conviction before the Police Court, be fined for each and every such offense not less than five nor more than thirty days, or both, at the discretion of the Mayor, or person or persons presiding in said Police Court.

July 10, 1878,
R. 21. ss. 1, 2,
and 4.

1234. Throwing rubbish or filth into streets, etc. No person or persons shall leave his, her, or their cellar door or doors open, or keep or suffer the same to remain in bad order or repair, or throw or cast any dirt, filth, offal, rubbish, putrid or stinking water, or other putrid or offensive matter or thing whatever, into any or either of the streets, lanes, squares, or other public places of the city of Savannah. In every instance the occupant or occupants of the store or building where the cellar door or doors is or are left open, shall be deemed the offender or offenders; and where the same is kept in bad order or repair, the owner or owners shall be deemed the offender or offenders. The occupant or occupants of the store, building or premises from whence any dirt, filth, offal, rubbish, putrid or stinking water, or other

Dec. 11, 1857,
c. 460.

putrid or offensive matter or thing whatever, shall have been thrown or cast, shall be deemed the offender or offenders.

May 20, 1885, **1235. Hauling sand, manure, slops, etc., through streets regulated.** It shall be unlawful to haul or carry through the streets of said city any sand, manure, slops or other material which may tend to obstruct, change the grade of, render unclean the streets of said city, unless the same be hauled or carried in wagons, boxes or barrels, which will prevent the same, or any portion thereof, from falling into the streets through which it is carried. Any person or persons offending against the provisions of this ordinance shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred dollars, or imprisonment for not exceeding thirty days, or both, in the discretion of the officer presiding in said court.

Sept. 21, 1887. **1236. Signs upon posts regulated.** It shall be lawful to erect or put up signs in the city of Savannah upon iron or wooden posts, provided such posts are securely and safely placed immediately within the curbing of the sidewalk, and in front of the place of business of the person or persons using the same; that such posts, if made of iron, shall be not less than two nor more than ten inches in diameter, and if of wood, not less than four nor more than ten inches in diameter; that such signs shall be at least eight feet above the pavement or sidewalk, and shall not be exceeding four feet in width and five in height; and provided further, that said signs shall be securely and safely fastened to the said posts, and that the erection of the said signs and posts shall be under the direction and supervision of the City Surveyor.

Ibid. s. 2. **1237. Signs suspended from buildings.** It shall also be lawful, from and after the passage of this ordinance, to suspend signs from the sides of buildings in the city of Savannah, provided such signs are securely and safely fastened to the sides of said buildings, at the place of business of the person or persons using the same, are at least eight feet above the sidewalk, and do not overhang said sidewalk exceeding three feet, and provided, also, that said signs shall be put up under the direction and supervision of the City Surveyor.

Ibid. s. 3. **1238. Signs not in conformity unlawful.** It shall not be lawful to erect or put up any sign in the city of Savannah, save in full and strict conformity with all the provisions of the preceding sections of this ordinance.

Ibid. s. 4. **1239. Sign posts to be within curbing, and signs not lower than eight feet.** All posts erected at the time of the passage of this ordinance sustaining signs, if said posts are not immediately within the curbing, shall within thirty days from the passage of this ordinance, be securely and safely placed immediately within the said curbing; and all signs which, at the time of the passage of this ordinance, are lower than eight feet, or are on awning frames, shall within thirty days from the passage of this ordinance, be securely and safely placed at least eight feet above the sidewalk or street, and be removed from said awning frames.

Ibid. s. 5. **1240. Dangerous signs unlawful.** It shall not be lawful to erect or put up in the city of Savannah, or to continue erected, or to have or use any sign that is unsafe or dangerous to life, limb, person or property, no matter how said sign may have been originally constructed or erected. Should any sign now erected, or which may hereafter be erected, be or become unsafe or dangerous, within the meaning of this section, the person or persons

owning or using such signs shall be notified of this fact by the City Marshal, and it shall thereupon become the duty of such person or persons to forthwith make the said sign secure and safe, or to remove the same.

1241. Disused signs to be removed. Should any sign be abandoned or disused, the same may be removed at the discretion, and upon the direction of the Committee on Streets and Lanes, and at the expense of the person or persons abandoning or last using the said sign.

1242. Penalty for illegal signs. Any person violating the provisions of the preceding sections, or any of said provisions, shall, upon conviction before the Police Court of the city of Savannah, be fined by the said court in a sum not exceeding fifty dollars, and in addition to this the sign found to be in violation of this ordinance, or any part thereof, shall be removed by the City Marshal at the expense of the said person so convicted, which removal shall be directed and required in the judgment of said court convicting the party accused.

1243. No vested rights in signs erected. The city of Savannah reserves full and entire police control over all signs erected, or which may be erected, their location, use and continuance, in so far that no vested right shall accrue to any person or persons because of the erection of said signs, as against the said city of Savannah, touching the said signs or any matter or thing connected therewith.

1244. Wooden awnings prohibited. It shall not be lawful for any person to put up or erect, in any street or thoroughfare within the city of Savannah, any wooden awning of any character whatever, under a penalty of not more than five dollars a day for every day such awning shall be or remain in any such street or thoroughfare.

1245. Cloth awnings how constructed. When any person desires to put up an awning of cloth, the framework of such awning shall be of iron, and supported by iron posts not less than two inches in diameter, placed immediately on the inner edge of the curb, and connected with the horizontal portions of such framework, with strong and substantial metallic bracket or support, projecting over the pavement or sidewalk. And no awning shall be so constructed as to interfere with the convenience of persons passing under it, or interfere with any gas lamp or light, or corner cesspool; and in no case shall it be lawful to put any stop cock for water or gas, or any street washer, or awning post, or lamp post, at the corner of the curb of any street or lane.

1246. Awnings, other than of cloth, not to be repaired without consent of Council. It shall not be lawful for any person owning, having or using any awning, other than such as this ordinance recognizes, to repair or otherwise alter the same without the consent of Council, under the penalty of the entire removal of such awning.

1247. Unlawful awning, etc., penalty, and how removed. Any person offending against this ordinance may, upon conviction, be fined in a sum not exceeding five dollars a day for every day such awning shall be or remain in any such street or thoroughfare, and not exceeding thirty dollars for every day's or part of a day's continuance of such illegal stop cock, washer or post, as aforesaid; and may be also made to pay all the expenses of removing the same, which removal shall be made by

Sept 21, 1887.
s. 6.

Ibid. s. 7.

Ibid. s. 8.

Mch. 12, 1873,
R. 18.

Ibid. s. 2.

April 24, 1872.
R. 164.

Mch. 12, 1873.
s. 3, R. 18.

Ibid. s. 1.

April 24, 1872.
s. 2, R. 165.

order of the Mayor in the Police Court; and nothing in this ordinance contained shall be construed to authorize the erection of an awning in any lane of the city, except by permission of Council first had for that purpose.

Oct. 5, 1887, **1248. Poles, erection of, permit necessary.** It shall not be lawful to erect any poles in any street, lane, park or square of the city of Savannah, save after the consent of the Committee on Streets and Lanes to such erection. If, in the judgment of said Committee the erection is proper, it may be allowed, if done under the supervision of the City Surveyor. If the decision of the Committee is adverse to the erection, an appeal may be made to Council, which may review the judgment of the Committee.

Ibid. s. 2. **1249. Location of may be changed by Committee on Streets and Lanes.** All poles now erected, or which may be hereafter erected, may be removed at any time by order of Council, and the location of said poles may be changed at any time, by direction of the Committee on Streets and Lanes, the decision of the said Committee being subject to the review of Council, on appeal to Council.

Ibid. s. 3. **1250. Not to have prongs or hooks under eight feet from ground.** No hook or prong shall be left in any of the said poles within eight feet of the surface of the street.

Ibid. s. 4. **1251. Not to be placarded.** It shall not be lawful to place or put on any of the said poles any sign, poster, or placard of wood, tin, paper, or other material.

Ibid. s. 5. **1252. Must be painted, numbered, etc.** The owner or owners of said poles shall, by the first day of January next, neatly paint the said poles, and shall also place upon the said poles the name of the owner thereof, and the number by series of each of said poles, said name or number to be distinctly painted or stenciled thereon; provided, however, that the requirement herein contained as to painting the said poles shall apply only to those now erected, or which may be hereafter erected, north of Hall street, and between Randolph and West Broad streets, and to none others.

Ibid. s. 6. **1253. Penalty for violation.** Any person or persons violating the provisions of this ordinance, or any of the said provisions, shall, upon conviction before the Police Court of the city of Savannah, be fined in a sum not exceeding fifty dollars, and the pole erected contrary to this ordinance, or not painted, numbered or marked as herein provided, shall be at once removed by the City Marshal, at the expense of the owner of said pole.

June 3, 1885.
July 1, 1885. **1254. Bill boards, etc., in streets prohibited.** It shall be unlawful for any person to erect, set up or maintain in the streets of the city of Savannah, any boards or other structure on which it is designed to paste or post any bill, programme or other advertisement, and it shall be unlawful for any person to post any bill, programme or other advertisement on any post, board or structure in the streets of said city, but nothing herein contained shall be held or taken to prevent the attaching of bill boards to walls, houses or fences, and the posting of bills, programmes or advertisements on the same, provided such boards do not extend more than four inches over the line of the street, and provided further that no bill boards shall be attached to walls, houses or fences without the consent of the owners of said walls, houses or fences, and that no such bill boards shall be erected in any part of said city, except by permission of the Mayor, and provided further that the licenses hereby granted may be revoked at

pleasure of Council. Any person or persons violating, or offending against the provisions of this ordinance, or any part thereof, shall, upon conviction before the Police Court, be fined for each offense not less than five, nor more than thirty dollars, or be imprisoned not more than thirty days, or both, at the discretion of the Mayor, or person presiding in said Police Court.

1255. Pasting advertisements, etc., to trees. It shall not be lawful for any person to paste or affix any paper or advertisement upon any building, wall or tree within the city; and for a violation of this section, the person affixing, or causing the same to be affixed, or the person for whose use and benefit the same may be done, shall be fined for each offense in a sum not exceeding five dollars.

1256. Trees, how planted. In the planting of trees in the city of Savannah, the following distance from the property line shall be observed, namely: On streets less than fifty feet wide the said trees shall be planted ten feet from the property line; on streets fifty feet and less than sixty feet in width, twelve feet from the property line; on streets sixty feet or more in width, thirteen feet from the property line.¹

1257. If planted otherwise may be removed, and penalty. It shall not be lawful to plant trees in the city of Savannah at distances other than those hereinbefore designated, and any tree or trees planted in violation of this ordinance may be removed upon the order of the Committee on Streets and Lanes, and the person or persons planting such trees shall be liable, upon conviction before the Police Court, to a fine not exceeding fifty dollars, with the alternative, upon the non-payment of the fine, of imprisonment not to exceed ten days.

1258. Public processions or assemblages after sunset. It shall not be lawful for any persons to have or hold a public assemblage or procession in any street, square, or thoroughfare within the corporate limits of the city of Savannah after sunset and before sunrise, without the written permission of the Mayor of the city, and any such unlawful assemblage or procession shall be dispersed by the police force of the city, under the direction of the Mayor; besides which, every person who may be in such unlawful assemblage or procession shall, on conviction, be fined a sum not exceeding one hundred dollars, and may also be imprisoned for a period not exceeding thirty days.²

1259. Processions with music after 8 p. m., permit required. It shall not hereafter be lawful for any persons to have or hold any procession, military or otherwise, and at or in which there shall be music, in any street, lane, square or thoroughfare, within the corporate limits of the city of Savannah, after the hour of eight in the evening, except with the express written permission of the Mayor or acting Mayor of said city; and any such unlawful procession shall be dispersed by the police force of said city, under the direction of the Mayor or acting Mayor; besides which, every person who may be in such unlawful procession shall, on conviction before the Police Court, be fined in a sum not exceeding one hundred dollars, and may also be imprisoned for a period of not more than thirty days: Provided, always, that

(1) Shade trees on sidewalks belong to the city, and may be moved by it in grading, etc., 74 Ga., 164.

(2) Illegal and unreasonable obstruction of the streets is a nuisance, and the city is liable for damages. Obstructions for parade of fire department is not illegal or unreasonable, 87 Ga., 618.

Mch. 25, 1852.
c. 405.

May 2, 1888,
s. 1.

Ibid. s. 2.

Oct. 16, 1867,
c. 467.

Sept. 11, 1872.
R. 127.

nothing in this ordinance contained shall apply to the soldiers or troops of the United States, properly under command of an officer.

Aug. 2, 1869.
c. 522.

1260. Washing or drying clothes in streets. 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 a sum not exceeding thirty dollars.

Oct. 29, 1857.
c. 342.

1261. Peddlers not to occupy streets with tables, etc. It shall not be lawful for any peddler or vender of goods, wares or merchandise, as aforesaid, to occupy with tables, benches or stands of any kind, any part of the streets, lanes, alleys, squares or wharves, or to spread his, her or their wares or merchandise on the ground for sale, under the penalty of thirty dollars for each offense.

Aug. 19, 1839.
c. 227.

1262. Parapet walls on streets or wharves to be protected by banisters. All persons owning or erecting any parapet wall bordering on or ranging with any street leading to the river Savannah, or any of its wharves, or running at right angles, or in any manner diverging from said streets, shall at their expense erect, and all times keep in good repair, a good and sufficient banister or balustrade of wood or iron on such wall, which said banister or balustrade shall be at the proper distance from the brink of said wall, and shall be not less than three feet high, and calculated by its strength and construction to afford protection to passengers. All offenders against any of the provisions of this article, shall be fined in the sum of one hundred dollars.¹

Feb. 24, 1842.
c. 53.

1263. Houses to be numbered. 1. 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.

2. It shall be the duty of the Street and Lane Committee of this Board to provide some competent person, painter, brazier, or other artist, who shall proceed forthwith, under the direction of 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.

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

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

5. Upon the streets running from east to west, the houses shall be numbered with the even numbers on the north side, and the

(1) City liable for not having railing, when; 59 Ga., 544.

odd numbers on the south, and commence at the eastern terminus of said streets.

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

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

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

9. This ordinance shall be in full force from the passage thereof, and the tax upon each and every house shall be considered due upon the completion of the numbers upon that house, and shall be paid to the workmen or artist as he progresses, on 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.

CHAPTER 58.

STREETS AND LANES—ANIMALS.

SECTION 1264. Cattle running at large.	SEC. 1273. To have collar, with owner's name, etc.
1265. Penalty on owner, etc.	1274. Mayor may issue proclamation and kill dogs
1266. Cattle limits, keeping cows regulated.	1275. Dogs at market.
1267. Bulls at large may be killed.	1276. Hitching horse, mule, etc., to tree boxes, etc.
1268. Animals offensive to sight.	1277. Tying bull, cow, etc., to trees, etc., in streets.
1269. Hogs not to be kept in city.	1278. Driving draft animals between trees or over sidewalks,
1270. Goats.	
1271. Destroying property may be killed.	
1272. Dogs, to be muzzled.	

SEC. 1279. Driving horses or mules through streets.

1264. Cattle running at large. No horse, mule, cow, heifer, bull, steer, calf, or other cattle shall be permitted to run at large within the corporate limits of the city of Savannah, and it is hereby made the duty of city police to take up and impound any horse, mule, cow, heifer, bull, steer or calf found running at large in any part of said city; provided, nothing herein enacted shall be construed as to prevent horses, mules or cattle 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.¹

1265. Penalty on owner, and animal sold at pound if not claimed. No horse, mare, gelding, colt, filly, mule, jackass, cow, heifer, bull, steer, calf, or other cattle shall at any time be permitted to go at large within the limits of the city, and for a violation of

April 13, 1881

¹Ibid.
Aug. 2, 1839,
c. 284,
Mch. 10, 1843,
c. 60.

(1) Right to pass ordinances for impounding and selling would accrue under general police power. That owner is a non-resident makes no difference, 67 Ga., 753. Possessory warrant does not lie to recover animals impounded, 70 Ga., 628.

this section the owner or owners of such animals shall be fined for each and every offense, 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 and expenses of poundage, 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.

Mch. 10, 1843.
c. 60.

1266. Cattle limits, keeping cows therein regulated. It shall not be lawful for any person to keep, within the following limits, any bull or steer, nor more than one cow, 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 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.

Aug. 2, 1839.
c. 61.

1267. Bulls found at large may be killed. Any bull found at large within the limits of the city shall be considered as a nuisance, and may be killed by any person.

Ibid, c. 284

1268. Animals offensive to sight to be removed from city. 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.

Ibid, c. 293.

1269. Hogs not to be kept in city; found at large may be killed. It shall and may be lawful for any person to seize and take, or kill any hog or hogs found at large in the city of Savannah, and to appropriate the same to his or her own use, so that the same may be carried forthwith, after being seized, 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 offending shall be fined in a sum not exceeding thirty dollars for each and every such offense.

June 25, 1857
c. 293.

1270. Goats at large to be impounded, etc. 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 the city to take every such goat or goats, so found at large, and impound the same until the said sum and

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. Any person or persons whose property such goat or goats so running at large may destroy or damage, is authorized to kill the same, and have the body removed beyond the corporate limits.

1271. Goats destroying trees, etc., police to kill. Whenever any goat or goats so running at large, shall damage or destroy the trees or any other property of the city, it shall be lawful for any policeman to kill the same.

April 2, 1879.
R. 70.

1272. Dogs to be muzzled between June and October. It shall not be lawful for any dog or dogs to run at large in the corporate limits of said city without being securely muzzled, after the first day of June, in each and every year until the first day of the next succeeding October, and it shall be the duty of the members of the police force, under regulations to be fixed by the Chief of Police, to cause all unmuzzled dogs so running at large to be killed, or caught, where the latter may be easily done. When killed, to have their bodies at once removed beyond the corporate limits, and when caught, to impound them for twenty-four hours, and then, if they are not called for and redeemed by the payment of a fee of two dollars, to be disposed of by the most expeditious method.

July 23, 1879.

1273. To have collars with owner's name, owner responsible for injuries from. 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 offense; and if any person be bitten or injured by any dog running at large, or without the enclosure of the owner thereof, the owner of such dog, or the individual in whose enclosure such dog is usually kept, shall be fined in a sum not exceeding thirty dollars.

April 11, 1839
c. 290.

1274. Mayor may issue proclamation to kill dogs. 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 offense 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

Ibid.

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 offense.

April 11, 1889.
c. 230.

1275. Dogs not to go within 30 feet of market during market hours.

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.

Dec. 11, 1857.
c. 461.

1276. Hitching horse, mule, etc., to tree-boxes, steps, railing or fences.

No person shall tie or hitch any horse, mule or other animal to any or either of the boxes around the public trees, or to any step, railing or fence that may or will prevent any person or persons from passing over or upon any or either of the pavements or sidewalks in the city of Savannah. Any person or persons violating or offending against the provisions of this section, or of any part thereof, shall, upon conviction before the Police Court, be fined for each and every such violation or offense, not less than five nor more than ten dollars.

May 8, 1861.
c. 463.

1277. Tying bull, cow, ox, etc., to tree, fence, stake, etc., in streets.

It shall not be lawful for any person to tie, or cause to be tied, any bull, cow, ox, calf, or other description of cattle, to any tree, fence, stake or other fastening, in any street or other public place in said city where such animals are prohibited from running at large. 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.

Aug. 2, 1839.
c. 407.

