

A COMPILATION
OF THE
ACTS OF THE LEGISLATURE
INCORPORATING THE
CITY OF MACON, GEORGIA:
AND
A REVISION AND CONSOLIDATION
OF THE
ORDINANCES
PASSED BY THE CITY COUNCIL OF MACON,
TO THE
3D OCTOBER, 1862.

REVISED AND CONSOLIDATED BY RICHARD CURD, CLERK OF COUNCIL.

MACON:
S. ROSE & CO., PRINTERS.
1862.

store, or other place, within the limits of the city, any poultry, produce, provisions, or any other chattel or other thing than those raised or produced by his, her or their owner or owners, employer or guardian, under no pass or pretext whatever.

SEC. 3. It shall be the duty of the Police or Clerk of Market to seize all articles so offered, and apprehend all slaves or free persons of color and bring him, her, or them before the Mayor, who shall have the power to confiscate all such articles so offered. The officer so apprehending shall be entitled to one half of the proceeds of such articles so confiscated, the other half to go to the poor of the city.

ICE.

SECTION 1. It shall not be lawful for any person to sell Ice within the corporate limits of the City of Macon on the Sabbath day, only between the hours of 12, M., and 1, P. M. Any person violating this section, shall, on proof thereof, be fined by the Mayor of said city for each offence in a sum not less than ten nor more than thirty dollars. When the Mayor is satisfied from the production of physicians' certificates, or other perfectly satisfactory proof, that Ice has been sold at other times on the Sabbath than those above mentioned on account of sickness, he may remit the penalty.

SEC. 2. Nothing in the foregoing shall be so construed as to permit any person who keeps Ice for sale, to sell anything, or any other article on the Sabbath day, during the hours when he is allowed by said section to sell Ice.

SLAVES AND FREE PERSONS OF COLOR.

SECTION 1. It shall not be lawful for any person or persons to confine or chastise any slave or any free person of color in any street or alley of the city.

SEC. 2. Free negroes and free persons of color, arriving within this city, shall within thirty days after their arrival, pay to the Treasurer fifty dollars. In case of neglect or refusal to pay the same, every such person or persons shall be committed to the Guard House or common Jail of the county, until the same is paid, or he, she, or they be discharged by order of Council, or by due course of law. No free negro or free person of color shall remain within the limits of the city a longer time than five days, without giving notice of who is his or her guardian or protector, to the Clerk of the Council; and it shall be the duty of said guardian personally to acknowledge himself as such to the Clerk within the above specified time, and that he, the said guardian, will be bound to pay all taxes which may be imposed on said free negro, or free person of color, by Council; and will hold him or herself accountable for the good conduct and behavior of said

free negro or free person of color, the same as is regulated by law in regard to the relationship between master and slave; and it shall be the duty of the Clerk of Council to keep a book register of all free negroes and free persons of color, the date of register, their names, occupation, age, and name of guardian; and it shall be the duty of the Marshal to apprehend all free negroes, or free persons of color, who may violate and disregard the provisions of this section, and lodge them in the Guard House or Jail until released by the Mayor and City Council, to whom he shall report his acts and doings, at the first regular meeting of Council thereafter.

SEC. 3. No slave or slaves shall be permitted to live on lots detached from the residence of their owners or employers without a license from the Mayor and Council; and said slave or slaves when so licensed, shall be under the immediate supervision of the Police, who shall have full power to enter their dwellings whenever they may deem it necessary for the good order and safety of the city. No slave shall be allowed to hire his own time, or carry on any trade within the limits of this city, except that of a barber or hair dresser, or be engaged in any work or employment, except under the immediate control of his master or employer. No slave shall be hired to, or by any free person of color, (except it be done legally through the guardian of such free person of color,) or another slave directly or indirectly, at any time within the limits of this city, under a penalty of ten dollars for each and every such offence.

SEC. 4. No keeper or manager of a livery stable shall hire or loan to any slave, or free person of color, any horse, mule, carriage, or other conveyance whatever, without a written permit from the owner of such slave, or guardian of such free person of color, stating the place where he or she may be going, and the time of absence, under a penalty of five dollars for each violation of this Ordinance.