1278. Driving draft animals between trees or over sidewalks.

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, upon conviction, 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 fine and forfeiture may be levied, recovered, collected and enforced in the manner prescribed by law.

July 15, 1874.
R. 12.

1279. Driving horses and mules through streets.

It shall not hereafter be lawful for any person or persons to drive, or allow to be driven, through any of the streets, lanes and ways of the city any drove or droves of horses or mules, unless the said animals are under the care and control of at least two competent persons, each over the age of sixteen years; and it shall not be lawful to drive or to allow to be driven any such droves of horses or mules, through any of the streets, lanes and ways of the city, except before the hour of nine a. m. and after the hour of four p. m., and then not more than twenty of said animals shall be driven through the city in one drove at the same time; and any owner or owners, or person in charge of said animals, violating this ordinance, shall, on conviction thereof before the Police Court of Savannah, be subject and liable for each and

every such offense, to a fine of not more than fifty dollars, or thirty (30) days imprisonment, either or both, at the discretion of the officer presiding in such Police Court.

CHAPTER 59.

VEHICLES.

SECTION 1280. Drivers of, qualifications.	SEC. 1286. At depots, etc., to remain at their vehicles.
1281. Obligated to carry goods on application.	1287. Mayor may revoke badge for misconduct.
1282. Rates of drayage.	1288. Loads for vehicles regulated.
1283. Rates for passengers and baggage.	1289. Railroad iron to be carried lengthways.
1284. Penalty for extortion.	1290. Flange wheels how conveyed.
1285. Drivers of omnibus, hacks, etc., to have badges.	1291. Vehicles to keep to the right.
	1292. Rate of speed.
	SEC. 1293. Not to obstruct foot passengers.

1280. Drivers of vehicles for hire, qualifications. Each dray, cart, wagon, or carriage 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.

June 6, 1839.
c. 33.

1281. Obligated to carry goods on application. 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.

Ibid.

1282. Rates of drayage, etc. The following rates shall be allowed for loading and unloading and hauling:

Dec. 27, 1865.
c. 33.

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 article 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.

Aug. 19, 1868,
c. 34.

1283. Rates for passengers and baggage. 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. 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 offense.

June 6, 1839,
c. 34.

1284. Penalty for extortion. 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 cancelled.

Jan. 18, 1871,
c. 35.

1285. Drivers of omnibuses, hacks, etc., to have badges. 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 railroad depots, and steamship and steamboat wharves or landings in said city, shall be allowed or permitted to engage in such business of carrying or offering to 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 badge 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 \$30 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 offense.

Ibid.

1286. Drivers at depots, etc., to remain at doors of their vehicles. 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.

1287. Violation of ordinance; Mayor may revoke badge. The Mayor, or 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.

Jan. 18, 1871,
c. 35.

1288. Loads for vehicles regulated. 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 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.

Dec. 20, 1849,
c. 35.

1289. Railroad iron, etc., to be carried lengthwise on truck. All railroad iron, boilers, hoops poles, timber, plank, boards and lumber, shall be transported lengthwise, and not crosswise, upon any truck, car, wagon, dray or vehicle of any description passing over the 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.

Feb. 24, 1853,
c. 427.

1290. Flange wheels, how conveyed. All flange wheels, belonging to or appertaining to locomotive engines or railroad 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.

Sept. 3, 1857,
c. 428.

1291. Vehicles to keep to the right. All vehicles of every description shall keep to the right 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.

Feb. 24, 1853,
c. 427.

1292. Rate of speed. 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, than 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

June 6, 1839,
c. 224.

the drivers thereof shall not be allowed to turn corners, or proceed through narrow streets, or on wharves, in 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.

June 6, 1839, c. 214.

1293. Not to drive so near together as to obstruct foot passengers.

It shall not be lawful for vehicles to be driven so near each other 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.

CHAPTER 60.

STREET RAILWAYS.

SECTION 1294. How constructed and operated.
1295. Quality of rails, lumber, etc.
1296. To replace city pumps removed.
1297. Roadbed.
1298. Damages to private individuals

SEC. 1299. Under police regulations.
1300. Right of way, penalty for obstructing.
1301. Track to be paved, when.
1302. Cars. and rate of speed.
1303. Applicable to present and future railways.
1304. Required to water their tracks.

Aug. 15, 1883.

1294. Street railways, how constructed and operated. Whenever any corporation authorized by law shall use the streets of the city of Savannah for the purpose of laying down and operating street railways, said railways shall be laid down, constructed and operated in conformity with the provisions of this ordinance, and all permissions to use the streets of said city, shall be granted subject to the provisions of this ordinance and such other conditions as may be prescribed by Council.

Ibid. s. 2.

1295. Quality of rails, lumber, etc. The rails used in the construction of such railways shall be of the latest and most approved pattern of rail used in the construction of street railways and such as shall be approved by the Street and Lane Committee and the Mayor. That the lumber shall be of the best quality of yellow pitch pine, free from sap, and of a size to be approved of by the Street and Lane Committee. The City Surveyor will furnish the lines and levels for the road, and shall supervise the entire construction of the road until the same is completed.

Ibid. s. 3.

1296. To replace city pumps removed. When it shall be necessary in the construction of any railway in the streets of said city to remove any city pump, the same shall be done at the cost and expense of the company or corporation constructing said railway, and a new pump in lieu of the one so removed, shall be provided by said company or corporation at each point in said city as may be designated by the Street and Lane Committee.

Ibid. s. 4.

1297. Roadbed, how constructed and how to be kept. The company or corporation constructing a railway in the streets of said city shall, at its own expense, arrange the roadbed, and so lay its tracks that the same will be of even grade with the street in which it may be laid, and shall bring its track four feet each way from the centre of the same to the proper grade, to be fixed by the City Surveyor, and shall at its own expense, repair and

keep in repair according to the proper grade so fixed four feet each way, until otherwise required, from the centre of said track with such material as will form a hard and uniform surface of even grade at the point of junction with the rails themselves, so that carriages and other vehicles can cross the track with facility and comfort, and at the points where the tracks of any company or corporation shall intersect or cross any street or lane of the said city, the company or corporation constructing the same shall provide planks or stone crossings of the full width of such street or lane as is comprised between the curbs of such street or lane, and at the points where it is necessary for the proper drainage of the said city, that ways should be provided for the passage of water under said track, then the company or corporation constructing the same shall put in such water-ways as may be required from time to time, or at any time for the proper drainage of said city, on being required so to do by the Street and Lane Committee of Council, and all such water-ways shall be kept open by the company or corporation constructing the said track; and in the event that any company or corporation so using the street of said city shall permit its roadbed, tracks or rails to become an impediment to the crossing over the same of carriages and other vehicles with ease, facility and comfort, or of the free passage of water at the points designated as aforesaid, then, and in that event, the said company or corporation shall be notified by the Marshal of said city of the condition of such roadbed, tracks or rails so offering an impediment to crossings or passage of water, and the same shall be forthwith repaired by said company or corporation; and if not so repaired within forty-eight hours after service of said notice, said company or corporation shall be put on the information docket of the Police Court, charged with a violation of this ordinance, and on conviction in said court shall be fined in a sum not less than \$25 nor more than \$100, for each day in which said repair shall remain uncompleted.

Aug. 15, 1883

1298. Damages to private individuals, to be paid by company. All damages that may be sustained by private individuals from the use and occupation of their property by any such company or corporation shall be met and paid by said company or corporation, and the said the Mayor and Aldermen of the city of Savannah shall in no instance be responsible or liable thereof.

The Mayor and Aldermen of the city of Savannah shall in no case be liable for any damage which may be sustained by digging or other unavoidable work in repaving or laying gas or water pipes or sewers now running or to be run in said city, but the said authorities shall in no case tear up or undermine the tracks of any company or corporation to lay down any new pipe or tracks without relaying the same. Provided that nothing herein contained shall prevent the said the Mayor and Aldermen of the city of Savannah from laying or authorizing the laying of gas or water pipes, the building of sewers or the construction of other works, which may be proper in the opinion of Council, which may temporarily obstruct said tracks.

Ibid. s. 6.

1299. Companies under police regulations of the city. All such companies and corporations using the streets of said city as aforesaid, and the agents of the same, shall be under the same police regulation and be liable to fine and penalties as other persons for violating the ordinances of the city of Savannah.

Aug. 15, 1883,
s. 7.

1300. Companies right of way, penalty for obstructing. The cars of any such company or corporation shall have the right of way on and over such railway tracks, turn outs and switches (which may be built) to the exclusion of all teams and vehicles (except fire apparatus in case of fire), and any person or persons who shall obstruct any such track by occupying the same or any part thereof, or otherwise retard the progress of the cars on the same after due notice given by the car bell or other proper signal, shall be fined on conviction thereof in the Police Court of Savannah in a sum not exceeding thirty dollars.

Ibid. s. 8.

1301. Track to be paved by company, when. In the event of the paving of the whole or part of any street, used by any company or corporation by the city, the portion of the track between the rails shall be paved and kept in good order and repaired by the company or corporation using the said street at its own cost and expense.

Ibid. s. 9.

1302. Cars, and rate of speed. The cars to be used on any street railway, constructed as aforesaid, shall be of the most approved patterns, and the rate of speed in said city shall not exceed six miles an hour. Each car shall be furnished with a proper light on the front and rear in the night time, and if required, the horses and mules drawing the same shall have bells attached to their harness.

Ibid. s. 10.

1303. Applies to all railways now existing, or hereafter to be built. Nothing in this ordinance shall be taken or held to repeal any ordinance heretofore passed by the said the Mayor and Aldermen of the city of Savannah, in reference to particular railroads, but the passing of this ordinance shall apply to all street railways, whether now existing or to be built in said city.

Dec. 12, 1883.

1304. Street car companies to water their track. Each and every company or corporation operating any street car line within the limits of the city of Savannah, shall water their tracks so as to effectually keep the dust on the same laid. Every company or corporation violating this ordinance shall be fined, on conviction thereof in the Police Court, in the sum of fifty dollars for each and every violation of the same.

CHAPTER 61.

MUNICIPAL REVENUES—ASSESSMENTS.

SECTION 1305. Assessments and appeals therefrom. | SEC. 1306. Assessor's oath.

Feb. 20, 1884,
s. 3.

1305. Committee on assessments; assessments how made and appeals from. The Mayor shall forthwith appoint as one of the standing committees of Council, a committee to be composed of five (5) Aldermen, which committee shall be known as the Committee on Assessments, and it shall be the duty of said Committee to hear all objections that may be made to the assessment and valuation of real estate in the city of Savannah for the purposes of taxation, and to determine the same, notifying the parties objecting of the action of said Committee, so that the persons objecting to the decision or determination of said Committee can appeal to Council in conformity to the ordinances of said city. Said Committee shall report to Council all objections made to assessments of real estate brought before

them and their action on same, and all reductions made by them from said assessments shall be acted on by Council, and if approved shall be the basis of taxation for said property for the time said assessment is made. In all divisions of real estate the said Committee on Assessments shall determine the value of the several divisions of said property, which shall aggregate in all cases the total valuation of the property before the division of the same, and shall notify the owners of the valuation so determined on, who may appeal to Council within ten (10) days after such notification if they are dissatisfied with said valuation of the several divisions of said property. All partial assessments of new improvements and general assessments of real estate for the purposes of taxation shall be made from time to time, as Council may direct, by such number of freeholders as said Committee may select, and after such assessment is made (whether partial or general) the same shall be returned to Council, when the same shall be ordered filed in the office of the City Treasurer, and to such partial assessments of new improvements and to such general assessments as may from time to time be made, the owner or owners of the property assessed may object at any time within thirty (30) days after the same is filed in the office of the City Treasurer and due publication of the filing of the same is made, and the said objections shall be acted on by said Committee, and the party or parties objecting shall be notified of the action on such objection, and shall have ten (10) days from the time of such action of said Committee to appeal from their decision to Council, and such assessments so made and determined by said committee shall be the assessment and valuation of real estate for the purposes of taxation in the city of Savannah.

1306. Assessor's oath. Each of said assessors shall take and subscribe before the Clerk of Council the following oath or affirmation: "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 fear, favor or affection of or 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 ability, knowledge and belief, so help me God."

Oct. 10, 1833,
s. 4.

CHAPTER 62.

MUNICIPAL REVENUES—TAXATION.

SECTION 1307. Fiscal year.

- 1308. Annual budget.
- 1309. Statement of purposes of, a condition precedent.
- 1310. Preamble.
- 1311. General enactment.
- 1312. Rate for real property.
- 1313. Rate for personalty.
- 1314. Shipmasters, agents, etc.
- 1315. Taxation on business.
- 1316. On vehicles.
- 1317. On dogs.
- 1318. Values, how ascertained.

SEC. 1330. Previous ordinances of force as to unpaid taxes.

SEC. 1319. Returns how made.

- 1320. By whom made.
- 1321. Taxes, when due.
- 1322. Payment, how enforced.
- 1323. Licenses.
- 1324. Liquor licenses.
- 1325. Badges for vehicles.
- 1326. Badges for dogs.
- 1327. Treasurer's Assistant.
- 1328. Treasurer's report of disbursements.
- 1329. Alteration or repeal of tax ordinance.

1307. Fiscal year; Mayor's Annual Report. The fiscal year of said city shall hereafter end on the thirty-first day of December

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annually, and not on the last day of September, as heretofore and the Mayor's account or report, shall be made up and published on the first Monday in January annually, (or as soon thereafter as the Mayor can procure the report of the Finance Committee), and shall contain an account of the receipts and expenditures of the city for the year ending the thirty-first day of December of each year; and the account shall undergo the inspection of and be certified by the Committee of Finance before the publication of the same.

1308. Annual budget. The committee of this Council known as the Committee on Finance, shall submit to Council at the fourth regular meeting preceding the opening of each fiscal year or at any subsequent meeting of Council prior to the adoption and passage of the Tax Ordinance for such fiscal year, a budget of the expenditures of that year, and the same shall be approved and adopted by Council and then set forth in a preamble to the Tax Ordinance of each year as a condition precedent to the enforcement of said ordinance.

1309. Statement of purposes of taxation a condition precedent to enforcement of tax. All taxation of the inhabitants of Savannah, whether specific or ad valorem, shall be accompanied by a statement of the purposes of such taxation and amounts required for such purposes, as a condition precedent to the enforcement of any tax.¹

1310. Preamble. Whereas, The administration of the government of the city of Savannah, for the fiscal year 1888, will cause an expenditure in the various departments of said government in sums estimated as follows, to wit:

	Board of Health	\$32,000
	City Clocks	250
Dec. 28, 1887.	City Court	4,000
	City Lamps	26,000
	Drainage and Dry Culture	17,000
	Fees	1,700
	Fire Department	35,000
	Harbor and Wharves	500
	Incidentals	5,000
	Laurel Grove Cemetery	6,000
	Market	4,000
	Parks and Squares	9,000
	Police	55,000
	Printing and Stationery	2,000
	Police and Fire Uniforms	2,500
	Public Buildings	750
	Quarantine	3,500
	Salaries	19,000
	Scavenger Department	20,000
	Streets and Lanes	45,000
	Paving Streets	50,000
	Water Works	29,000
	Sinking Fund	31,000
	Interest	184,000
	Total	\$582,200

(1) Tax must be uniform and ad valorem, 47 Ga., 562. City may exempt certain property from taxation, 60 Ga., 93. Tax for necessary expenses; what are ordinary, and what extraordinary expenses, 67 Ga., 106. To recover unauthorized tax paid to city it must have been paid under compulsion, to avoid seizure or arrest. Voluntary payment under protest will not suffice, 61 Ga., 228; 62 Ga., 538; 66 Ga., 31; 68 Ga., 119; 69 Ga., 581.

1311. General enactment. From and after the first day of January, 1888, the inhabitants of said corporate and jurisdictional limits of said city, and those who hold taxable property within the same, and those who transact, or offer to transact, business therein, except such as are exempt from taxation by law, shall pay toward the support of the government of said city, and for the safety, benefit, convenience and advantage of said city, the taxes hereinafter prescribed.

1312. Rate for real property. Every person and corporation owning real property in said city, including improvements, shall pay a tax, to be assessed by Council upon the value of said property by the first day of April, 1888, at the rate of two and one-eighth per centum of such value, except on such property as may be exempt from taxation under the laws of this State.

1313. Rate for personal property. Every person or corporation owning or holding in trust or on consignment household, kitchen or office furniture, private or professional libraries, watches, jewelry, plate, musical instruments, billiard tables, in private residences, stocks in money corporations, bonds,¹ notes and other evidences of debt, money, solvent debts, stock in trade, and every other kind of personal property whatsoever (except vehicles used for purposes of pleasure and convenience and hereinafter otherwise taxed), shall pay a tax of one-half of one per centum on the value of such personal property so owned or held on the first day of January, 1888, except such as may be exempt from taxation by the laws of this State or of the United States. The foregoing phrase, "stocks in money corporations," shall not include shares in banks or banking associations organized under the authority of this State or the United States, and located within the city of Savannah, whether the owner of such shares reside in the said city or elsewhere, but the tax on such shares will be three-tenths of one per cent. per annum, in accordance with tax law of the State, but nothing in this or any other section of this ordinance shall be construed to require any tax upon the capital of any bank or banking association organized under the authority of this State or of the United States, or to require any tax upon the shares of stockholders in any such bank or banking association at any greater rate than is required for other monied capital in the hands of individual citizens.

1314 Shipmasters, agents, etc. Every shipmaster, captain, supercargo, agent or other officer of any ship or vessel, or other persons who shall charter or offer to charter his vessel, or who shall sell goods or articles of any kind from any vessel or wharf, personally purchase cargo or collect freight, except through a licensed broker or commission merchant, shall be considered a commission merchant, and pay the tax hereinafter prescribed for commission merchants.

1315. Taxation on business. Every person transacting or offering to transact either of the kinds of business hereinafter specified shall pay the tax hereinafter prescribed for every separate place in which he shall transact, or offer to transact business, viz.:²

Every auctioneer and commission merchant, or auctioneer and broker, two hundred dollars.

(1) Bonds liable in city where owner resides, 50 Ga., 387-392 contra. 33 Ga., 113, but see Code of Ga., §798. Under general authority no power to tax its own city bonds. 67 Ga., 489.

(2) Tax on business, charter power of Savannah to classify—Wilder's case, 70 Ga., 760. See also 69 Ga., 583. May be increased before time for collection expires, though first tax has been paid. Crawford and Lovell's case, 75 Ga., 35.

Dec. 28, 1887.

Ibid. s. 2.

Ibid. s. 3

Ibid. s. 4.

Ibid. s. 5.

Every dealer in goods, wares and merchandise, including dealers in drugs, etc. (in addition to liquor tax or license), as follows:

Every dealer exclusively retail, forty dollars.

Every dealer exclusively wholesale, or retail dealer selling at wholesale, one hundred and seventy dollars.

Every dealer in liquor doing a wholesale business, three hundred dollars.

Every banker or bank agent, or agents of bankers engaged in buying or selling exchange, including every insurance company doing a banking business, two hundred and fifty dollars; every bank with a savings department attached, five hundred dollars; every bank without a savings department attached, three hundred dollars; every savings bank, two hundred dollars.

Every cotton broker, broker or dealer in stocks and bonds, money broker, and every produce, grocery and naval stores broker, exclusive of brokers in liquor, seventy-five dollars.