SEC. 5. Any slave or free person of color found after daylight down, or at any time on the Sabbath day, seen going in or coming out of any house, shop, or any other place in the city where liquors of any kind, wine, cider, beer or other spirituous or other fermented drinks are retailed or sold, unless sent by his or her master, employer or guardian, and have a written permit to that effect, such slave or free person of color shall be lodged in the Guard House and there kept until liberated by their master, employer or guardian on payment of the usual fee. And for the violation of this ordinance, the person or persons owning or keeping such house or shop, or other place, shall be fined in a sum not exceeding fifty nor less than ten dollars.

SEC. 6. No assemblage of negroes or people of color, in any part of the city, for the purpose of dancing or merriment shall take place without a written permit being first obtained from the

Mayor and any four members of Council, whose duty it shall be to prescribe the time when, and at what time to break up; and the Marshal and all other city officers are directed to enforce this Ordinance.

SEC. 7. No slave or free person of color shall buy any spirituous or fermented liquors, wine or cider, within the limits of the city, without a written permit from his or her master or guardian, and any liquors so bought may be seized and forfeited; and any person selling or giving spirituous liquors to a negro not his own, or free person of color, on conviction before the Mayor, shall be fined not exceeding one hundred dollars.

SEC. 8. No person shall employ or permit any negro or other slave, to sell for him any goods, wares or merchandize, or liquors, or other articles of any kind, unless the owner thereof, or another white person in the employ of such owner, be present; and every white person so offending, shall forfeit and pay the sum of twenty dollars for each and every such offence, with costs.

SEC. 9. No owner or other person having the care or management of slaves, shall permit such slave to be hired or employed out of their respective families or houses, without obtaining from the City Clerk a ticket or badge, expressing the particular employment of said slave, and numbered, under the penalty of five dollars, with costs, for each offence. It shall be the duty of the Clerk to keep a book of record of said licenses granted, with particular description of the slave for whom the ticket is given.

SEC. 10. No person shall be allowed a badge or ticket for any slave but the owner, his or her agent, trustee, attorney or guardian.

SEC. 11. Badges or tickets shall not be transferable, and used by any other slave than the one for whom issued; a violation shall forfeit the badge or ticket, which shall not be renewed except by order of Council.

SEC. 12. It shall be the duty of the Marshal to seize all slaves found working without badges or tickets, and lodge them in the Guard House or Jail, who shall there remain, until liberated by their masters, or guardians, by paying five dollars and all costs.

SEC. 13. No assemblage of slaves or free persons of color, composed of more than seven in number, shall be permitted within the limits of this city, unless there be at least two white persons present, except when assembled at Church for religious worship, then the presence of one responsible white male resident shall be sufficient; and it shall be the duty of the Marshal, in all cases of violation, to disperse said assemblage of slaves, and free persons of color, and also arrest the leader or leaders of the same, and commit him or them to the Guard House, to be punished at the discretion of the Mayor.

SEC. 14. It shall be the duty of the Marshal and all other

Police officers, to take all slaves or free persons of color, to some retired place within the limits of the city, when necessary to whip or otherwise punish them, unless the punishment be ordered by the Mayor to be executed in a public manner, in which case the Guard House shall be the place of execution, between the hours of ten o'clock, A. M., and three o'clock, P. M.

SEC. 15. All negroes, slaves or free persons of color, being caught out from their owners' premises by the Marshal, Deputy Marshals, the City or Volunteer Police, after the ringing of the Guard House Bell at the hour P. M. established by Council, without a special permit from their owner, guardian or employer, shall be committed to the Guard House and there confined for the remainder of the night, and shall not be released by any officer of the city—under a penalty of not more than ten dollars for each and every offence—until regularly discharged the following morning in conformity with the Ordinance.

SEC. 16. When Council shall be advised at any time, that there is in the city a free person of color of notoriously bad or suspicious character, they shall notify such free person of color, through the Marshal or Deputy Marshals, to leave the city within five days, and in case of refusal or failure to do so, the Council shall cause said free person of color to be arrested and confined, until they can decide what action to take thereon, for the good of the city.