Every ship broker, one hundred dollars.

Every dealer in butter, lard and cheese, eighty dollars.

Every dealer in hides, wax and tallow, eighty dollars.

Every broker for the sale of horses, cattle or mules, who keeps no stable for the sale of the same, eighty dollars.

Every dealer in horses, cattle or mules, who keeps no stable for the sale of same, eighty dollars.

Every pawnbroker, three hundred dollars.

Every building and loan association, fifty dollars.

Every loan association doing a banking business, two hundred dollars.

Every fire or life insurance company doing business, whether directly or through an agency, two hundred dollars.

Every marine, accident or other insurance company doing business, whether directly or through an agency, fifty dollars.

Every person who shall be sworn by the Mayor (who is hereby authorized to administer the oath for such purpose) as a public weigher of any goods, wares or merchandise, twenty-five dollars.

Every local average or insurance adjuster, other than an agent of an insurance company, fifty dollars.

Every keeper or keepers of a hotel that contains seventy-five rooms or upward, two hundred dollars.

Every keeper or keepers of a hotel that contains under seventy-five rooms, and having fifty rooms, one hundred dollars.

Every keeper or keepers of a hotel that contains under fifty rooms, fifty dollars.

Every sewing machine agent or agency, fifty dollars, the same for each and every agency.

Every dealer in sewing machines, fifty dollars.

Every dealer in coal, not paying tax as a wholesale dealer, seventy-five dollars.

Every dealer in stationery or books, selling exclusively at wholesale, or at retail and wholesale, one hundred dollars.

Every retailer dealer in stationery or books, forty dollars.

Every agent for or dealer in fertilizers, not paying tax as commission merchant, one hundred and seventy dollars.

Every sailor boarding house keeper, fifty dollars.

Every runner for a sailor boarding house, twenty-five dollars.

Every owner or owners, lessee or lessees, of a cotton press establishment, three hundred dollars; every hand cotton press, twenty-five dollars.

Every the owner or owners, lessee or lessees, of a junk shop, or junk dealer, one hundred and fifty dollars.

A cotton pickery, to be confined exclusively to the purchase or sale of cotton, one hundred and seventy dollars; and all buyers of loose cotton, who buy from other than cotton merchants, one hundred and seventy dollars.

Every owner or owners of a steam cotton gin establishment, one hundred dollars.

Every commission merchant or factor, or exporter of cotton, lumber, naval stores or other merchandise, foreign or coastwise, or agency, or representative of firm of exporters, two hundred dollars.

Every stevedore, fifty dollars.

Every the owner or owners of a lumber yard, seventy-five dollars.

Every dealer in brick, or agent for sale of bricks, seventy-five dollars.

Every dealer in wood, forty dollars.

Every the keeper or keepers of a warehouse for the storage of cotton, merchandise, goods, etc., for each warehouse, forty dollars.

Every the owner or owners, lessee or keeper of a billiard table, other than those used in private dwellings, fifty dollars for each table; for every pool table or tables on which pool is played, one hundred and fifty dollars.

Every the owner or owners, lessees or keepers of a bagatelle table, twenty-five dollars for each table.

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 a planing mill, with or without lumber yard attached, one hundred and twenty-five dollars, and on each sash and blind factory, or agency of sash and blind factory, seventy-five dollars.

On the owner or owners of every steam engine used for hoisting purposes, or any other business where steam is used, not regularly taxed, as in this ordinance stated and enumerated, twenty-five dollars.

Every cotton shipper, fifty dollars.

Every cotton weigher, twenty-five dollars.

Every shoemaker, ten dollars.

Every merchant tailor, forty dollars.

Every circus, for each and every performance in the city, two hundred dollars; flying horses, or itinerant shows, one hundred dollars per week or any part thereof.

Every dealer or vendor of goods, wares, merchandise, drugs and small wares, selling or introducing the same for sale by means of public exhibition, one hundred dollars per week or any part thereof.

Every grinder of a hand organ, or strolling band of musicians, five dollars per week.

Every theatrical troupe, minstrel troupe, or other troupe, acting or performing in theatre or public halls in this city, three dollars for each performance.

Every person or partnership running a grist mill worked by steam, forty dollars; if worked by horse power, twenty dollars; every person running a flour mill, or flour and grist mill driven by steam, eighty dollars.

Every bread or cake bakery carried on by means of steam

machinery, one hundred dollars; if carried on without steam, forty dollars.

Every master builder, mason or mechanic, and other mechanics not otherwise taxed, taking contract for work, architects, civil engineers, surveyors, contractors other than builders, twenty dollars.

Real estate collectors and agents, and other collectors and agents, and ticket agents and scalpers, twenty-five dollars.

Every keeper or keepers of an intelligence office, ten dollars for each office.

Every mercantile or commercial agency, one hundred and fifty dollars.

Every daily newspaper printed by steam, one hundred dollars; every weekly or other newspaper, fifty dollars; every daily newspaper, worked by hand, twenty-five dollars; and every weekly newspaper worked by hand, ten dollars.

Every job printing office worked by steam, gas or water motor, fifty dollars; if worked without steam, gas or water motor, twenty-five dollars.

Every manufacturer of soda water, selling from founts, twenty-five dollars; and manufacturing and bottling soda water, fifty dollars; selling soda water from founts, ten dollars for each fount.

Every public steam laundry, twenty-five dollars.

Every public laundry run without steam, ten dollars.

Every bottler of beer or ale, fifty dollars.

Every soap boiler or tanner, for each establishment, ten dollars.

Every barber shop, four dollars for each chair used.

Every person engaged in the business of gas fitting or plumbing, or both, shall take out a license for which he shall pay forty dollars; and as a prerequisite to the issuing of such license every plumber and gas fitter shall on or before the 15th day of January, 1888, make and file with the Clerk of Council, a bond in the sum of \$2,000, with good and sufficient securities, to be approved by the Mayor, conditioned to comply with the ordinances of the city of Savannah and the rules and regulations governing the Water Works Department of said city, and to answer over to the Mayor and Aldermen of the city of Savannah for all damages the city may sustain, by reason of negligence or default of such plumber or gas fitter in negligently closing or leaving open excavations in the public streets; and no person shall do or perform the work of a plumber or gas-fitter without first taking out said license, under penalty, upon conviction before the Police Court, of a fine of not exceeding one hundred dollars, or imprisonment not exceeding thirty days, either or both, in the discretion of the officer presiding in said court.

Every daguerrean artist, photographer, ambrotyper and portrait painter, twenty-five dollars.

Every steamboat, vessel or other agency, fifty dollars; every agency for ocean steamships, each line, one hundred dollars.

Every cotton factory, one hundred dollars.

Each and every coppersmith or manufacturer of stills, fifty dollars.

Every ice factory, one hundred dollars.

Every wholesale dealer in ice, one hundred dollars; every retail dealer in ice, ten dollars.

Each and every museum, twenty-five dollars.

Every gas company, five hundred dollars; every electric light company, five hundred dollars.

Every restaurant or eating house, without liquor license, twenty-five dollars.

Every rice pounding or cleaning mill, with or without grist mill attached, two hundred dollars.

Every fortune teller or astrologer, twenty-five dollars.

Every telegraph company or agency, five hundred dollars; each and every telephone company or exchange, six hundred dollars; each independent telephone of two stations, two dollars and fifty cents.

Every street railroad company, three hundred dollars, and in addition thereto, as a part of the same tax, thirty dollars for each and every car at any time used by such company in the city; it shall also be required, that each and every street railroad company doing business in this city shall take out badges for all cars employed by them, which badges shall be furnished by the City Treasurer, and which shall be numbered and which shall also indicate whether the car upon which such badge shall be placed is an open or closed car; it shall furthermore be required that each and every car employed by each and every street railroad company shall have such badge as hereinbefore provided, securely fastened in a conspicuous place upon the outside of such car.

Every keeper of a skating rink, twenty-five dollars.

Every undertaker or coffin warehouse, forty dollars.

Every person engaged in loading or unloading vessels by horse power, twenty-five dollars for each hoisting apparatus used.

Every express company, three hundred dollars, and in addition thereto, as a part of same tax, ten dollars for every one-horse baggage express wagon, and eighteen dollars for every two-horse baggage express wagon employed by such company.

Every bill poster or distributor, ten dollars.

Every blacksmith shop, each forge, eight dollars.

Every owner, proprietor or keeper of a "bucket shop" or a place where futures are sold, five hundred dollars.

Every cooper shop, twenty dollars.

Every carriage repository, one hundred dollars; every carriage or wheelwright shop for manufacturing or repairing, twenty-five dollars.

Every cigar manufacturer or retailer, twenty dollars.

Every dye house, twenty dollars.

Every millinery establishment, ten dollars.

Every gunsmith establishment, ten dollars.

Every foundry, fifty dollars; machine shop, fifty dollars; every foundry and machine shop, one hundred dollars.

Every menagerie, fifty dollars per day.

Every marble and stone yard, eighty dollars.

Every oyster and fish dealer, forty dollars.

Every shipping master, one hundred dollars.

Each and every shooting gallery, one hundred dollars.

Every the owner or owners of every green grocery, one hundred dollars.

Every stencil cutter, twenty dollars.

Every tailor not registered as a merchant, ten dollars.

Every the owner or owners of a marine railway or dry dock, fifty dollars.

Every dealer paying a tax as a wholesale dealer, shall be permitted to do any business hereinbefore taxed, paying a less tax than tax for a wholesale dealer, without paying any other specific tax.

Every person engaged in the business of transporting or carrying goods, wares, merchandise, passengers or baggage, for hire, by means of wagons, drays, trucks, carts, omnibuses, or carriages of any description, or of letting carriages or other vehicles for hire, shall pay a tax according to the number and character of vehicles employed in such business, viz.: every person employing one one-horse cart or wagon, eight dollars; every person employing one one-horse dray or truck, ten dollars; every person employing one one-horse cab, hack or buggy or vehicle of any description, not otherwise specially mentioned, ten dollars; every person employing one two-horse cart or wagon, dray or truck, eighteen dollars; every person employing one two-horse cab, hack, buggy, omnibus, carriage, or vehicle of any description, eighteen dollars; every person employing one three-horse dray or truck, twenty-five dollars; every person employing one four-horse dray or truck, thirty-five dollars; every person employing one four-horse omnibus, forty dollars. and the tax to be paid by any person employing more than one vehicle of the same or different kinds, shall be according to the number of vehicles employed, at the rates above specified.

Every keeper of a sale and feed stable, eighty dollars; but nothing herein contained shall authorize the keeper of such sale and feed stable to sell any live stock of any other person without first paying the brokers' or dealers' tax, as required under this ordinance; every keeper of a public or livery stable, eighty dollars; every keeper of a feed stable only, fifty dollars; and in addition thereto, as part of the same tax, according to the number and character of any vehicles employed in such business, either by letting for hire or in the transportation of goods, passengers, or baggage, at the rates above specified for taxes to be paid by persons engaged in the business of transporting, etc., for hire.

Every person employing or using one or more vehicles of any sort to be drawn by one or more horses or mules in connection with any business in which he may be engaged, for the purpose of delivering goods sold by him or her, or in any other manner, shall pay in addition to the specific tax required of him for such business and as part thereof, a graduated tax similar to that hereinbefore required of persons engaged in the business of transporting, etc., for hire, according to the number and character of such vehicles and at the same rate,

Every huckster, including dealers in ice cream, fruit, small paint shops, venders of small wares, and keepers of a cook stove or cook shop, ten dollars.

Every street dealer in poultry, for which a badge shall be issued, fifteen dollars.

Every drummer, runner, or other person soliciting trade or orders, or business for another or for himself, whether resident of this city or elsewhere, ¹ and having no fixed place of business in this city, and every peddler and itinerant transient trader, and every transient person selling or offering to sell by sample, shall pay the same tax required of resident and stationary dealers in

(1) No tax can be imposed on non resident trader not imposed on resident trader of same class, 55 Ga., 678, 687.

the same articles, and no officer of the city shall be authorized to reduce, or in anywise change such tax so required, nor shall such itinerant dealer be allowed to sell his wares under the license of any auctioneer, or under the name of any factor or commission merchant who has paid his tax as such, until he himself shall have paid all taxes required of him by this ordinance; Provided, however, that any transient person transacting or offering to transact any of the kind of business mentioned in this paragraph, selling or offering only to resident dealers or manufacturers in the specific article or commodity sold or offered by him or her, and not bringing into or keeping in the city any stock for purpose of delivery, shall not be required to pay any tax or license fee.

1316. Vehicles. Every person keeping and using one or more vehicles of any sort, to be drawn by one or more horses or mules, for purposes of pleasure or convenience, shall pay a tax graduated according to the number and character of such vehicles, at the rates above prescribed for persons engaged in the business of transporting goods, etc., for hire, but such vehicles shall not be otherwise taxed.

1317. Tax on dogs. The occupant of any premises where a dog or dogs is or are kept, shall pay for every dog so kept an annual tax of one dollar. Upon payment of this tax a badge shall be issued to the person paying the tax for the dog; and every dog found running at large without such badge shall be impounded, and if not claimed within forty-eight hours shall be disposed of.

1318. Values, how ascertained. The value of real property, to be taxed under the second section of this ordinance, shall be ascertained by means of the assessments provided for by the ordinances of the city on that subject, or any ordinance amendatory thereof; the value of personal property to be taxed under the third section of this ordinance, the particulars and character of the business for which a tax is required under the fifth section of this ordinance, the number of vehicles used or kept, under the sixth section of this ordinance, and the number of dogs kept as provided for in the seventh section of this ordinance, shall be ascertained by means of the returns hereinafter prescribed.

1319. Returns, how made and corrected. Every person and corporation owning real property in said city on the first day of January, 1888, shall pay taxes upon such real property upon the assessment thereof as adopted by Council. Every person and corporation owning or holding in trust or on consignment personal property in said city on the first day of January, 1888, liable to be taxed under the third and fifth sections of this ordinance, except stocks in banks and banking associations organized under the laws of this State or of the United States, shall make a return thereof to the City Treasurer within twenty days after that date; and all returns of personal property shall be inspected as soon as they are made, by a person to be designated by the Finance Committee of Council, who shall carefully and critically examine the same, and if he finds, or has cause to believe that such return is not properly made, so as to show the amount of personal property owned by the person or persons or corporation making the return subject to taxation, then he shall forthwith proceed to assess the said personal property of said person or corporation at its true value, as near as can be ascertained by him, and as soon as the same is made he shall send a copy of the same to the person or corporation whose return is

Dec. 28, 1887.
s. 6.

Ibid. s. 7.

Ibid. s. 8.

Ibid. s. 9.

thus corrected; and the person or corporation whose return is thus corrected shall have the right to appeal from such corrected return to the Committee on Assessments of the City Council within ten days after the mailing of the notification of the correction of said return; and the said Committee shall hear such return as soon as may be convenient thereafter, notifying said appellant of the time and place of hearing said appeal; and after hearing such appeal the said Committee on Assessments shall fix the return of said person or corporation at such sum as may, in their opinion, be correct and just, and shall immediately notify such party of the sum so fixed by them; and the said person or corporation may, within four days of the rendition of such judgment, appeal therefrom to the Mayor and Aldermen of the city of Savannah, where such appeal shall be heard and determined as other appeal cases are heard and determined by the Mayor and Aldermen of the city of Savannah, and the judgment of the Mayor and Aldermen of the city of Savannah shall be final, and determine the amount upon which the City Treasurer shall collect the taxes prescribed by the third and fifth sections of this ordinance; if the return of personal property, as made by the person or corporation, shall be accepted by the person so designated by the Finance Committee of Council, he shall indorse the same as accepted and hand the same to the City Treasurer, who shall assess thereon the taxes to be paid by the person or corporation making such return. But in the event there is no appeal from the assessment so fixed by the person appointed to examine and correct the same, or no appeal from the assessment fixed by the Committee on Assessments, then said assessment so fixed shall be the amount upon which the City Treasurer shall assess the taxes to be paid by the person or corporation making such return. The President, or acting President of every such bank or banking association, located in said city shall, within twenty days after the first day of January, 1888, make a return to the City Treasurer of all stockholders in such bank or banking association, holding stock therein on the first day of January, 1888, whether resident or non-resident, with the place and residence of, and the number of shares held by each, and showing the market value of such shares. Every person liable to taxation under the fifth and sixth sections of this ordinance shall make a return of the business in which he is engaged, and of the number and character of vehicles by which his tax is to be graduated, to the City Treasurer, within twenty days after the first day of January, 1888, and every person commencing to carry on any of the said kinds of business, or increasing the number of his vehicles, or commencing to keep and use vehicles, after the first day of January, 1888, shall make a return thereof within ten days after so commencing or increasing. Every person having a dog or dogs on the first day of January, 1888, shall make a return thereof to the City Treasurer within twenty days after that date, and every person bringing a dog or dogs into the city after that date, to be kept here, shall make a similar return within ten days after so bringing in such dog or dogs. And all such returns of persons or corporations shall be inspected by a person designated by the Finance Committee, as soon as it is practicable so to do, and if he finds, or has cause to believe that such return is not properly made, then he shall forthwith proceed to correct such return, and after he shall have corrected the same, he shall, at as early a day as

possible, notify the person or corporation of such corrected return, from which correction the person or corporation whose return is corrected, may appeal, as provided in the case of appeals from assessments of personal property, and the same proceedings may be had under said appeal; but if no correction is deemed necessary by the person so examining such returns, he shall indorse the same as correct, and hand the same to the City Treasurer, who shall determine therefrom the taxes to be paid by such person or corporation under the fifth and sixth sections of this ordinance.

1320. Returns, by whom to be made. All such returns may be made either in person or by agent or attorney, and shall set forth the market value of all property liable to be taxed ad valorem, except real property, but shall be on oath or affirmation that the return is true, and that the person for whom the return is made is not liable to any other tax, and has no other property in said city liable to taxation under this ordinance; and it shall be the duty of the Treasurer or his assistant to require such oath or affirmation in every instance, without exception—the Treasurer or his assistant being hereby authorized, for the purpose of this ordinance, to administer such oath or affirmation. But the return above required of the President or acting President of a bank or banking association, shall be made by such President or acting President himself, and need not state more than is required in the ninth section of this ordinance. And if any person, required to make any such return shall refuse or neglect to do so within the time specified for the same, he or she shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred dollars, or imprisoned not more than thirty days, or both, in the discretion of the court. And it shall further be the duty of the person designated by the Finance Committee of Council to correct returns of personal property, etc., in the event of any such refusal or neglect to proceed forthwith to make the return himself, from the best information he can obtain, within ten days, or as soon as practicable after such return was due from the person from whom it was required, and to notify such defaulter thereof in writing, within ten days after making such return, and he shall hand such return so made by him to the City Treasurer, who shall assess a double tax against such defaulter, according to the nature of the tax, whether specific or ad valorem. Any person or corporation double taxed under this ordinance may appeal to Council for a reduction of such double tax, provided the same is done within thirty days after the said double tax is assessed; and in the event of a neglect or refusal of a President or acting President of a bank or banking association to make the return required of him within the time specified, or to afford to the City Treasurer free access to the list of stockholders kept in the office or place of business of said bank or banking association, it shall be the duty of the Treasurer to obtain from the Governor of the State of Georgia, in the cases of banks organized under the laws of this State, or from the Comptroller of the Currency of the United States, in cases of banks organized under the laws of the United States, the last preceding list of the stockholders of such bank, and assess therefrom the taxes to be paid by the stockholders thereof for their shares.

1321. When taxes considered due. All taxes hereby required for real and personal property held on the first day of January,

Ibid. s. 10.

Ibid. s. 11.

1888, and for business in which any person shall be engaged at that date, and of persons having vehicles and dogs in said city at that date, shall be considered as due on the first day of January, 1888, and all taxes required of persons commencing to transact any business for which a tax is required, and after the first day of January, 1888, or commencing after that date to use vehicles and street railway cars not then in use, or bringing any dog or dogs into said city, shall be due immediately upon the commencing of such business, using such vehicles, or bringing such dog into the city. And all taxes, of every kind, shall be payable to the City Treasurer, provided, nevertheless, that any tax upon property assessed for the whole year may be paid quarterly, at the option of the tax payer, computing from the first of January, 1888; but in the event that any quarter's tax is not paid when the same is payable, then the Treasurer shall issue an execution for the amount of the tax for the year remaining unpaid, as is hereinafter provided. But any person or firm commencing business in this city after July 1, 1888, or running after that date vehicles for the transportation of goods, wares or merchandise, or passengers, or keeping or using for pleasure or convenience any vehicle or vehicles, which were not run before that date, upon making prompt return of the same within ten days after such business has commenced, or such vehicles have been run, he or they shall be taxed one-half of the yearly tax assessed by this ordinance, provided such tax be paid within fifteen days after such return; otherwise the entire tax shall be collected. The term vehicle, as used in this section, shall include street railway cars.

Dec. 28, 1887,
s. 12.

1322. Payment, how enforced. If any person or corporation shall refuse or neglect to pay any tax required by this ordinance, within thirty days after the same shall be due and payable as above provided, or shall neglect or refuse to pay any double tax assessed as above provided for, twenty days after notice has been served on such person or corporation of such assessment, the City Treasurer shall issue execution therefor, and for the further sum of one dollar for costs; and the City Marshal shall proceed with such executions in the same manner as a Sheriff does under executions from the Superior Court of this State, subject to the provisions of the act of the General Assembly of the State of Georgia, passed February 27, 1877.¹ Every person or corporation who shall pay his or its taxes on real or personal property, or both, promptly within fifteen days after the first of April, July, October and January, the time hereinbefore specified for the payment thereof, shall be entitled to a deduction of ten per centum of the amount thereof, and the City Treasurer is hereby directed to make such deduction upon the receipt of the tax; and every person or corporation who shall pay any other taxes required by this ordinance promptly within thirty days after the same shall become due shall be entitled to a deduction of ten per centum of the amount thereof, and the City Treasurer is hereby directed to make such deduction upon the receipt of the tax.

Ibid s. 13.

1323. Licenses. Every person transacting or offering to transact either of the kinds of business hereinafter named, who are in business on the first day of January, 1888, shall, within thirty days after the first day of January, 1888, take out a license

(1) Tax liens, levies and purchases at tax sales, law construed, 69 Ga., 194.

therefor,¹ viz: every auctioneer, every broker, every commission merchant, every plumber, every barber, and all others doing business without any stock in trade; every owner or lessee of a junk shop or cotton pickery, every junk dealer, every vender of small wares, huckster, hawker, including dealers in ice cream, fruit and poultry, keeper of a cook stove or cook shop; 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, unless such transient dealer has first paid all taxes required of him by this ordinance. 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 be an auctioneer or vendue master until he shall have complied with the conditions contained in section 1425 of the Revised Code of Georgia, known as the Code of 1882. And in every license taken out by the owner or lessee of a junk shop or cotton pickery, or by a junk dealer, it shall be distinctly expressed that such junk shop, or cotton pickery, or junk dealer, shall always be subject to the visitation of the police of the city, and that such persons shall not purchase from any one under the age of sixteen years, a duplicate of which license, signed by the person or persons taking out the same, and expressing his or their assent to such conditions, shall be retained by the City Treasurer, and on refusal to submit at any time to such visitation, or on conviction in the Police Court of having purchased from any one under the age of sixteen years, such license shall be revoked, and such junk shop or cotton pickery shall immediately be closed by the Mayor. And every junk shop, junk dealer or cotton pickery license shall be subject to the further 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, corporation or private property is found in any such junk shop, or in the possession of any junk dealer; and such condition shall be expressed in the license of every such junk shop or dealer. Every person required by the provisions of this section and by the ordinance passed in Council, March 14, 1883, in reference to taking out license, who shall commence to transact or offer to transact in this city any of the kinds of business mentioned in this section, after the first day of January, 1888, shall take out license before commencing business, as provided in said ordinance passed March 14, 1883, which said ordinance is of force.

The license herein provided for shall be issued by the City Treasurer. And if any person transacting, or offering to transact, in said city, either of the kinds of business in this section specified, shall be found without such license displayed in a conspicuous manner in his, her or their place of business, he or she shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred dollars, or imprisoned not more than thirty days or both, in the discretion of the court.

1324. Liquor licenses. On and after the first day of January, 1888, the price of a license to sell malt, vinous or spirituous liquors at retail within the corporate and jurisdictional limits of said city for one year, shall be two hundred dollars net, without

Dec. 28, 1887,
s. 14.

(1) Physician licensed by State cannot be required to take out a city license. Dr. Charlton's case, 36 Ga., 460.

discount; but a license to sell at retail may be issued upon paying one-fourth of the sum due for a yearly license and upon giving notes with indorsements or sureties satisfactory to the Mayor, to secure the payment of the other three-fourths of said sum, in three equal payments on the twelfth of March, twelfth of June and twelfth of September, 1888, the said payments to be made whether person giving such notes or surety shall go out of business, or not; 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; (no officer, clerk or employe of the city shall be taken as security on such bonds, and it shall be the duty of the Mayor to pass upon such bonds, before any license is issued hereunder), 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 may, in the discretion of the Mayor, be forfeited for violation of any State law or city ordinance; and in the 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. All such licenses shall be taken out by persons already engaged in business, within thirty days after the first day of January, 1888, and in the case of persons wishing to commence business later in the year, before commencing business, 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 he may be imprisoned thirty days, or both.

Dec. 23, 1887.
s. 15.

1325. Badges for Vehicles. Every person transacting, or offering to transact, the business of transporting or carrying goods, etc., passengers or baggage for hire, by means of wagons, drays, trucks, street railway cars, or other vehicles, and every keeper of a public or livery stable employing such vehicles in his business, and every other person keeping and using street railway cars, or vehicles in other kinds of business, shall, upon payment of the tax hereinbefore prescribed, take out a badge, which will be furnished by the City Treasurer for each street car or vehicle to be employed in such business (the number of street cars or vehicles to be employed to be stated on oath), which shall be placed in a conspicuous place on such vehicle or street car—except vehicles kept by keepers of public or livery stables, to be let for hire, and vehicles used for pleasure or convenience—and any person using or employing any vehicle or street car on such business, without badge affixed, except as aforesaid, shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred dollars, or imprisonment not more than thirty days, or both, in the discretion of the Court.

Ibid. s. 16.

1326. Badges for dogs. The ordinance of November 16, 1843, requiring badges to be taken out for dogs, and prescribing other regulations for dogs, so far as the provisions of the same are not inconsistent with this ordinance, is hereby re-ordained and declared to be in full force.

1327. Treasurer's assistant. It shall be lawful for the Mayor of said city, with the concurrence of the Finance Committee, to appoint, within thirty days after the first day of January, 1888, a competent person, whose duty it shall be to report to the City Treasurer, from time to time, all persons in said city required to make any return or take out any license required by this ordinance, who shall neglect or omit to do so, and all property subject to taxation, but not returned, and to assist the said Treasurer in making returns for and assessing taxes against such defaulters, as provided in the foregoing sections of this ordinance, and to perform such other duties in connection with the assessment and collection of taxes as may be required of him by the said Mayor and Finance Committee. And such person shall continue in the performance of his duties only so long as his services shall be considered necessary by the said Mayor and Finance Committee, and shall receive such compensation as they shall specify.

Dec. 23, 1887.
s. 17.

1328. Treasurer's report of disbursements. The City Treasurer be and he is hereby directed to report to Council at the first meeting in every quarter, the amount of money expended by each committee up to date of report, and as soon as any committee making any disbursements shall have reached the limit provided in the budget, the Treasurer shall at once notify the chairman of such committee.

Ibid. s. 18.

1329. Alteration or repeal of tax ordinance during year. This ordinance shall be subject to alteration and repeal, in whole or in part, at any time during the year 1888, should it be deemed advisable; and no such amendment or repeal in any particular shall be construed to impair the right of Council to assess and levy a tax for the whole of said year 1888, whenever made.

Ibid. s. 19.

1330. Previous ordinances of force as to unpaid taxes. All ordinances and parts of ordinances conflicting with the provisions of this ordinance are hereby repealed; provided, nevertheless, that so much and such parts of ordinances heretofore passed as provide for the issuing and enforcement of executions for any tax or assessment, or part of a tax or assessment required by any such ordinance and now remaining unpaid, shall continue and remain of force so as to authorize the Treasurer to issue such executions, and the Marshal to collect the same, until such taxes or assessment shall be fully paid.

Ibid. s. 20.

CHAPTER 63.

MUNICIPAL REVENUES—LICENSES AND BADGES.

<p>SECTION 1331. Retailing liquors without license.</p> <p>1332. License authorizes sale of what quantity.</p> <p>1333. Apothecary, druggists, etc., to take out liquor license.</p> <p>1334. Violating terms of license, penalty.</p> <p>1335. Form of license to retail liquor.</p> <p>1336. Applicant to give bond, etc.</p> <p>1337. Treasurer's duty.</p> <p>1338. License transferable.</p> <p>1339. Selling less than original package, without license.</p> <p>1340. Retailer's signs.</p> <p>1341. Applicant to pay up back fines and license.</p> <p>1342. Dog tax and badges.</p> <p>1343. Oath to returns for dog tax.</p> <p>1344. Dogs brought into city during year.</p> <p>1345. Licenses for certain kinds of business.</p> <p>1346. Auctioneers.</p> <p>1347. Application for license.</p> <p>1348. License authorizes special auctions.</p> <p>1349. Unlawful use of license.</p> <p>1350. Auctioneers to give bond, etc.</p> <p>1351. Criers at auction.</p>	<p>SEC. 1352. Transient dealers to take out auctioneer's license.</p> <p>1353. Theatrical exhibitions.</p> <p>1354. Circus exhibitions or parades.</p> <p>1355. Exhibiting, etc., without permit, penalty.</p> <p>1356. Other shows or entertainments.</p> <p>1357. Performing or exhibiting without permit, penalty.</p> <p>1358. Audience to be dispersed, etc.</p> <p>1359. Green grocers.</p> <p>1360. License of, what may be sold under.</p> <p>1361. Green grocer's license tax.</p> <p>1362. Penalty for violating.</p> <p>1363. Street hawkers' licenses and badges.</p> <p>1364. Stevedore's license.</p> <p>1365. Penalty.</p> <p>1366. "Non-resident" defined.</p> <p>1367. Stevedores and porters defined.</p> <p>1368. Acting under licensed stevedore.</p> <p>1369. Stevedore undertaking more vessels than he can personally superintend.</p> <p>1370. City officials to report violations.</p> <p>1371. Stevedore's badges how forfeited.</p> <p>1372. Hearing of proof.</p> <p>1373. Acting after disqualification, penalty.</p>
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June 14, 1876,
R. 104.

1331. Retailing liquors without license, penalty. Any person or persons who shall keep a tippling shop, or sell by retail in quantities less than one quart, any malt, vinous or spirituous liquors whatsoever, in any house, booth, arbor, stall, or other place whatsoever in the said city of Savannah, without a license, shall, on conviction thereof in the Police Court, be punished for every such offense, whether committed on the same or on different days, by fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, with or without labor on the public streets, squares or lanes, or both, in the discretion of the Mayor or acting Mayor presiding in said court.

Jan. 8, 1868,
c. 301.

1332. Retail license authorizes sale of what quantity. 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.

Dec. 5, 1860,
c. 303.

1333. Apothecary, druggist, etc. 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 offense the sum of one hundred dollars.

Oct. 12, 1826,

1334. Violating terms or conditions of license, penalty. 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 offense, a sum not exceeding one hundred dollars, and shall, for a third offense, forfeit such license, and shall not be entitled to obtain another until the expiration of two years thereafter.

Ibid.

1335. Form of license to retail liquor. The form of the license shall be as follows:

This 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 relates 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.¹

Ibid. c. 299.

1336. Applicant to give bond to comply with the laws, etc. The Mayor is hereby authorized to grant the license upon the applicant's paying the sum required therefor, and 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.

1337. Treasurer's duty. 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 license granted, and of the sum received for the same.

Ibid.

1338. License transferable as to place, but not as to person. No license shall authorize the holder to sell liquors or exercise authority under it in more places than one, or at any other place than the one designated in such license, without first giving notice to the Clerk of Council of his or her removal, whereupon the Clerk shall obtain from the Mayor, or in his absence, from the Chairman, a certificate on the back of such license, specifying the place of removal.

Ibid.

1339. Selling without license in smaller quantities than original package, penalty. If any person or persons, without a license, shall sell at any time any malt, vinous, or spiritous 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

(1) License to retail may be confined to one room in house; 50 Ga., 179.

provisions of this article, such person or persons, upon conviction before Council, shall forfeit and pay for each offense a sum not exceeding thirty dollars.

Oct. 12, 1886.
c. 299.

1340. Retailers' sign required outside shop. 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; provided, however, that any hotel, inn, tavern, seaman or sailor boarding house, or other house or houses where boarders or lodgers are kept, shall be exempt from the provisions and liabilities of this section upon taking out the retailers' license required by the city ordinances.

Dec. 11, 1857.
c. 302.

Oct. 12, 1826,
c. 300.

1341. Applicants to pay up fines and license for past offenses. 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.

Dec. 28, 1887.
Nov. 16, 1843.
c. 231.

1342. Dog tax and badges. The occupant of any premises where a dog or dogs is or are kept shall pay for every dog so kept an annual tax of one dollar. Upon payment of this tax, a badge shall be issued to the person paying the tax for the dog; and every dog found running at large without such badge shall be impounded, and if not claimed 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 dog, having the name of the owner legibly stamped or engraved thereon; and provided, also, that if at any time it shall be deemed unsafe to permit dogs to go at large, it shall be the duty of the Mayor to issue a proclamation forbidding the same; and any dog found going at large after such notice, and until such proclamation shall be revoked, shall be killed, and the owner or keeper thereof shall moreover be liable to a fine of ten dollars; and any dog found in any lot, or going at large contrary to this article, may be lawfully killed. And any person keeping any dog contrary to this article shall be liable to a fine of ten dollars for every such offense, and for failing to make return of every dog liable to taxation, the owner or keeper thereof shall be liable to double tax, as in other cases.

Ibid.

1343. Oath to returns of dogs for taxation. 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."

Ibid.

1344. Dogs brought into city during the year. 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 City Marshal, City Constables and police force to ascertain all such persons as have failed to make the return required by this article.

1345. Licenses required for certain kinds of business. Every person transacting, or offering to transact, either of the kinds of business hereinafter named, shall, before commencing said business, take out a license therefor, viz.: Every auctioneer, every owner or lessee of a junk shop or cotton pickery, every junk dealer, every vender of small wares, huckster, hawk, including dealers in ice cream, fruit and poultry, keeper of a cook stove or cook shop, drummer, runner, or solicitor of a trade or orders, without a fixed place of business, every peddler, itinerant or transient trader, and transient persons selling, or offering to sell by samples, if any person shall transact, or offer to transact, in said city, either of the kinds of business in the first section of this ordinance specified, without first obtaining a license therefor, he or she shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred dollars, or imprisonment not more than thirty days, or both, at the discretion of the Court.

Mich. 14, 1883.
Dec. 28, 1887,
s. 13.

1346. Auction sales, who may hold. 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, chattles, 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, chattles, merchandise, or produce whatsoever, such person so acting or offending shall be liable and subject to a fine for each and every such act or offense, of not exceeding fifty dollars, to be imposed and recovered on information before the Mayor of said city.

July 1, 1852,
c. 28.

1347. Applications for license, to set forth what. 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.

Ibid.

1348. License authorizes special auction sales. 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 them as they may deem necessary for the time being, such sales to be made under the

Feb. 24, 1853,
c. 29.

direction of said licensed vendue masters in good faith, and not with intent to defraud the corporation of the city of Savannah.

Feb. 24, 1853,
c. 29.

1349. What use of license unlawful. 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 commission 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.

Aug. 2, 1839,
c. 30.

1350. Auctioneers to give bond, etc. 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 also faithfully to perform all the duties required by ordinance of such auctioneers; 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 their licenses, 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.

Jan. 23, 1867.

1351. Crier, when not licensed, must had been a resident twelve months. 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 a space of at least twelve months immediately preceeding such sale, and any person violating this ordinance shall, for every day's offense, 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.

Tax ord. 1871

1352. Transient dealers to take out auctioneers' license. 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 1425 of the Revised Code of Georgia, known as the code of 1882.¹

1353. Theatrical exhibitions. All theatrical and other companies coming to this city for the purpose of theatrical performances or exhibitions shall, preliminary to such performances or exhibitions, take out a license from the Clerk of Council, the cost of said license to be fixed by the Mayor.

Jan. 14, 1874,
R. 179.

1354. Circus exhibitions or parades. No person or persons whomsoever, shall, within the limits of this city, represent or exhibit any circus, or have any circus parade through the streets of said city, without permission previously obtained from the Mayor, or acting Mayor. Upon an application in writing by any person or persons, stating the nature of the exhibition or parade proposed, the names of the persons interested, and the length of time during which he, she or they desire to represent, exhibit or perform, and the length of time during which he, she or they will occupy with a street parade, it shall and may be lawful either to refuse altogether the permission applied for, or to grant the same for such length of time and subject to such restrictions, and to the payment of such sum or sums of money, as may by said Mayor or acting Mayor be deemed proper and expedient to be paid or received, before such permission shall be granted.

Sept. 15, 1880.

1355. Penalty for exhibiting or parading without permit. If any person or persons shall represent or exhibit, or attempt to exhibit any circus, or take part in any circus parade through the streets of said city, without permission previously obtained as aforesaid, or if any person or persons having obtained such permission shall violate any condition or restriction under which the same may have been granted, he, she or they so offending shall for every such offense, on conviction thereof in the Police Court, forfeit and pay a fine not exceeding one hundred dollars each.

Ibid.

1356. Other shows or entertainments; Mayor's permit. No person or persons whatsoever shall, within the limits of this city or of the jurisdiction of the corporation thereof, represent or exhibit in public, for money, gain or reward, any play, tragedy, comedy, farce or interlude, pantomime, rope or wire dancing or walking, or other entertainment of the stage, or parts therein, feats of acting in horsemanship or otherwise, wax work, curious animals, music, or other public show or entertainment whatsoever, without permission previously obtained from the Mayor or acting Mayor. Upon an application in writing by any person or persons, stating the nature of the representations or exhibition proposed, the names of the persons concerned, and the length of time during which he, she or they desire to represent, exhibit or perform, it shall and may be lawful either to refuse altogether the permission applied for, or to grant the same for such length of time, and subject to such restrictions and to the payment of such sum or sums of money as may be deemed

Feb. 14, 1799,
c. 250.