SEC. 17. In cases not specially provided for, if a slave or free person of color is charged with violating any part of an ordinance of the City Council, he or she may be tried by the Mayor or any two members of Council. If found guilty, the said Mayor or members may sentence the delinquent to receive a number of lashes not exceeding thirty-nine, within any one day, or be confined in the Guard House not more than five days, or both, at their discretion. Corporal punishment or confinement may be commuted for a pecuniary fine, not exceeding twenty dollars for such offence;—*Provided*, The master or guardian is willing to pay it.

SEC. 18. Slaves or free persons of color shall not assemble in, around or near, any street door, upon the side walk, or any other place or places to the annoyance of the neighbors or persons passing, nor to smoke in the streets, or alleys, or any public square or place. For a violation of this section, such negro or negroes shall be committed to the Guard House until the next morning, whipped and discharged, and the owner or occupant of the place or house shall be fined five dollars for each time he shall allow such assemblages of negroes.

It shall not be lawful for any slave, or any free person of color, on his or her own account, to sell or make Cotton Mattresses, or buy or sell Cotton for said purposes, under a penalty of twenty dollars, or to be punished at the discretion of the Mayor.

TRADING WITH SLAVES.

Any person who shall be guilty of trading or dealing with any slave or slaves, or of furnishing him, her or them with any spirituous or intoxicating liquors within the limits of the city of Macon, contrary to the laws of this State, shall, on proof thereof, before the Mayor, be fined by the Mayor of said city, in a sum of not more than one hundred dollars, or imprisoned in the common Jail of Bibb county, or Guard House of said city, not exceeding the space of one month,—or both fined and imprisoned, in the discretion of the said Mayor.

NEGRO GAMBLING.

Any slave or slaves, or free person of color, arrested by the Police, having about their persons cards, dice-box, or any other article known and used for gambling purposes, it shall be presumptive evidence that they have been, or intend gambling; and shall be punished at the discretion of the Mayor.

SLAVE MARTS.

Each and every person who shall keep and use within the limits of the City of Macon, any house, yard or other place for the purpose of keeping slaves therein for sale or hire, shall pay annually on the first day of January of each and every year, into the Treasury the sum of two hundred dollars: and if any person shall fail to comply with the requirements of this Ordinance, he or they shall be fined in a sum not exceeding one hundred dollars, and an execution shall issue for the whole sum and be collected in the usual manner.

MAGAZINE.

SECTION. 1. All gunpowder which shall be brought to the city for sale, on consignment, or for any purpose whatever, shall be conveyed by the owners or consignees thereof to the Magazine, within six hours after its arrival.

SEC. 2. No person shall keep for retail in their stores, more than fifty-six pounds of gunpowder, which shall be kept in a tin or copper canister. And any person offending against this provision, shall be liable to a fine of twenty dollars a day, for every day so offending, nor shall any person expose for sale any gunpowder in the streets or alleys of the city, under a similar penalty.

SEC. 3. All powder kept in the Magazine shall, when placed therein, be marked or labelled with the name of the owner or consignee, and all powder found in the streets, or any store, contrary to the provisions of this Ordinance, shall be seized by the Marshal or Deputy Marshals, and be by them conveyed to the Magazine, to await the order of Council, upon the report thereof by the officer seizing the same.

KEEPER OF THE MAGAZINE.

SECTION 1. The Keeper of the Magazine, elected by Council, shall, at the meeting next ensuing his election, give bond with good security, in the sum of one thousand dollars, conditioned for the faithful performance of his duty.

SEC. 2. It shall be the duty of the Keeper of the public Magazine, to attend at all times, when required, between sun rise and sun set, (Sundays excepted,) as well for the purpose of receiving, as delivering gunpowder to the owners thereof. He shall have a fixed place of residence or office, in some central part of the city, which he shall advertise. He shall receive all gunpowder, and enter the same in a book to the credit of the respective owners, issue receipts therefor, keep an account of, and report to Council monthly, the amount of gunpowder in the Magazine and the amount received for storage and the amount due. And it shall be, moreover, his duty, if any person storing gunpowder refuses or neglects to pay the storage due upon such portion as may not be removed in twelve months from the time of its receipt, after advertising in the public gazettes of the city for ten days, to sell such gunpowder at public auction, or so much thereof as will pay the amount of storage due. And in every instance, he shall receive the storage due on any gunpowder demanded of him, before its delivery.