¹ Code of Georgia, §1425: 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.

proper and expedient to be paid or secured, before such permission shall be granted.

Feb. 14, 1799,
c. 250.

1357. Performing or exhibiting without permit. If any person or persons shall represent or exhibit, or attempt to represent or exhibit, any of the theatrical or other entertainments of the stage, or parts therein, feats of activity or other entertainment, show, or representation whatever, either herein expressly named, or coming within the purview and meaning of this 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 offense, forfeit and pay a fine not exceeding one hundred dollars.

Ibid.

1358. Audience to be dispersed and performers arrested. It shall be the duty of the Mayor or acting Mayor, upon information being given, or having reason to suspect, that any public representation, exhibition or show, for money, gain or reward, is making, or about to be made, in violation of the true intent and meaning of this article, to issue his 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.

The fines imposed in pursuance of this article shall be recovered by distress and sale of the offender's goods and chattels.

Mch. 12, 1884,
s. 1.

1359. Green grocers. It shall be unlawful to sell by retail elsewhere than at the Savannah Market House, under existing regulations, and at licensed green grocers, the following articles, viz: Beef, veal, mutton, pork and fresh butchers' meat of all kinds, but nothing herein contained shall be taken to prohibit the sale from wagons of licensed butchers and green grocers of the meats specified in this section from the market.

Ibid, s. 2.

1360. What may be sold under green grocer's license. The articles mentioned in section 1 of this ordinance are defined as those which the green grocer may sell under the green grocer's license tax, and which cannot be sold without payment of such tax.

Ibid. s. 3.

1361. Green grocer's license tax. The license tax to be paid by green grocers shall be the sum now fixed by existing ordinance, or such sum as may be fixed by ordinance from time to time hereafter.

Ibid. s. 4.

1362. Penalty for violating. Any one violating the provisions of this ordinance shall be fined before the Police Court of Savannah not more than one hundred dollars for each offense, or be imprisoned for each offense not more than thirty days.

Ibid. s. 5.

1363. Street hawkers to register and procure badges. Nothing in this ordinance contained shall, however, apply to street hawkers of poultry, game, fish, and shell fish and green garden truck, who shall first pay to the Clerk of Council the license tax as now required by ordinance for street hawkers, and register with the Clerk their names and places of residence, and obtain from said Clerk a badge to be worn by them while hawking upon the streets, so as plainly to be seen, which said badge shall be made in such shape and dimensions as the Clerk of Council may determine.

1364. Stevedore's license. 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.

Dec. 19, 1860.
c. 451.

1365. Penalty. 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.

Ibid.

1366. Non-resident defined. 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.

Dec. 22, 1870,
c. 452.

1367. Who are stevedores and who porters. 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 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.

April 18, 1866
c. 451.

1368. Acting under licensed stevedore. Any person competent as aforesaid to load or 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 of every non-resident stevedore shall hereafter be one hundred dollars.

Ibid.

1369. Stevedore undertaking more vessels than he can personally superintend. 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

Ibid.

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, unloaded, or stowed.

April 18, 1866.
c. 451.

1370. City officials to report all violations. 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.

Aug. 10, 1843
c. 450,

1371. Stevedore's badges forfeited for defrauding laborers. 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.

Ibid.

1372. Hearing of proof. 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.

Ibid.

1373. Acting as stevedore after disqualification, penalty. 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.

CHAPTER 64.

MUNICIPAL DEBT—BONDS AND SINKING FUND COMMISSION.

SECTION 1374. Preamble.	SEC. 1382. Coupons stamped under previous ordinances.
1375. Compromise bonds of 1878.	1383. Coupons on new bonds receivable as cash.
1376. Sinking Fund Commission.	1384. Compromise of 1883; S., A. & G. R. R. Co. bonds.
1377. Sinking fund, and how applied.	1385. Coupons.
1378. Commissioners, how removed.	1386. Sinking fund created.
1379. Compromise, when to become binding.	1387. Compromise, when to become binding.
1380. Contract to be stamped on bonds, etc.	1388. Bonds and coupons to be stamped.
1381. Bonds stamped under previous ordinances.	

Dec. 17, 1878.
R. 34.

1374. Preamble. WHEREAS, By an ordinance entitled "An ordinance to compromise the bonded debt of the city of Savannah; to provide for the issue of new bonds with which to redeem those outstanding; to provide for the establishment of a sinking fund for the redemption of the outstanding bonds of said city, and for other purposes," passed in Council, July 24, 1878, it was ordained that the therein recited proposition from the holders of bonds and coupons of the city of Savannah to

compromise said bonds and coupons be and it was thereby accepted, and the said compromise specifically offered to the holders of the outstanding bonds and coupons of said city, upon the terms and conditions set forth in said offer of compromise and said ordinance.

AND WHEREAS, Since the passage of said ordinance the Legislature of the State of Georgia, by an act approved December 11, 1878, and entitled ¹ "An act to authorize the municipal authorities of towns and cities to compromise their bonded debt; to provide for the issue and exchange of new bonds for outstanding bonds and coupons; to provide for the establishment and management of a sinking fund for the redemption of such new bonds and coupons, and for other purposes," has authorized and empowered the municipal authorities of any incorporated city in said State to compromise its bonded debt and to issue new bonds to be exchanged for its outstanding bonds and coupons upon certain conditions therein set forth, and to establish a sinking fund, and a sinking fund commission to manage such fund for the redemption of such new bonds; therefore,

Dec. 17, 1878,
R. 34, s. 1.

1375. Compromise bonds to be issued, etc. The said Mayor and Aldermen shall issue for exchange, and exchange new bonds under the provisions of this ordinance, and under the authority of said act, of the same face value, for any and all of the outstanding matured and maturing bonds of said city, at the option of the holders thereof, after such bonds shall have been stamped, as hereinafter provided; said new bonds shall become due and payable thirty years from and after the first day of February, 1879, and shall bear interest coupons, payable quarterly, at the rate of five per centum (5 per cent.) per annum; and each of such new bonds, before it is exchanged by the said city, shall be registered in the office of the City Treasurer, and shall

(1) AN ACT

To authorize the municipal authorities of towns and cities to compromise their bonded debt; to provide for the issue and exchange of new bonds for outstanding bonds and coupons; to provide for the establishment and management of a sinking fund for the redemption of such new bonds and coupons, and for other purposes.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That the municipal authorities of any incorporated town or city of this State are authorized and empowered to compromise and settle their bonded debt in accordance with the provisions of this Act; Provided, that this Act shall not be so construed as to prejudice the rights of such creditors as may refuse to assent to such compromise.

SEC. 2. Be it further enacted by the said authority, and it is hereby so enacted, That where there are outstanding bonds and coupons of any incorporated town or city of this State, as aforesaid, whether the said outstanding bonds and coupons are due or to become due, it shall be lawful for the municipal authorities of such town or city to issue new bonds, with coupons attached, to be exchanged and to stand for and in the place of such outstanding bonds and coupons; Provided, always that the new bonds so issued shall not exceed in amount the previously existing total bonded debt, with interest thereon, of such town or city.

SEC. 3. Be it further enacted by said authority, and it is hereby so enacted, That when the authorities of such town or city shall desire to avail themselves of the benefit of the provisions of this Act, they are hereby authorized and empowered to pass any ordinance or ordinances to provide for the issuance and exchange of new bonds to stand in the place and stead of outstanding bonds and coupons, and to determine the mode and method of such issuance and exchange, and to fix the length of time such new bonds shall run, and the rate of interest they shall bear. Such ordinance or ordinances shall have the force and effect of contracts between the said town or city and those who may receive or hold such new bonds so issued and exchanged.

SEC. 4. Be it further enacted by said authority, and it is hereby so enacted, That if any town or city availing itself of the provisions of this Act, shall desire to provide a sinking fund for the redemption of such new bonds, it shall be lawful for the authorities of such town or city to pass all ordinances necessary for that purpose, and to create a commission for the management of said sinking fund, and for its proper use and application, which commission shall be composed of not less than three nor more than five freeholders of such town or city, and the ordinance or ordinances providing for said sinking fund, and said commission for its management and application, and the mode of appointing said commission and prescribing its duties, shall have the force and effect of law, and shall be held and considered as part of the contract between such town or city and the acceptors and holders of such new bonds.

SEC. 5. Be it further enacted by said authority, and it is hereby so enacted, That all laws and parts of laws conflicting with the provisions of this Act, be and the same are hereby repealed.

Approved December 11, 1878.

have certified thereon by a majority of the Sinking Fund Commission hereinafter provided for, that all conditions precedent required by law, and by the contract under which the bonds are authorized to be exchanged, have been complied with; and each of such bonds may also be registered, at the option of the holder, after being exchanged, in the office of the City Treasurer, which registration shall be certified thereon by said City Treasurer, after which said bond shall be transferable only by endorsement by the said registered holder to the transferee, unless the last person in whose name it is so registered shall transfer and assign it to bearer, after which it shall again be transferable by delivery; and such new coupons and new bonds, as they mature, shall be receivable, at their par or face value, for all taxes and other dues to the city of Savannah; and as such reduced rates of interest are made for the purpose of being, and are considered by said corporate authorities as the equivalent of any and all taxes which the said corporate authorities might otherwise hereinafter levy upon such new bonds and coupons, such new bonds and coupons shall never be taxed by said city.

Dec. 17, 1878,
R. 34, s. 2.

1376. Sinking Fund Commission created. The said Mayor and Aldermen do hereby create, under the authority of said act, a sinking fund for the payment of such new bonds, and also a commission of freeholders, to be known as the Sinking Fund Commission, to consist of five persons, each of whom shall be the owner, in his own name, of unincumbered real estate in said city of the value of at least five thousand dollars (\$5,000) upon the basis of valuation made by the City Assessors; and no Mayor, Alderman, or other city officer, shall be eligible to serve upon said commission; and when any member of said commission shall qualify as an officer of said city, he shall immediately cease to be a member of said commission. The five original members of said commission shall be elected by the Mayor and Aldermen of said city at the next regular meeting of Council after the passage of this ordinance, a two-thirds vote being necessary for a choice; and each member of said commission so elected, as well as his successors, shall be sworn to faithfully perform the duties of the position, and shall serve for ten years, and until his successor is elected in the same manner and for a similar term of years, and qualified, unless he be sooner removed as hereinafter provided. Said commission so appointed shall be invested with power, and it shall be its duty, if necessary, to enforce taxation sufficient to raise the "sinking fund" herein provided for, by application to the courts having jurisdiction, at any time when there shall be a failure to act in good faith on the part of the Mayor and Aldermen for the time being; and, after it is organized, shall have power to fill all vacancies in its body, whether caused by death, resignation or otherwise, by a majority vote of those acting, except when such vacancy is caused by the removal of a member as hereinafter provided, or by the expiration of his term of office; and except, further, that when, in consequence of a tie vote, or from any other cause, they are unable, or shall fail, to fill any vacancy or vacancies at the first regular or special meeting of their body after such vacancy or vacancies shall occur, their presiding officer shall certify such fact to Council at its next regular or special meeting thereafter, and Council shall, at such meeting, proceed to fill such vacancy or vacancies in the same manner that it elected the original members.

1377. Sinking fund, and how applied. Before exchanging said new bonds, Council shall make ample provision for the payment of the annual interest on said new bonds, and shall set apart so much of its most fixed sources of revenue as shall yield with the greatest certainty at least ten thousand dollars (\$10,000) for each of the first succeeding five years; Twenty-five thousand dollars (\$25,000) for each of the next succeeding ten years; and forty thousand dollars (\$40,000) for the succeeding years, until all the new issue of bonds and bonds issued in renewal thereof (if any be so issued) shall be fully paid and satisfied; and the same shall be paid in quarterly payments by the Treasurer of said city to the said Sinking Fund Commission, commencing the first day of February, 1879, who shall apply the same to the purchase of any of the outstanding new bonds of said city, at the ruling market rates, and shall cancel each bond so purchased (and the coupons thereto attached), and after such cancellation shall deliver it (and them) to the said City Treasurer for such final destruction as Council may direct. And when said Commission shall desire to purchase any of said bonds they shall call, by advertisement in the official gazette of the city, or in such manner as the city makes public its official acts, for proposals to furnish the same, and may accept the proposal of the lowest bidders for a part or the whole of the amount called for, or may reject any or all bids, as they may deem most advisable for the public interest and consistent with economy; calling, after each rejection for new bids; or they may, by unanimous consent of their body, buy such bonds in open market, at ruling rates, without calling for bids. Said Sinking Fund Commission shall make an annual report to the said Mayor and Aldermen of their work to December 31st of each year, which report shall be published annually with the Mayor's report.

Dec. 17, 1878,
R. 34, s. 3.

1378. Council may remove members of Commission and re-elect others. Said the Mayor and Aldermen may, by a unanimous vote, remove any member or members of said Sinking Fund Commission, before his or their terms of office have expired, and may elect in the manner prescribed above, and for the unexpired term, a Commissioner or Commissioners in his and their stead, having the qualifications hereinbefore set forth; provided, that this power shall cease whenever the Legislature of this State shall give such power of removal and appointment to the Superior Court of Chatham county, or other competent tribunal.

Ibid, s. 4.

1379. Compromise, when to become binding. Until bondholders representing two million five hundred thousand dollars (\$2,500,000) in face value of the outstanding bonds of said city shall have accepted the said offer of compromise, and such bonds to that amount shall have been stamped as hereinafter provided, the acceptance of those representing any number less than such two million five hundred thousand dollars (\$2,500,000) in face value shall not be binding beyond the first day of July, 1880, on which day, unless bondholders to said amount of two million five hundred thousand dollars (\$2,500,000) shall have agreed to this settlement, those who have so agreed shall be relieved from the same; and further, that no new bonds shall be exchanged for old bonds until bondholders representing said two million five hundred thousand dollars (\$2,500,000) shall have accepted the compromise.

Ibid, s. 5.

1380. Contracts to be stamped on bonds and coupons. Upon each bond, and the coupons thereto attached, or appertaining,

Ibid, s. 6.

presented by such bondholders as accept this compromise, unless they be redeemed by said new bonds, shall be stamped, printed, or written respectively: "In pursuance of the compromise settlement proposed by the holders of bonds and coupons of the city of Savannah, and accepted by the Mayor and Aldermen of said city, as set forth in an ordinance passed December 17, 1878, which ordinance is made a part of this contract, and which compromise settlement is accepted and agreed to by the holder of this bond, upon the condition that, in consideration of the reduction of interest allowed by him, and which is mutually agreed to be the equivalent of any taxes which said Mayor and Aldermen might otherwise hereafter levy hereon, this bond and the coupons appertaining to it, and so stamped, shall never again be taxed by said city, the said Mayor and Aldermen agree to pay, and the holder of this bond agrees to accept, in full payment of the coupons and fractions thereof, here-to appertaining, and so stamped, fifty-eight per centum (58 per cent.) of their face value, to February 1, 1879, and after that date, five-sevenths (5-7) of their face value, in terms of the offer of compromise made by the bondholders, and forming the basis of this ordinance, and this agreement stamped hereon shall be proof of acceptance of said compromise settlement by the holder, by receiving interest thereunder, and of part performance by the city," which shall be signed and dated by the Treasurer of said city.

And upon coupons due to, and including February 1, 1879, "subject to agreement stamped on bond; value 58-100 of face;" and upon coupons to become due after that date, "subject to agreement stamped on bond; value 5-7 of face;" in terms of the offer of compromise made by the bondholders, and forming the basis of this ordinance. And when old bonds are matured, or without coupons for the full period of thirty (30) years, the city shall, at the option of the holder, either furnish coupons for the whole, or a part of said thirty years, as may be required, or pay the interest which would be due under the said compromise, stamping upon the bonds the amount of interest so paid.

Dec. 17, 1878,
R. 34, s. 7.

1381. Former bonds stamped entitled to same privileges. All bonds hitherto stamped under the provisions of the ordinances of March 6 and July 24, 1878, shall be, and they are entitled to the privileges and advantages herein set forth, as to principal and interest, without further stamping, unless desired by the holders thereof.

Ibid, s. 8.

1382. Coupons stamped under former ordinances, how treated. All coupons so stamped under the ordinances of March 6 and July 24, 1878, or this ordinance, shall, when due, be by the city paid in currency, or received as currency in payment of taxes and all other dues to the city, at their compromise face value as now provided by ordinance. And further, that all bonds stamped as above provided, shall be receivable at maturity under compromise, in payment of all dues and taxes, and before maturity shall be receivable at all times at their face value in payment of any sums due as balance of purchase money on any lot or lots heretofore sold by said city, and commonly known as "ground rent lots."

Ibid, s. 9.

1383. Coupons on new bonds received by city as cash. The coupons on the new bonds herein provided for shall be received and treated as cash by the said city as they mature.

1384. Compromise of Savannah, Albany and Gulf Railroad Company bonds. The said the Mayor and Aldermen of the city of Savannah do hereby offer to the holders of the bonds of the Savannah, Albany and Gulf Railroad Company guaranteed by the Mayor and Aldermen of the city of Savannah and hamlets thereof, as authorized by a public meeting of the citizens of said city held May 14, 1859, the following compromise settlement of said bonds and accrued interest: That the said Mayor and Aldermen shall issue for exchange and exchange new bonds under the provisions of this ordinance and under the authority of the act of the General Assembly of Georgia, approved December 11, 1878, and entitled: "An act to authorize the municipal authorities of towns and cities to compromise their bonded debts; to provide for the issue and exchange of new bonds for outstanding bonds and coupons; to provide for the establishment and management of a sinking fund for the redemption of such new bonds and coupons, and for other purposes," for each one thousand dollars of said bonds so guaranteed, and all coupons on the same (the coupons being those due January, 1877, July, 1877, January, 1878, July, 1878, and January, 1879), and all interest due thereon up to the first day of July, 1883, thirteen hundred dollars of said new bonds, which said new bonds shall become due and payable thirty years from and after the first day of July, 1883, and shall bear interest, coupons payable quarterly, at the rate of five per centum (5 per cent.) per annum; and each of such new bonds, before it is issued by the city, shall be registered in the office of the City Treasurer, and shall have certified thereon by a majority of the Sinking Fund Commission that all conditions precedent required by law, and by the contract under which the bonds are authorized to be exchanged, have been complied with; and each of such bonds may also be registered, at the option of the holder, after being exchanged, in the office of the City Treasurer, which registration shall be certified thereon by said City Treasurer, after which such bond shall be transferable only by indorsement by the said holder to the transferee, unless the last person in whose name it is so registered shall transfer and assign it to bearer, after which it shall again be transferable by delivery; and such new coupons and new bonds as they mature shall be receivable at their par or face value for all taxes and other dues to the city of Savannah; and as such reduced rates of interest are made for the purpose of being, and are considered by said corporate authorities as the equivalent of any and all taxes which the said corporate authorities might otherwise hereafter levy upon such new bonds and coupons, such new bonds and coupons shall never be taxed by said city.

1385. Coupons. All said coupons beginning with those due January 1, 1877, which have been removed from the said guaranteed bonds, and not produced therewith at the time they are presented for exchange, shall be paid for at their face value by the holder of such bond before the exchange is made to entitle the party holding such bonds to the terms of this compromise and the exchange hereunder.

1386. Sinking fund created. The said Mayor and Aldermen do hereby create under the authority of said act a sinking fund for the payment of said new bonds, and do hereby authorize, and empower, and make it the duty of the Sinking Fund Commissioners, in addition to the duties prescribed in and by

July 4, 1883.

Ibid, s. 2.

Ibid, s. 3.

the ordinance of the city of Savannah passed December 17, 1878, whereby said Commission was created, to purchase on the first day of February of each year hereafter, or as soon after as they shall find it to be practicable (until the complete redemption of the entire issue), in the manner prescribed by law, bonds of the issue herein authorized to the face value of six thousand dollars, making their sight draft on the City Treasurer for such sums of money as may be required to pay therefor, which sums shall not be considered as forming a part of the sinking fund heretofore provided. All bonds so purchased, with the coupons annexed (after having been carefully cancelled by the said Sinking Fund Commission), shall be delivered to the City Treasurer to await such final destruction as Council may direct.

Ibid, s. 4.

1387. Compromise, when to go into effect. Until bondholders representing \$200,000 in full value of the outstanding bonds of said city shall have accepted the offer of compromise hereby made, and such bonds to that amount shall have been stamped as hereafter provided, the acceptance of those representing any number less than such \$200,000 in face value shall not be binding beyond the first day of July, 1884, on which day, unless bondholders to said amount of \$200,000 shall have agreed to this settlement, those who have so agreed, shall be relieved from the same, and, further, that no new bonds shall be exchanged for old ones until bondholders representing said \$200,000 shall have accepted this compromise.

Ibid, s. 5.

1388. Bonds and coupons to be stamped. Upon each bond, and the coupons thereto attached or appertaining, presented by such bondholders as accepted this compromise, unless they be redeemed by said new bonds, shall be stamped, printed, or written respectively: "The holder of this bond and the coupons thereto attached agrees to and does accept the compromise offered by the city of Savannah as set forth in an ordinance passed on the fourth day of July, 1883, which ordinance is hereby made a part of this contract," and on each coupon thereto attached, there should be stamped or written: "Compromise under ordinance of city of Savannah dated fourth day of July, 1883."

CHAPTER 65.

OFFENSES AGAINST PUBLIC PEACE.

SECTION. 1389. Disorderly conduct; keeping disorderly house.	SEC. 1394. Balls, shoutings, etc.
1390. Disorderly conduct at fire.	1395. Prolonging beyond hour of permit.
1391. In house or enclosure.	1396. Police attending, by whom paid.
1392. Officer to request admission, etc.	1397. Opposing or abusing police in attendance.
1393. At billiard rooms or bowling alleys.	1398. Mayor may close public resorts, when.
SEC. 1399. Disturbing public worship.	

June 2, 1854, c. 212.

1389. Disorderly conduct; keeping disorderly house. Any person who shall, in the night or day, disturb the peace and quiet of the city in any manner whatsoever, or shall be guilty of any riotous, disorderly, or improper conduct, or keep a disorderly house within the limits of the city of Savannah, such person shall, on conviction before the Police Court, be fined in a sum not exceeding one hundred 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 offense.

June 2, 1854, c. 212.

1390. Disorderly conduct at fire. Any person who shall, at a fire, disturb the peace and quiet of the city, or disobey the orders of the Mayor or 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.

Feb. 16, 1870, c. 213.

1391. Disorderly conduct in house or inclosure. 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.

Ibid.

1392. Officer's duty to request admission, etc. Whenever any such riotous, boisterous, noisy, or disorderly conduct shall occur in any such house or inclosure in said city, to the annoyance of the people of said city, or any portion of them, it shall be the duty of any officer or private of the Police Force, who may know of, or whose attention may be called to, such conduct, to request admission into the premises for the arrest and removal of the offender or offenders; and if such request, when made, be not complied with by the person or persons having the management, control, or government of such 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 third section of this article mentioned and prescribed.

Nov. 16, 1843, c. 38.

1393. Disorderly conduct at billiard rooms or bowling alleys. It shall not be lawful for the proprietor of billiard rooms or bowling alleys to permit riotous, disorderly or noisy conduct within their respective premises, 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.

Jan. 24, 1866, c. 252.

1394. Balls, etc., where boisterous shouting; Mayor's permit necessary. It shall not be lawful for any person or persons to give within the limits of the city, any public balls, of whatsoever description, or other gathering, where boisterous shouting is indulged in, under the penalty of fifty 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.

Jan. 24, 1866,
c. 254.

1395. Prolonged beyond hour of permit, penalty. Every person giving a public ball or gathering as aforesaid, 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 offense. 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.

Ibid.

1396. Police on duty to be paid by managers. 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.

Ibid.

1397. Opposing or abusing police in discharge of duty. 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 offense.

Ibid.

1398. Mayor's authority to close public resorts to maintain order, etc. By virtue of the powers granted by law to the Mayor and City Council, the Mayor shall cause to be shut up any place of public resort when the maintenance of order, the public safety or tranquility may, in his judgment, require it.

April 11, 1839,
c. 430.

1399. Disturbing public worship. 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.

CHAPTER 66.

OFFENSES AGAINST PUBLIC POLICY, HEALTH, AND COMFORT.

SECTION 1400. Landing of paupers from vessels.

1401. Landing from railways.

1402. Pool selling on base ball games.

1403. Adulterating purity of flour.

1404. Selling unwholesome meat or provisions.

SEC. 1405. Curing hides.

1406. City officers to remove hides etc.

1407. Curing permitted on certain lots.

1408. Lots subject to inspection.

1409. Storing of guano.

1400. Landing paupers from vessels. It shall not be lawful for any master, captain, or commander of any steam or sailing vessel arriving in the harbor of Savannah, to land, or permit to be landed, any steerage passenger or other person likely, as a pauper, to become a charge on said city, without permission from the Mayor, or acting Mayor of said city, and 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 for every such steerage or pauper passenger so landed, as aforesaid; but such fine may be remitted on such master, captain, or commander, either conveying such passenger or pauper back to the port whence he came, or entering into bond, to be approved by the Mayor, that such passenger or other pauper shall not become a charge to or on said city for the space of at least twelve months from such landing, and on such master, captain, or commander paying all costs of prosecution, and all expenses attending the enforcement of the order of the Mayor in carrying out this order in every given case.

Nov. 21, 1860,
c. 340.

1401. Landing paupers from railways. The foregoing section shall include within all of its provisions the landing of such paupers or persons, so liable to become a charge upon the city, from any railway train or car, arriving in Savannah, by any conductor, engineer, or other officer, or agent, of any railroad company; and for a violation of any of the said provisions, any such conductor, engineer, or other officer, or agent, shall be liable, on conviction, to the same penalty as is therein provided for any master, captain, or commander, of any steam or sailing vessel arriving in the harbor of Savannah, who is guilty of such violation, said penalty to be remitted in the same form, and upon the same conditions as are therein prescribed.

Oct. 20, 1875,
c. 133.

1402. Pool selling on base ball games. No person shall, within the corporate or jurisdictional limits of the city of Savannah, sell, or offer to sell, tickets, chances, or privileges on any pool or pools, combination or combinations, of the results of games of base ball, or keep or maintain any establishment, room, place, office, desk, table, or blackboard, where persons singly, collectively, or mutually, bet, take chances, hazzard, or stake money, or other things of value upon the result of any game or games of base ball played in this city or elsewhere, or any combinations of results of any two or more games thereof. Any person offending against the provisions of this ordinance shall, on conviction, be punished for each day of such violation by a fine of not exceeding one hundred dollars, or imprisonment not exceeding thirty days, or both, in the discretion of the court.

May 19, 1886,

Feb. 8, 1798.
c. 50.

1403. Adulterating purity of flour. If any baker, or other person or persons, shall in any wise adulterate the purity of the flour of which the bread is made, further than what is absolutely necessary to the well making or baking thereof, the person or persons so offending shall forfeit all such bread and also a sum not exceeding fifty dollars.

May 28, 1872,
R. 108.

1404. Selling unwholesome meat or provisions. If any person or persons shall expose or offer for sale in the 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 immediately buried under ground, burnt, or otherwise destroyed by order of the officer or 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.

Aug. 2, 1839,
c. 334.

1405. Not lawful to cure hides within city limits. 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.

Ibid.

1406. Duty of city officers to remove hides, etc. 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.

May 4, 1854,
c. 335.

1407. Curing of hides permitted on certain lots. 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.

Ibid.

1408. Lots subject to inspection. 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.

April 4, 1877,
R. 76.

1409. Storing of guano prohibited within certain limits. It shall not be lawful for any one to store guano in any part of the said city east of the Ogeechee canal, or west of a line drawn southwardly from the mouth of Lamar's creek; or anywhere south

of the south line of Bay street, along Canal street on the west to the Ogeechee canal, and Bay street, extended on the east to Lamar's creek; and if any owner, occupant, or keeper of a warehouse, or other place of storage, either for himself or others, and either with or without reward, within the limits aforesaid, shall receive or keep any guano therein, he, she, or they shall, on conviction thereof in the Police Court, be fined in a sum not exceeding one hundred dollars, or imprisoned not more than thirty (30) days, or both, in the discretion of the Court, for each and every day during which the said guano shall be so kept or stored, to be considered a separate offense: Provided, That nothing contained in this ordinance shall be held to apply to any person on account of any guano already in store at the time of the passing of this ordinance within the limits aforesaid, which may be gradually removed in the course of trade, the intention of this ordinance being only to prevent the storage of any new supplies of guano, received after the passing of this ordinance within the said limits.⁽¹⁾

CHAPTER 67.

OFFENSES AGAINST DECENCY AND MORALITY.

- SECTION 1410. Indecent exposure on streets
- 1411. Swimming in river opposite city.
- 1412. Swimming in Ogeechee Canal.
- 1413. No business to be done on Sunday.
- 1414. Barber shops on Sunday.
- 1415. No goods to be sold.
- 1416. Shops, etc., to be closed.
- 1417. Medicine, ice and milk may be sold.
- 1418. Druggist not to sell liquor except on prescription.

- SEC. 1419. Wagoners, etc., not to ply about city.
- 1420. Vessels not to load or unload.
- 1421. Feasting, gaming, etc., in taverns prohibited.
- 1422. Public sports, etc.
- 1423. Prosecutions barred after 30 days
- 1424. Secular amusements on Sunday.
- 1425. Mayor to close halls and expel visitors.
- 1426. Hall owner's license to be revoked.
- 1427. Processions with music on Sunday.

1410. Appearing naked on streets; indecent exposure. 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 willfully 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 offense in a sum not exceeding fifty dollars.

Aug. 2, 1839,
c. 334.

1411. Swimming in river opposite city. 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.

Ibid.

1412. Swimming in Ogeechee Canal within city limits. It shall not be lawful for any person or persons to swim or bathe in the Savannah and Ogeechee Canal within the limits of the city of Savannah. Any person or persons bathing or swimming in the aforesaid canal within the limits of the city of Savannah,

July 4, 1883.

(1) Fertilizers, ordinance against storing in corporate limits, held not to apply to railroad storehouse; 72 Ga., 801.

Aug. 20, 1857.
c. 333.

shall, on conviction in the Police Court of the city of Savannah, be fined in a sum not exceeding one hundred dollars, or imprisoned for not more than thirty days, either, or both, in the discretion of the Mayor or acting Mayor, presiding in said court.

April 11, 1839.
c. 431.

1413. No business to be transacted on the Lord's day. 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 vocations 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 of not exceeding one hundred dollars.¹

May 24, 1860.
c. 434.
Oct 7, 1883.

1414. Barber shops may keep open until eleven o'clock A. M. It shall be lawful for every person keeping a barber shop within the limits of Savannah to keep open such shops on Sunday, or Lord's day, until the hour of eleven o'clock A. M., and no longer, and all work shall cease therein at that hour. Provided, nevertheless, that this permission shall not be extended, or be construed to extend, to any shop within said city, or its extended jurisdictional limits, to which shop a bar room is or may be in any wise attached.

April 11, 1839.
c. 431.

1415. No goods to be sold on Sunday. 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.

July 27, 1854.

1416. Doors and windows to be closed. 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 tavern, oyster-house, or cellar, confectionery, eating-house, porter, ale, or beer-house, until the hour of twelve o'clock Sunday night.²

Ibid.

1417. Medicine, ice, and milk excepted. 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, fruit, herbs, malt, vinous, or spiritous liquors, or any other strong drink, or any other thing whatsoever, except medicine, ice, and milk.

Feb. 10, 1875.
R 175.

If any person or persons shall violate any of the provisions of this article, he, she, or they shall, upon conviction thereof

(1) This ordinance seems to be void, as being already an offense under the State law: compare Code of Georgia, 4579. City cannot legislate upon subjects already made offenses and punishable by the laws of the State: 69 Ga., 503.

(2) City may pass laws to prevent violation of Sabbath: 44 Ga., 205. Conviction in Mayor's Court for keeping open after twelve o'clock Saturday night, no bar to subsequent prosecution by State for keeping open tippling house on Sunday: 68 Ga., 168. No jurisdiction to try for offense of keeping open tippling house on Sabbath; 53 Ga., 73.

before the Police Court, be fined in a sum not less than five dollars, nor more than one hundred dollars for each and every violation.

1418. Druggists not to sell liquors except on physician's prescription. No apothecary, druggist, or vender of medicine shall, on any pretense 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 offense the sum of thirty dollars.

Dec. 5, 1860.
c. 303.

1419. No wagoner, etc., to ply about the city. 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.

April 11, 1839.
c. 431.

1420. No vessel to load or unload. 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.

Ibid.

1421. Feasting, gaming, etc., in taverns, etc., prohibited. 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.

Ibid.

1422. No public sports, etc., hunting, fishing, dancing, fiddling, etc. 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.

Ibid.

1423. Offenders to be prosecuted within thirty days. 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.

Ibid.

1424. Secular amusements on Sunday prohibited. It shall not be lawful for any person or association of persons to let or lease, or to open, or permit or suffer to be opened, any hall, room, or place whatsoever, for secular use, amusement, or pastime, within the corporate limits of the city of Savannah, on the Lord's day, usually called Sunday. And it shall not be lawful for any person, or association of persons, to use any such hall, room, or place for secular amusement or pastime, within the limits aforesaid, on such Lord's day; and every person offending

July 8, 1872,
R. 174.

against any part of this section, shall be liable, on conviction before the Police court, to a fine of not more than one hundred dollars for every act of offense.

July 8, 1872, R. 174.

1425. Mayor on information to close halls and expel visitors.

It shall be the duty of the Mayor or acting Mayor, on information given him, or on his own knowledge, that any hall, room or place whatsoever within said corporate limits is being used or about to be used for secular amusement or pastime on the Lord's day, to cause the same to be closed until the succeeding day, and to cause the visitors there to be expelled; and any person hindering, obstructing, resisting or molesting the civil power of the city, or any part thereof, in the execution of any order of such Mayor or acting Mayor in the premises, shall, on conviction before the Police Court be fined in a sum not exceeding one hundred dollars.

Ibid.

1426. License of owner of hall to be revoked, etc. In case of the violation of any part of this ordinance by any owner or part owner of any place for public exhibition, amusement or pastime, for which a license from the city is or may be required, such license, if granted, shall be revoked, and if not granted, shall be withheld on conviction of violation as aforesaid during the pleasure of the Mayor of said city; but in such case such license may be renewed or granted (as the case may be) by the City Council, on appeal or petition by such offending party.

Feb. 6, 1867, c. 433.

1427. Processions with music prohibited, unless by Mayor's permit.

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 with 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.

CHAPTER 68.

MALICIOUS MISCHIEF.

<p>SECTION 1428. Injuring or destroying public lamps.</p> <p>1429. Injuring lamp posts, etc.</p> <p>1430. Injuring, etc., public pumps, trees or other property.</p> <p>1431. Defacing buildings.</p>	<p>SEC. 1432. Cutting, etc., public trees, palings benches, etc.</p> <p>1433. Throwing stones, brickbats, etc</p> <p>1434. Officers to arrest persons violating</p> <p>1435. Alabama slings, etc.</p> <p>1436. Cruelty to animals.</p>
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July 22, 1839, c. 85.

1428. Injuring or destroying public lamps. If any person shall break, injure, or destroy any of the public lamps, he, she, or they may be fined in a sum not exceeding thirty dollars.

Aug. 1b, 1850, c. 85.

1429. Injuring lamp posts, etc. 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, 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.

1430. Injuring or destroying public pumps, trees, or other property.

Aug. 2, 1831, c. 406.

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 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. 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.

1431. Defacing buildings. No person or persons shall, within the limits of the city of Savannah, write, carve, indite, paste, paint, or in any manner deface, or cause to be written, carved, indited, pasted, painted, or in any manner defaced, or write, or cause to be written, any marks or letters with any materials whatsoever, upon any public building, the property of the city of Savannah, or of the United States, or upon the property of any person or persons, corporation or corporations.

May 4, 1851, c. 405.

1432. Cutting, injuring, etc., public trees, benches, boxes, etc. It shall not be lawful for any person, within the limits of the city of Savannah, to cut, destroy, or injure in any manner, any of the public trees in the streets, squares, or any of the palings, benches, or boxes around the trees, or any other property of the city of Savannah.

Ibid.

1433. Throwing stones, brickbats, etc. It shall not be lawful for any person, within the limits of the city of Savannah, to cast, throw, or fling any stones, brickbats, or any other things in the squares, streets, lanes, or alleys; or in any other public

Ibid.

place in the city of Savannah, or in, or at, or against any of the trees, or boxes around the trees, in said city.

May 4, 1854,
c. 405.

1434. Officers to arrest persons violating. It shall be the duty of any and every officer of the city of Savannah, who shall see any person violating any of the provisions of this 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.

April 3, 1878,
R. 11.

1435. Throwing missiles by Alabama slings, etc. It shall not be lawful for any person within the limits of said city to use any Alabama slings, or other sling, or instrument for throwing projectiles; nor to throw any stone or other missile from such sling or instrument, or by the hand, in any of the streets, lanes or squares of said city. Any person or persons violating this ordinance shall, on conviction thereof before the Police Court of Savannah, be subject and liable for each and every offense to a fine of not more than twenty-five dollars, and to imprisonment for not exceeding thirty days, either or both, at the discretion of the officer presiding in such Police Court.

Dec. 20, 1849,
c. 211.

1436. Cruelty to animals. 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, or any other animal or animals; and any person or persons violating this ordinance shall, on conviction thereof before the Police Court of Savannah, be subject and liable for each and every such offense, to a fine of not more than one hundred dollars and to imprisonment for not exceeding thirty days, either or both, at the discretion of the officer presiding in such Police Court.

PART THIRD.
APPENDIX.

CHAPTER 69.

GRANTS OF PRIVILEGES TO RAILWAYS.

(Since Rebarer's Digest.)

SECTION. 1437. C. R. R. and B'k'g Co. to run track to Bilbo Canal.	SEC. 1439. S., F. and W. R'y Co. track to Baltimore Steamship Wharf.
1438. McDonough & Co. to run track across Wheaton street	1440. City and Suburban R'y Co. to connect its tracks by curves.
SEC. 1440(a). Savannah Street and Rural Resort Railroad.	