SEC. 3. The Keeper of the Magazine shall receive for his services, the storage on gunpowder, which shall be at the following rates, to wit: one cent per pound for the first twelve months, or any part thereof, if paid by the owner in not exceeding ten days after the powder shall have been stored therein, and one and a half cents per pound if not so paid; and half a cent per pound for every six months following. A part thereof to be paid by the owner as the gunpowder is taken away, or sooner, at his option.

SEC. 4. It shall be the duty of the Keeper of the Magazine, to examine the building used for a Magazine from time to time, and report to Council any repairs which shall be necessary. And he shall examine monthly into the condition of all powder in the Magazine.

NUISANCES.

SECTION 1. It shall not be lawful for any person to build, have or keep any privy, nor dig, have or keep any sink or pit for a privy within four feet of any street or public alley, or within two feet of the boundary line of his or her own lot. And any person who shall be guilty of a violation of this section, shall be fined in a sum not exceeding twenty dollars for each day said nuisance shall continue after notice from the Mayor. And moreover, it shall be the duty of the Mayor and Council, in case of refusal by the owner or occupant of any lot on which such nuisance shall

exist, to abate the same, and cause the Clerk to issue an execution against the offender for the amount expended.

SEC. 2. No person shall be allowed to build, have or keep any privy in the business parts of the city, without a pit or sink; and it shall be the duty of the Mayor and Council to remove any privy so erected, or kept, and to cause an execution to be issued against the owner of said lot for the amount so expended, after giving five days' notice to persons so offending; *Provided*, Any person may have under their privies, movable boxes or tubs, on condition that they are removed and cleansed once in every two weeks.

SEC. 3. No person shall be permitted to throw into the streets any rotten fruit, vegetables, dead carcasses or other matter, in such quantities as to become offensive, under a penalty of five dollars.

SEC. 4. No person shall kindle or build a fire in the streets of the city, nor shall any person be allowed to camp in the streets, under the penalty of ten dollars for every offence; *Provided*, that blacksmiths shall be allowed to build fires for the purpose of shrinking tires in front of their shops.

SEC. 5. It shall not be lawful for any person to fire a gun, pistol, or any other fire arms, within three hundred yards of any house, except in cases of military parade; nor shall any person burn rockets, crackers, or any kind of fire works within the limits of the city. Any person so offending shall be fined in a sum not exceeding twenty dollars.

SEC. 6. No person shall be permitted to fly a kite in any part of the city, and it shall be the duty of the Marshal and Deputy Marshals, in case of a violation of this Ordinance, to destroy the kites so used, and in case of resistance or repetition, the offenders shall be arrested and brought before the Council to be dealt with as they may direct.

SEC. 7. No person shall do, or cause to be done, any work within the limits of the city on the Sabbath day, unless it be a work of necessity or charity.

SEC. 8. Any person who shall be found in the streets drunk, or acting in a disorderly, riotous or tumultuous manner, or who shall be guilty of any act against the public safety, morality and decency, not herein specified, shall be arrested by the Marshal and confined in the Guard House, until such time as he can be brought before the Mayor, to be dealt with as he may think proper.

SEC. 9. All lots and cellars within the limits of the city, shall by their owners or occupants be kept in such condition as not to allow any water to stagnate, or otherwise become offensive, or any other nuisance to exist thereon; and for a violation of this section, shall be fined in a sum not exceeding ten dollars per day,

for each day said nuisance exists, after notice from the Mayor or Marshal. And it shall moreover be the duty of the Mayor and Council, after the refusal or neglect of any owner or occupant of any lot on which such nuisance shall exist, to abate the same, and cause the Clerk to issue an execution against such offender, and the lot on which such nuisance may exist, for the amount expended in abating such nuisance.

SEC. 10. Any owner or occupant of a lot, who shall throw or discharge, or permit or allow to be thrown or discharged, from his or her premises, as much water or other liquid or thing of any kind whatever, as may put any part of any street or alley in bad order, or which may injure or damage any other lot in any way, or the occupants thereof, shall be fined by the Mayor or any two members of Council, not exceeding ten dollars a day and costs, for every day such nuisance shall exist, and the same shall be abated by order of the Mayor, or two members of Council, at the charge and expense of the person or persons causing or allowing the same.

SEC. 11. No owner or occupant of any lot, shall keep on his or her premises, any nuisance, to the annoyance of his or her neighbors. Any person so annoyed may apply to the Mayor or any two members of Council, who shall require, in writing, an abatement of such nuisance, in such time as he or they may think reasonable or proper. And if such nuisance is not abated by the time required, such offender or offenders shall be fined in a sum not exceeding ten dollars a day, for each day the same may continue, or imprisoned in the discretion of the Mayor or said two members of Council, and such nuisance shall be forthwith abated at the charge and expense of such person or persons so offending.

SEC. 12. It shall not be lawful for any person or persons to construct gutters or spouts to convey filth from their lots into any of the alleys or streets of the city, under a penalty for each and every offence of a sum not exceeding twenty, nor less than five dollars, at the discretion of the Mayor: and said gutter or spout shall be removed within ten days from notice; otherwise they will be removed by and under the direction of the Marshal, and the expense obtained from the property by the usual process.

ANIMALS RUNNING AT LARGE.

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 lameness, the same shall be removed by the Marshal or any other city officer from the limits of the city at the expense of the owner or owners thereof, to be adjudged by the Mayor, before whom the parties shall be cited to appear; and if any person shall resist or oppose an officer in the discharge of such duty

They shall be subject to a fine of not less than five nor more than twenty dollars.

DOGS.

SECTION 1. From and after the first day of May, next, there shall be provided by the Treasurer of the city, a sufficient number of badges to be marked "C. M." and numbered from one upwards, and he shall furnish the owner or owners of any dog or dogs, who may apply for the same, with one or more of said badges, as may be required, said owner or owners paying to said Treasurer for the use of said city, one dollar for every such badge, or such amount as may be affixed by Council; and which badges shall protect all dogs wearing them from being killed. And all dogs found running at large in said city at any time after said first day of May next, except such as may wear badges as above provided, shall be liable to be killed by the City Marshal, or such city officer or officers as he may authorize and appoint for that purpose; and for every dog so killed there shall be paid to the officer killing the same by the City Treasurer, the sum of fifty cents.

SEC. 2. This Ordinance shall remain in force from the time it takes effect until regularly repealed.

Passed February 6, 1858.

HOGS.

SECTION 1. It shall not be lawful for the owners of Hogs to permit them to run at large within the corporate limits of the city, except on the east side of the Ocmulgee river.

SEC. 2. It shall be the duty of the Marshal or his assistants to take up and impound, in the City Pound, all Hogs found running at large within the corporate limits of the city, and there keep them—giving notice in one of the newspapers of the city of their being impounded. If identified and proven within *ten days* thereafter, the owner shall have the right to release them, on the payment of one dollar for each Hog, and twenty-five cents per day for feeding, and expenses for advertising.

SEC. 3. If, at the expiration of ten days, no owner comes forward to prove or identify said Hogs—it shall be the duty of the Marshal or his assistants to sell them at public auction, from the lot whereon they are impounded, on the morning next after the expiration of the said ten days, and pay the proceeds thereof into the City Treasury; the Treasurer paying the Marshal or his assistants, twenty-five per cent. on amount of nett sales, as compensation:

SEC. 4. It shall not be lawful for any slave or free person of color, living on lots detached from their owners, employers or guardians, to have or keep a hog or hogs in the city of Macon.

of their own property or the property of any other slave or free person of color. Any slave or free person of color, who shall violate this Ordinance, shall be fined five dollars, or be punished by whipping, at the discretion of the Mayor; and the hog or hogs so kept shall be forfeited to the city, and sold by the Marshal as provided for under section 3.

STREET LAMPS, ETC.

Any white person who shall be convicted before the Mayor or Mayor and Council, of breaking, injuring, or in any manner unlawfully interfering with any lantern, post, or other fixture or thing used for or necessary to the lighting of the streets, alleys, public or private buildings of said city with gas or other thing for giving light, shall be fined not less than five or more than twenty dollars, and imprisoned not exceeding ten days in addition to such fine.

Should a negro be convicted of the same offence, he shall be punished by the same fine as a white person, or by whipping, or by both fine and whipping, in the discretion of the Mayor or Mayor and Council.