1437. C. R. R. & B'nk'g Co. to run track along certain streets to the Bilbo Canal. The Central Railroad and Banking Company of Georgia, or the Ocean Steamship Company of Savannah, or such railroad corporation (now existing or hereafter to be formed) as said last named corporation may designate, be and they are hereby permitted to extend a track from the present system of tracks west of the Savannah and Ogeechee Canal across the said canal in the line of River street, and along said River street across Water street, in said city, to West Broad street, and across West Broad street and along River street to Montgomery street, in said city, with such turn-outs, switches, side-tracks and connections as may be necessary, and to use and operate on said tracks such engines and cars as may be necessary for carrying freight to and across said city from west of said canal to Montgomery street, in said city: Provided, the construction of said track shall be completed by January 1, 1890.

Jan. 7, 1885,
s. 1.
May 2, 1888,
s. 1.

The Central Railroad and Banking Company of Georgia, or the Ocean Steamship Company of Savannah, or such railroad corporation (now existing or hereafter to be formed) as said last named corporation may designate, be, and they are hereby permitted to construct a track from Montgomery street, on the west along River street, or through the system of streets and alleys in the said city, lying next south of the buildings on the south side of River street, and north of the north side of Bay street to Randolph street, and across Randolph street to Bay street, and through said last named street to the Bilbo canal, with such turn-outs, switches, side-tracks and connections as may be necessary to bring into general and more profitable use the wharves along the city front, and to use and operate on said tracks such cars as may be necessary for carrying freight to and across said city front; but nothing herein contained shall preclude or prevent the said the Mayor and Aldermen of the City of Savannah from permitting any other person or corporation from building or constructing or building itself a track from Montgomery street to the Bilbo Canal, in the event the same be not built as afore-

Jan. 14, 1885,
s. 2.

said by the Central Railroad and Banking Company of Georgia, or the Ocean Steamship Company of Savannah, or such railroad corporation (now existing or hereafter to be formed) as said last named corporation may designate, but in the event any other person or corporation shall apply for permission to build such track from Montgomery street to said Bilbo Canal, then the said the Central Railroad and Banking Company of Georgia, or the Ocean Steamship Company of Savannah, or such railroad corporation (now existing or hereafter to be formed) as said last named corporation may designate, shall be notified by the Mayor of the city in writing of such application, and if work is not begun within thirty days, and completed within such time as such or other person or corporation shall bona fide propose to complete the same, then the said the Mayor and Aldermen of the city of Savannah may grant such permit as to building said tracks as they in their discretion determine, or the city may build the said tracks itself, but in the event that work shall not be begun bona fide under said new permit within thirty days after the same is granted, and completed in the ——— time proposed by them, that the said right shall be forfeited, and the permission hereinbefore given shall be revived and renewed to the said the Central Railroad and Banking Company of Georgia, or the Ocean Steamship Company of Savannah, or such railroad corporation (now existing or hereafter to be formed) as said last named corporation may designate under the conditions hereinbefore provided. But nothing in this section shall be construed or held to require the company constructing a track under this ordinance to build all the way from Montgomery street to Bilbo Canal; Provided the same shall be extended to the Lower Rice Mill, at the foot of East Broad street, by January 1st, 1890.

May 2, 1888,
s. 2.
Jan. 7, 1885,
s. 1.

The said the Mayor and Aldermen of the city of Savannah shall have the right to locate the tracks in any streets through which they may pass, and the same shall be located by the Committee on Streets and Lanes until otherwise directed; the said tracks when laid through, across or along any street in said city shall be so laid as not to interfere with the use of said streets by vehicles passing over the same; and said company shall, at its own expense, repair and keep in repair, according to the proper grade to be fixed by the City Surveyor, six feet each way, until otherwise required, from the centre of said track, in the streets of said city, of such material as will form a hard and uniform surface, of even grade at the point of junction with the rails themselves, so that carriages and other vehicles can cross the track with facility and comfort, and, should the city require it, of the same or similar material as the city may use should it pave the street.

Ibid, s. 2.

2. *May build bridges over Ogeechee Canal.* In constructing said tracks from the western to the eastern side of the Savannah and Ogeechee canal, the said company is authorized to extend across said canal such bridges as may be necessary to connect the tracks lying on the western and eastern side of the Savannah and Ogeechee canal and to cross said bridges as often and whenever it may be necessary so to do.

Ibid, s. 3.

3. *Damages to be met by the Company.* All damages that may be sustained by private individuals or corporations from the use and occupation of their property in exercising the rights herein granted shall be met and paid by said company, and the said the Mayor and Aldermen of the city of Savannah shall in

no instance be responsible therefor. And the said the Mayor and Aldermen of the city of Savannah shall in no case be liable for any damage which may be sustained by digging or other unavoidable work in repairing or laying gas or water pipes or sewers now running or to be run in said city, and said the Mayor and Aldermen shall at all times have the privilege of crossing and putting down under said tracks such water pipes, sewer or other public work as may be necessary from time to time, and in no case shall said city be liable for any delay to trains caused by the putting down of such water pipes, sewers or other public works, provided due diligence be used to avoid delay. ¹

4. *To maintain safe street crossings.* And said company shall construct and keep in good order wherever its said track shall intersect or cross any street or lane in said city, a safe and convenient crossing for both vehicles and foot passengers of the full width of the street or lane so crossed, and if at any time such crossing shall become unsafe, or out of repair, the said company shall forthwith repair the same at its own cost and expense upon notice from the Mayor of said city, and if within twenty-four hours after the giving of said notice the said company shall not have repaired or begun to repair said crossing, then and in that event the said the Mayor and Aldermen of said city may proceed to have the same made at the cost and expense of said company, or said company shall be liable to an information in the Police Court of Savannah, and if there convicted of any failure or neglect to keep said crossing in good repair shall be fined in a sum not exceeding one hundred dollars, and for every day that the same shall continue uncorrected and unrepaired shall constitute a separate offense and be punished accordingly.

Jan. 7, 1885,
s. 4.

5. *Subject to Police regulations of the city.* And nothing herein contained shall be taken or held to preclude or prevent the said the Mayor and Aldermen of the city of Savannah from regulating the construction, repairs, rate of speed, keeping crossings clear, length of trains, and arrangements for the prevention of accidents in said city by the running of trains by the company or corporation using its streets; and nothing herein contained shall be taken or held to abridge the right of the Mayor and Aldermen of the city of Savannah to pass such other police regulations as may from time to time be necessary.

Jan. 7, 1885,
s. 5.

6. *Freight charges.* In the event said company extending or using said track shall charge for transportation of freight, no difference in rate shall be made on traffic controlled under like conditions on account of distance.

Jan. 14, 1885,
s. 3.

1438. McDonough & Co. to run track across Wheaton street. Permission is hereby given the firm of McDonough & Co. to connect the tracks of the Savannah, Florida and Western Railway Company with the lumber yard of the said McDonough & Co. (heretofore known as Hawkins' yard) by means of a railroad track across Wheaton street, between Liberty street and Bilbo Canal, to be used in the transportation of lumber and other merchandise, provided that the said track and three feet outside of it shall be well paved on Wheaton street, that said street shall not be obstructed more than three minutes at a time, and that the said Mayor and Aldermen reserve the full right and power to

Nov. 30, 1887,
s. 1.

(1) Railroads liable for actual damages caused by running of trains on the streets: 44 Ga., 547.—Rights of, when constructed in city; 40 Ga., 471.

further restrict and limit the use of said street, and to withdraw the permission herein contained entirely.

Nov. 30, 1887,
s. 2.

2. *Tracks to be closed by gates when used.* It is also required that the said track be enclosed by gates on Wheaton street, extending the full width of Wheaton street on both sides of said track, which said gates shall be kept closed so as to prevent the crossing of said track by vehicles or pedestrians immediately before its use by trains or cars, and while the same is being so used.

Ibid, s. 3.

3. *Penalty.* For every violation and disregard of any of the provisions contained in the preceding sections, the said McDonough & Co., their successors, or assigns, shall be liable to a fine not exceeding fifty (\$50) dollars, upon conviction before the Police Court of the city of Savannah.

June 30, 1886,
s. 1.

1439. S., F. and W. R'y. Co. to extend track to the wharves of the Baltimore Steamship Line. The Savannah, Florida and Western Railway Company be, and is hereby permitted to extend its railroad track from its present track at the intersection of St. Julian and Randolph streets, in the city of Savannah, along Randolph street, and across Bay street to the wharves now used by the Merchants and Miners' Transportation Company for the Baltimore Steamship line, and to use and operate on said track such engines and cars as may be necessary for carrying freight to and from the wharves of the Merchants and Miners' Transportation Company.

Ibid, s. 2.

2. *Tracks, how located and built, etc.* The said, the Mayor and Aldermen of the city of Savannah, shall have the right to locate the tracks in streets through which they may pass, and the same shall be located by the Committee on Streets and Lanes until otherwise directed; the said tracks when laid through, across, or along any street shall be so laid as not unreasonably to interfere with the use of said streets by vehicles and foot passengers passing over the same, and said railway company shall, at its own expense, repair, and keep in repair, according to the proper grade, to be fixed by the City Surveyer, six feet each way until otherwise required, from the center of said track in the streets of said city, of such material as will form a hard and uniform surface of even grade at the point of junction with the rails themselves, so that carriages and other vehicles and foot passengers can cross the track with facility and comfort, and, should the city require it, of the same, or similar material as the city may use, should it pave the street.

Ibid, s. 3.

3. *Damage caused by use to be met by company.* All damages that may be sustained by private individuals or corporations from the use and occupation of their property, in exercising the rights herein granted, shall be met and paid by said railway company, and the said, the Mayor and Aldermen of the city of Savannah, shall, in no instance be responsible therefor. And the said Mayor and Aldermen of the city of Savannah shall in no case be liable for any damage which may be sustained by digging or other unavoidable work in repairing or laying gas or water pipes or sewers now running or to be run in said city, and said, the Mayor and Aldermen shall, at all times, have the privilege of crossing and putting down under said tracks such water pipes, sewers, or other public work as may be necessary from time to time; and in no case shall said city be liable for any delay to trains caused by putting down such water pipes, sewers, or other public works.

4. *To maintain safe street crossings.* Said railway company shall construct and keep in good order wherever its said track shall intersect or cross any street or lane in said city, a safe and convenient crossing for both vehicles and foot passengers of the full width of the street or lane so crossed, and if, at any time, such crossing shall become unsafe or out of repair, the said railway company shall forthwith repair the same at its own cost and expense upon notice from the Mayor of said city, and if, within twenty-four hours after the giving of said notice, the said railway company shall not have repaired, or begun to repair said crossing, then, and in that event, the said Mayor and Aldermen of the said city may proceed to have the same made at the cost and expense of said railway company, or said railway company shall be liable to an information in the Police Court of Savannah, and if there convicted of any failure or neglect to keep said crossings in good repair, shall be fined in a sum not exceeding one hundred dollars, and for every day that the same shall continue uncorrected or unrepaired shall constitute a separate offense, and be punishable accordingly.

June 30, 1886
s. 4.

5. *Subject to Police ordinances.* Nothing herein contained shall be taken or held to preclude or prevent the said, the Mayor and Aldermen of the city of Savannah from regulating the construction, repairs, rate of speed, keeping crossings clear, length of trains, and arrangements for the prevention of accidents in said city by the running of trains using its streets, and nothing herein contained shall be taken or held to abridge the right of the Mayor and Aldermen of the city of Savannah to pass such other Police regulations as may be from time to time necessary.

Ibid, s. 5.

6. *Taxed as real estate.* Said Savannah, Florida and Western Railway shall be taxed on its tracks laid under this ordinance as real estate is taxed by the city.

Ibid, s. 6.

7. *Switches.* The Savannah, Florida and Western Railway Company be and it is hereby permitted to connect the track of said company by such switches as may be necessary to connect its line on Randolph street with track to the wharves used by the Merchants and Miners' Transportation Company for the Baltimore Steamship Line. Provided, That switch stands shall not be within the line of any street. And provided further, That cars shall not be left standing on Randolph, Bay street, or on the crossings on St. Julian street, and that the tracks forming such switches shall not cross the rails of the tracks on Bay street. And provided further, That Bay street within the tracks, and five feet outside of tracks on each side be paved with good quality of square blocks of paving stone, or in such manner as the Committee on Streets and Lanes shall direct.

Sept, 11, 1886
s. 1.

8. *To be extended through what streets.* The Savannah, Florida and Western Railway Company be and it is hereby permitted to extend its line on and near the center of St. Julian street, through said St. Julian street, and by way of Randolph street, through the property on southwest corner of Randolph and Bay streets, and across Bay street to the wharves now used by the Merchants and Miners' Transportation Company. Provided, If said extension shall be made by means of a switch, or switches, then the switch stands shall not be placed within the line of any street.

Ibid, s. 2.
Oct 8, 1886.
s. 1.

9. *Platform to be reduced in width.* The platform now on the north side of St. Julian street shall be reduced at the expense of the Savannah, Florida and Western Railway Company to a

Ibid, s. 2.

width of twenty feet at once, and the said, the Savannah, Florida and Western Railway Company be and it is hereby required to lay a new track in St. Julian street, as near as practicable to the said platform so reduced to a width of twenty feet.

Oct. 8, 1886,
s. 3.

10. *Trains to be flagged.* It shall be the duty of said, the Savannah, Florida and Western Railway Company, to cause all trains, cars, or locomotives coming out from any inclosure through which its tracks may run on to Bay or Randolph streets to be flagged, so that the cars will do no injury to person or property.

Sept. 11, 1886,
s. 4.

11. *Right to alter location of tracks reserved by city.* The said, the Mayor and Aldermen of the city of Savannah, reserves to itself the right at any time to alter the location of the tracks provided for in this ordinance, as the alteration of the same may be deemed proper from time to time.

Ibid. s. 5.

12. *Switches and connections, how located and used.* The switches provided for in the first section of this ordinance, and the connections to be made under the second section thereof, shall be located by the Committee on Streets and Lanes, and shall be laid and used in conformity with the ordinance passed in Council June 30, 1886, of which this is amendatory, the same as if they had been authorized thereby.

Ibid. s. 6.

13. *Penalty for violation of ordinance.* If the said, the Savannah, Florida and Western Railway Company, or its servants, or agents shall violate any of the provisions of this ordinance or of the ordinance passed in Council June 30, 1886, of which this ordinance is amendatory, then the said company shall be liable to a penalty of not more than one hundred dollars, on conviction thereof in the Police Court of the city of Savannah, for each and every offense.

Mch. 21, 1888
s. 1.

1440. City and Suburban Railway to connect its tracks by curves at intersections of Liberty and Whitaker streets, and of Liberty and Abercorn. In compliance with the petition of the City and Suburban Railway Company filed in the office of the Clerk of Council on the seventh day of March, 1888, the said company is hereby authorized and empowered to connect its tracks in the city of Savannah at the intersections of Liberty and Whitaker streets, and of Liberty and Abercorn streets by a curve at each of the said two intersections. Provided, That the building of said curves shall not disturb any tree growing at or near said intersections, and upon the further conditions hereinafter expressed.

Ibid. s. 2.

2. *To extend line to Savannah and Tybee Railroad.* The said railway company is also authorized to build a line about twelve hundred feet on Randolph street in the said city of Savannah, so as to connect its Liberty street line with the depot of the Savannah and Tybee Railway Company at the foot of President street; also to extend its Abercorn street line through Abercorn street in said city to Second street, and thence to the depot of the said City and Suburban Railway Company on Second street, at the corner of Whitaker street, extended; and also to build turnouts on Whitaker, Abercorn, Second, and Randolph streets in said city.

Note—Previous grants of Railway privileges S., S. & S. R. R.: Code of 1871, pp. 423, 424, 427, and Reb. Dig. p. 149. Savannah & Thunderbolt R. R. Co.: Reb. Dig. p. 146. Coast Line R. R. Co. Reb. Dig. p. 151. A. & G. R. R. Co.: City Code of 1871, p. 429. Reb. Dig. p. 141. J. J. Dale & Co. and Dixon, Johnson & Co.: Reb. Dig. pp. 143, 145.

3. *Conditions upon which privilege granted.* The privileges and rights hereinbefore mentioned, are granted upon the following conditions, and not otherwise, namely: (1) All the work done by the said railway company in the assertion of the privileges and rights hereinbefore granted, or any of them, shall be done, and the curves and turnouts shall be located, under the supervision and control of the Committee on Streets and Lanes and the City Surveyor. (2) The turnouts on Abercorn street shall be paved or planked the entire width of the track at each intersecting street or lane, and the tracks and spaces between contiguous tracks of said turnout, and two feet outside of said tracks shall also be paved or planked the entire width of the intersecting street and lane. (3) The said Second street shall be paved or planked the entire length of the turnout from point to point. (4) The curves at Abercorn and Whitaker streets, including the triangle formed by the curve at Whitaker street, shall be paved, and the curves at Abercorn and Second street shall be paved or planked. (5) All the tracks of the said railway company now built, or which may be hereafter built, through any squares of the city of Savannah shall be paved, and at the crossings in said squares, the pavement shall consist of paving blocks. The tracks in two of the squares shall be paved by the first of May next, and in the others by the first day of January next. (6) The location of the building of the said railway company on said Second and Whitaker streets extended shall be so changed by the said company as to avoid any encroachment on either of said streets. (7) The paving and planking hereinbefore provided for, and the proper grading shall be kept up and maintained by the said railway company, and respecting all the work done by the said railway company under the authority conferred by this ordinance, the said company shall be under the full control of the ordinances of the said city of Savannah.

Mch. 21, 1888,
s. 3.

1440 (a). Savannah Street and Rural Resort Railroad. 1

1. The Savannah Street and Rural Resort Railroad is hereby allowed to use the streets and route set forth in their said petition, and in the said notice for the construction of a street railway thereon and its operation by horse power for the term of thirty years and under the terms and conditions of its charter, as follows, to wit: From the western city limits of Savannah in a line across the canal and up the entire length of Indian street to West Broad street, up West Broad street to Bay, at which point a junction is made, one line running through Bay street to East Broad, the other continues up West Broad to Liberty, thence east one block to Montgomery street, thence out Montgomery to Seventh street, thence east to Habersham, down Habersham to Bolton: Provided, that the city reserves the right to withdraw its consent to the use of the streets if the said company does not construct its road along the streets north of Anderson street, within twelve months from this date.

Resolution of
Council adopt-
ed Sept. 21, 1887

2. Permission is hereby given to the said Savannah Street and Rural Resort Railroad to build its road on the additional route set out in its petition, under the terms and conditions of

Resolution of
Council adopt-
ed Nov. 16, 1887.

(1) By the 6th section of the charter of the Savannah Street and Rural Resort Railroad, Acts of 1882-3, p. 223, it is provided that the consent of the city authorities required by this Act may be signified by a resolution passed by Council, provided a notice of the streets, etc., sought to be used, be published in the official gazette of the city once a week for four weeks before the said meeting of Council.

its charter, as follows, to wit: On East Broad from Bay to President, through President to Randolph, through Randolph to Liberty, through Liberty to East Broad, through East Broad to Bolton, there to connect with the route heretofore designated: Provided, that the road be built on the route herein designated within twelve months from this date.

CHAPTER 70.

PAVING OF STREETS.

(Under Acts of Sept. 5, 1885, and Oct. 1, 1887.

SECTION 1441. Broughton street, from West Broad to Abercorn.	SEC. 1445. Barnard, from Congress to State
1442. Broughton, from Abercorn to East Broad.	1446. New Houston, between Drayton and Whitaker.
1443. Bull, from State to Congress	1447. Bay, between Ogeechee Canal and Wadley; also Wadley street.
1444. Congress, from West Broad to Drayton.	1448. Liberty street.

1441. Broughton street, from West Broad to Abercorn. PREAMBLE:

March 11, 1886. Whereas, the persons owning more than one-half of the real estate in the city of Savannah fronting on Broughton street, between the east side of West Broad and the west side of Abercorn streets, in said city, have petitioned the Mayor and Aldermen of the city of Savannah to pave, grade, and otherwise improve said portion of Broughton street; and

Whereas, The petition of the said parties has been approved by a two-third's vote of the said the Mayor and Aldermen of the city of Savannah at a regular meeting of Council;

Now, therefore, the Mayor and Aldermen of the city of Savannah in Council assembled do hereby ordain:

Ibid. s. 1.

1. *To be paved with asphalt.* The Committee on Streets and Lanes be, and it is hereby authorized and directed to have laid on each side of Broughton street a new curb, between the east side of West Broad street and the west side of Abercorn street, so that said curbs shall be forty-five feet apart, and to have Broughton street, between the east side of West Broad street and the west side of Abercorn street, the entire width of said street between the curb stones, graded and paved with asphalt, and have proper side drains, cross drains and crossings placed on said street between the points named.

Mch. 24, 1886, s. 2.

2. *Coast Line R. R. to pave its track, etc.* The Coast Line Railroad is hereby required to pave between the tracks of its road, and for three feet on each side thereof, as the paving to be done on said street by the Committee on Streets and Lanes progresses, paving between its tracks with Belgian blocks of graywacke or granite, or with the same material that the rest of the street is paved with, and outside of its tracks for three feet on each side with the same material that the rest of the street is paved with; and should the said Coast Line Railroad fail to commence said work and carry the same forward as the paving progresses, the same shall be done for said Company by said Committee on Streets and Lanes, and the cost thereof, if not paid when a bill for the same is presented, collected by execution, levy and sale of the said property of the said Company, as provided by law and ordinance in the case of abutting property owners.

3. *C. & S. R'y Co. to pave its track, etc.* The City and Suburban Railway Company is hereby required to pave between the tracks of its road and for three feet on each side thereof, where its tracks cross Broughton street, as the paving to be done on said street by the Committee on Streets and Lanes progresses; paving between its tracks with Belgian blocks of graywacke or granite, or with the same material that the rest of the street is paved with, and outside of its track for three feet on each side with the same material that the rest of the street is paved with; and should the said City and Suburban Railway Company fail to commence the said work and carry the same forward as the paving progresses, the same shall be done for said Company by said Committee on Streets and Lanes, and the cost thereof, if not paid when a bill for the same is presented, collected by execution, levy and sale of the said property of said Company, as provided by law and ordinance in the case of abutting property.

Mch. 24, 1886, s. 3.

4. *Assessments how collected.* After the total cost of said work shall have been ascertained (exclusive of any work done for said Street Railroad Company), one-third of such cost shall be paid out of the city treasury, and the other two-thirds from the persons owing real estate fronting on said Broughton street between the east side of West Broad street and the west side of Abercorn street, that is to say, one-third thereof from the owners on each side of said street, at the date of the passage of this ordinance, according to frontage. And the pro rata amount of the cost of the said work is hereby assessed against said real estate and its owners, as aforesaid. And if such assessment is not paid within ten days after presentation of a bill for the same, the amount of such bill shall be furnished by the Committee on Streets and Lanes to the City Treasurer, who shall immediately issue an execution for the amount against the person and property, as aforesaid, and place the same in the hands of the Marshal, who shall levy the same on the property described in the execution, and after advertisement and other proceedings as in cases of sales for city taxes, shall sell such property (at the time, place, and in the manner provided by law for city tax sales) at public outcry to the highest bidder, and such sale shall vest an absolute title in the purchaser, and the amount of the execution and cost shall go into the city treasury, and the remainder paid to the owner, or be held subject to such owner's order.

Mch. 11, 1886, s. 4.

1442. *Broughton street from Abercorn to South Broad.* Be it ordained by the Mayor and Aldermen of the city of Savannah, in Council assembled, under the terms and provisions of the act of the Legislature of Georgia approved the first day of October, 1887, That the Committee on Streets and Lanes be, and is hereby authorized and directed to have laid on each side of Broughton street from the west side of Abercorn street to the west side of East Broad street, a new curb, so that said curbs shall be forty-five feet apart, more or less, at Abercorn street and 35 feet apart, more or less, at East Broad street, and to have said portion of Broughton street between the said curbs, graded, and paved with asphalt, and have proper side drains, cross drains, and crossings placed on said streets between the points named.

Dec. 28, 1887, s. 1.

2. *Coast Line Railroad to pave its track, etc.* The Coast Line Railroad is hereby required to pave between the tracks of its road, as the paving to be done on said portion of Broughton street, described in the preceding section, progresses, and with the same material, or with such material as is used within the

Ibid. s. 2.

track west of Abercorn street, and should the said Coast Line Railroad fail to commence said work, and carry the same forward, the same shall be done for the said railroad company by said Committee on Streets and Lanes, and the cost thereof, if not paid when a bill for the same is presented, collected by execution, levy, and sale of the property of said company, as provided by law and ordinance in the case of abutting property owners.

Dec. 28, 1887.
Ibid, s. 3.

3. *Assessments, how enforced.* After the total cost of said work shall have been ascertained (exclusive of any work done for the said Coast Line Railroad Company, and the frontage of intersecting streets), one-third of such cost shall be paid out of the City Treasury, and the other two-thirds from the persons owning real estate fronting on the said portion of Broughton street, that is to say, one-third thereof from the owners on each side of said portion of Broughton street at the date of the passage of this ordinance, according to frontage. And the pro rata amount of the cost of said work is hereby assessed against said real estate and its owners as aforesaid. If such assessment is not paid within ten days after presentation of a bill for the same, the amount of such bill shall be furnished by the Committee on Streets and Lanes to the City Treasurer, who shall immediately issue an execution for the amount, together with costs, against the person and property as aforesaid, which execution shall be made and levied out of the property described therein, as are executions for city taxes.

Sept. 21, 1887.

1443. Bull street from State to Congress. PREAMBLE: Whereas, The persons owning more than one-half of the real estate in the city of Savannah, fronting on Bull street, between the south side of State street and the south side of Congress street, in the said city, have petitioned the Mayor and Aldermen of the city of Savannah, by petition filed May 18, 1887, to pave, grade, and otherwise improve said portion of Bull street, and

Whereas, The petition of the said parties has been approved by a two-thirds vote of the said, the Mayor and Aldermen of the city of Savannah, at a regular meeting of Council. Now, therefore, the Mayor and Aldermen of the city of Savannah, in Council assembled, do hereby ordain:

Ibid. s. 1.

1. *To be paved with asphalt.* The Committee on Streets and Lanes be, and is hereby authorized and directed to have Bull street from the south side of State street to the south of Congress street—the entire width of the street between the curbstones, graded and paved with sheet asphalt, and have proper side drains, cross drains and crossings placed in said street between the points named, and also to place such new curbs and curbing between said points as may be in the judgment of said Committee proper and advisable.

Ibid. s. 2.

2. *Assessments how enforced.* After the total cost of said work shall have been ascertained, one-third of such cost shall be paid out of the city treasury, and the other two-thirds by the persons owning real estate fronting on said Bull street, from the south side of State street to the south side Congress street; that is to say, one-third thereof from the owners of each side of said street at the date of the passage of this ordinance, according to the frontage, and the pro rata amount of the cost of said work is hereby assessed against such real estate and its owners

(1) This ordinance supersedes that of May 10, 1886, which provided for paving from the north side of State street to the south side of Congress.

as aforesaid; and if such assessment is not paid within ten days after presentation of a bill for the same, the amount of such bill shall be furnished by the Committee on Streets and Lanes to the City Treasurer, who shall immediately issue execution for the amount against the person and property as aforesaid, and place the same in the hands of the Marshal, who shall levy the same on the property described in the execution, and after advertisement and other proceedings as in cases of sales for city taxes, shall sell such property (at the time, place and in the manner provided by law for city tax sales) at public outcry to the highest bidder, and such sales shall vest an absolute title in the purchaser; and the amount of the execution and costs shall go into the city treasury and the remainder be paid to the owner or held subject to such owner's order.

1444. Congress street from West Broad to Drayton. PREAMBLE: Whereas, the persons owning more than one-half of the real estate in the city of Savannah fronting on Congress street, between the east side of West Broad street and the west side of Drayton street, in said city, have petitioned the Mayor and Aldermen of the city of Savannah to pave, grade and otherwise improve said portion of Congress street; and

Sept. 21, 1887.

Whereas, The petition of said parties has been approved by a two-thirds vote of the said the Mayor and Aldermen of the city of Savannah, at a regular meeting of Council, now, therefore, the Mayor and Aldermen of the city of Savannah in Council assembled do hereby ordain:

1. *To be paved with asphalt.* The Committee on Streets and Lanes be and it is hereby authorized to have Congress street, between the east side of West Broad and the west side of Drayton street, the entire width of said street, between the curb stones, graded and paved with sheet asphalt, and have proper side drains, cross drains and crossings placed on said street between the points named, and to place new curbs and curbing between said points.

Ibid. s. 1.

2. *City and Suburban R'y to pave track, etc.* The City and Suburban Railway Company is hereby required to pave between the tracks of its road, and for three feet on each side thereof where its track crosses Congress street, as the paving to be done on said street by the Committee on Streets and Lanes progresses, and with the same material, and should said railway fail to commence said work and carry the same forward, the same shall be done for said Company by said Committee on Streets and Lanes, and the cost thereof, if not paid when a bill for the same is presented, collected by execution, levy and sale of the said property of the said Company, as provided by law and ordinance in the case of abutting property owners.

Ibid. s. 2.

3. *Assessments, how enforced.* After the total cost of said works shall have been ascertained, exclusive of any work done for said Street Railway Company, one-third of such cost shall be paid out of the city treasury, and the other two-thirds by the persons owning real estate fronting on said Congress street, between the east side of West Broad street and the west side of Drayton street; that is to say, one-third thereof by the owners on each side of said street, at the date of the passage of this ordinance, according to frontage. And the pro rata amount of the cost of said work is hereby assessed against said real estate and its owners as aforesaid. And if such assessment is not paid within ten days after presentation of a bill for the same, the amount of

Ibid. s. 3.

such bill shall be furnished by the Committee on Streets and Lanes to the City Treasurer, who shall immediately issue an execution for the amount against the person and property aforesaid, and place the same in the hands of the Marshal, who shall levy the same on the property described in the execution, and after advertisement and other proceedings as in cases of sales for city taxes, shall sell such property (at the time, place and in the manner provided by law for city tax sales) at public outcry to the highest bidder, and such sale shall vest an absolute title in the purchaser, and the amount of the execution and cost shall go into the City Treasury, and the remainder paid to the owner, or be held subject to such owner's order.

Jan. 11, 1888,
s. 1.

1445. Barnard street from Congress to State. Be it ordained by the Mayor and Aldermen of the city of Savannah, in Council assembled, under the terms and provisions of the Act of the Legislature of Georgia, approved on the 1st day of October, 1887, That the Committee on Streets and Lanes be, and it is hereby authorized and directed to have laid on each side of Barnard street, from the south side of Congress street to the south side of State street, in the city of Savannah, a new curb, so that said curbs shall be forty-five feet apart, and to have said portion of Barnard street between the said curbs graded and paved with sheet asphalt, and have proper side drains, cross drains and crossings placed on the said portion of Barnard street between the points named.

Ibid, s. 2.

C. & S. R'y to pave its track, etc. The City and Suburban Railway Company is hereby required to pave between the tracks of its road as the paving to be done on the said portion of Barnard street described in the preceding section progresses, with the said asphalt or with paving blocks approved by the said Committee (as the said Railway Company may elect), and should the said Railway Company fail to commence said work and carry the same forward, the same shall be done for the said Railway Company by the said Committee on Streets and Lanes, and the cost thereof, if not paid on the presentation of the bill for the same by the said Company, shall be collected by execution and the levy and sale of the property of the said Company, as provided by law and ordinance in the case of abutting property owners.

Ibid, s. 3.

3. Assessments, how enforced. After the total cost of said work (exclusive of the work done for the City and Suburban Railway Company, and the frontage of intersecting streets) shall have been ascertained, one-third of such cost shall be paid out of the city treasury, and the other two-thirds from the persons owning real estate fronting on said portion of Barnard street, that is to say, one-third thereof from the owners on each side of said portion of Barnard street on the date of the passage of this ordinance, according to frontage, and the pro rata amount of the cost of said work is hereby assessed against said real estate and its owners as aforesaid; if such assessment be not paid within thirty (30) days after presentation of a bill for the same, the amount of such bill shall be furnished by the Committee on Streets and Lanes to the City Treasurer, who shall immediately issue an execution for the amount, together with costs, against the persons and property as aforesaid, which execution shall be made and levied out of the property described therein, as are executions for city taxes.

Mch. 7, 1888,
s. 1.

1446. New Houston street between Drayton and Whitaker. Be it ordained by the Mayor and Aldermen of the city of Savannah,

in Council assembled, under the terms and provisions of the act of the Legislature of Georgia, approved on the first day of October, 1887, that the Committee on Streets and Lanes be, and it is hereby authorized and directed to have New Houston street, between the west side of Drayton street and the east side of Whitaker street, in the city of Savannah, paved with cypress blocks. The said pavement to be of the width of forty (40) feet, and to have constructed with such side drains, cross drains and crossings as may be proper for the drainage and grading of said portion of New Houston street.

2. Assessments and how enforced. After the total cost of said work (exclusive of the frontage of intersecting streets) shall have been ascertained, one-third of such cost shall be paid out of the city treasury, and the other two-thirds by the persons owning real estate fronting on said portion of New Houston street, that is to say, one-third thereof from the owners on each side of said portion of said street, at the date of the passage of this ordinance, according to frontage. And the pro rata amount of the cost of said work is hereby assessed against said owners and the said real estate as aforesaid. If such assessment is not paid within thirty days after presentation of a bill for the same, the amount of said bill shall be furnished by the said Committee to the City Treasurer, who shall forthwith issue an execution for the said bill, together with costs against the persons and property aforesaid, which execution shall be made and levied out of the property described therein as are executions for city taxes.

Mch. 7, 1888,
s. 2.

1447. Bay street between Ogeechee canal and Wadley street, and Wadley street between Bay and the bridge. Be it ordained by the Mayor and Aldermen of the city of Savannah, in Council assembled, under the terms and provisions of the act of the Legislature of Georgia, approved on the first day of October, 1887, That the Committee on Streets and Lanes be and it is hereby authorized and directed to have laid on each side of Bay street, between the west side of the Ogeechee canal and the west side of Wadley street, in the city of Savannah, and on each side of Wadley street, between the north side of Bay street and the south side of the bridge south of River street, in said city, a new curb, so that said curbs on said Bay street shall be thirty-six (36) feet apart, and on Wadley street forty (40) feet apart, and to have said portions of Bay and Wadley streets, between the said curbs, graded and paved with stone paving blocks, and have proper side drains, cross drains and crossings placed on said portions of Bay street and Wadley street, between the points named; the said pavements herein provided for to be placed in the center of said street.

May 2, 1888,
s. 1.

2. Assessments and how enforced. After the total cost of said work (exclusive of the frontage of intersecting streets) shall have been ascertained, one-third of such cost shall be paid out of the city treasury and the other two-thirds from the persons owning real estate fronting on said portions of Bay and Wadley streets, that is to say, one-third thereof from the owners on each side of the said portions of said streets at the date of the passage of this ordinance, according to frontage and the pro rata amount of the cost of said work is hereby assessed against said real estate and its owners as aforesaid. If such assessment be not paid within thirty days after the presentation of a bill for the same, the amount of such bill shall be furnished by the

Ibid s. 2.

Committee on Streets and Lanes to the City Treasurer, who shall immediately issue an execution for the amount together with costs against the person and property as aforesaid, which execution shall be made and levied out of the property described therein as are executions for city taxes.

May 30, 1888, **1448. Liberty street between Wheaton and Tattnall streets.**

Be it ordained by the Mayor and Aldermen of the city of Savannah in Council assembled, under the terms and provisions of the act of the Legislature of Georgia, approved on the first day of October, 1887, that the Committee on Streets and Lanes be and it is hereby authorized and directed to have laid on each side of Liberty street, from the west side of Wheaton street to the east side of Tattnall street, in the city of Savannah, a pavement with such material as Council may hereafter by resolution adopt by a two-thirds vote of the members present, which shall occupy a space of 25 feet on each side of said portion of Liberty street, and be laid and located 10 feet from the sidewalk on each side of said portion of said street so that there shall be 10 feet intervening between said sidewalks and pavement, and 30 feet of the middle of the said street between the said pavements, which said spaces of 10 and 30 feet respectively shall be left for grass plats, except that no space shall be left for a grass plat on the south side of Liberty street, between Wheaton and East Broad streets, and the roadway on said section shall occupy a space of thirty-five (35) feet, instead of twenty-five feet.

Ibid. s. 2. *2. Liberty street between Tattnall and West Broad streets.* The said Committee on Streets and Lanes is also authorized and directed to have laid on said Liberty street, between the west side of Tattnall street and the east side of West Broad street, a pavement with such material as Council hereafter by resolution may adopt by a two-thirds vote of the members present, which shall occupy forty (40) feet of the said portion of Liberty street, extending from a line twenty feet north of the south line twenty-five feet south of the north line.

Ibid. s. 3. *3. New curbs, etc., to be laid.* The said Committee is also authorized and directed to have new curbs laid on Liberty street, inclosing the said pavement provided for in the two preceding sections, and to have the portions of the said street, between the said curbs, paved as hereinbefore provided, and also graded; and further, to have proper side drains, cross drains and crossings placed on said portions of said Liberty street.

Ibid. s. 4. *4. Street railways to pave between the tracks.* The City and Suburban Railway Company and the Savannah Street and Rural Resort Railroad Company are hereby required to pave between the tracks of their respective roads as the paving to be done in the said portions on Liberty street described in the preceding sections progresses, with such material as may be approved by the Committee on Streets and Lanes, and should the said railroad companies fail to commence said work and carry the same forward, the same shall be done for the said railway companies by the said Committee on Streets and Lanes, and the cost thereof, if not paid on the presentation of the bill for the same by the said companies, shall be collected by execution and the levy and sale of the property of the said companies, as provided by law and ordinances in the case of abutting property owners.

Ibid. s. 5. *5. Assessments and how enforced.* After the total cost of said work (exclusive of the frontage of intersecting streets and the

work done for said railway companies) shall have been ascertained, one-third of such cost shall be paid out of the city treasury, and the other two-thirds from the persons owning real estate fronting on said portions of said Liberty street; that is to say, one-third thereof from the owners of said portions of Liberty street at the date of the resolution of Council ordering the work to be done on portions of the street on which the several pieces of property abut according to frontage; and the pro rata amount of the cost of said work is hereby assessed against said real estate and its owners as aforesaid. If such assessment is not paid within thirty days after the presentation of a bill for the same, the amount of such bills shall be furnished by the Committee on Streets and Lanes to the City Treasurer, who shall immediately issue an execution for the amount, together with costs, against the persons and property aforesaid, which execution shall be made and levied out of the property described therein as are executions for city taxes.

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