LICENSES.

SECTION 1. No person shall run a dray, cart or other carriage of transportation for hire within the city, without a license from the City Council, under the regulation of the annual license Ordinance.

SEC. 2. All persons obtaining such license shall give a bond with approved security, payable to the Mayor and Council of the city of Macon, in the sum of five hundred dollars, conditioned to make good all damages sustained by the carelessness, or other improper conduct of the driver of the dray, which bond shall, upon request, be assigned to the party aggrieved by such misconduct.

SEC. 3. Every dray shall be numbered in the order in which it is licensed, and the Clerk shall furnish to the owner its proper number fairly painted on tin, receiving twenty-five cents for the same; and the owner shall have it attached to some conspicuous part of said dray. Every dray without its number, shall be considered unlicensed. Drivers of licensed drays shall not, between sun rise and sun set refuse to carry a load to or from any part of the city, without a sufficient excuse; complaint of which may be made to the Mayor, who shall order his arrest by the Marshal, and shall adjudge the case as he may deem just and proper, and may impose a penalty of a fine not exceeding the sum of ten dollars, or the forfeiture of his license, or both at discretion. The price of hauling a load to or from any part of the city, shall be thirty cents, where the weight does not exceed twelve hundred

pounds, over that weight the driver may charge fifteen cents for every five hundred pounds. The price of hauling cotton shall be twelve and a half ($12\frac{1}{2}$) cents per bale; a load not to exceed six (6) bales.

SEC. 4. No license shall be granted to a slave or free person of color, under any circumstances or pretext whatever.

SEC. 5. All licensed drays, the owners of which conform to the regulations of this Ordinance, shall be permitted to pass or repass the bridge free of toll, on such terms and conditions as may be prescribed by the Council.

SEC. 6. No person shall retail spirituous or fermented liquors, wine, beer, cider, or other spirituous or fermented drinks in quantities less than one quart, within the limits of the City of Macon, without a license from the City Council, to be issued by the Treasurer, on the payment of the sum fixed by the annual license ordinance.

SEC. 7. Each person taking out license shall give bond, with good and approved security, in the sum of five hundred dollars, to the Mayor and Council, conditioned to keep a decent and orderly house; and shall moreover take and subscribe an oath before some officer authorized to administer oaths, not to sell or give liquor to slaves; and any person who, having obtained such license, shall fail to keep a decent and orderly house, or shall violate any of the provisions of this Ordinance, shall, on proof of such offence before the Mayor of said city, be fined by said Mayor in a sum not exceeding one hundred dollars, or imprisoned in the common Jail of Bibb county, or Guard House of said city, for the space of not more than one month, at the discretion of said Mayor.

SEC. 8. No person shall retail in more establishments than one, at the same time, under one license, nor shall any one be permitted to retail spirituous or fermented liquors in any street or alley.

SEC. 9. Any person shall be entitled to a tavern license upon application to the Clerk and Treasurer, and giving bond with approved security, in the sum of five hundred dollars to keep an orderly and decent house, with good and sufficient accommodation for travellers, their horses and attendants, during the time of their license, in the face of which it is to be expressed, that his, her or their bar room shall not be kept open on the Sabbath day, or Sabbath night, except for one hour only at each meal, and then to sell only to boarders, or travellers stopping with the person taking out the license, and the person taking out such license, shall pay to the Treasurer the sum fixed in the annual license ordinance. Any person or persons violating this section, shall, on proof before the Mayor, be fined in a sum not exceeding one hundred dollars, or forfeit his or their license, or both, at the discretion of said Mayor.

ditioned for the punctual payment of their taxes, and the faithful discharge of all the duties required of them by the ordinances of the city; and upon any neglect or refusal to make said returns, as before described, or to pay within ten days all sums due by him to the City Council, the Treasurer shall immediately put the bond of such Vendue Master in suit; and any Vendue Master so offending shall forfeit his said license.

ITINERANT TRADERS.

SECTION 1. It shall not be lawful for itinerant traders and dealers in corn, bacon, lard, flour, tobacco, and other articles of produce, or merchandize of any description, to sell or offer for sale said articles temporarily deposited, or held on deposit, at the Rail Road depots, or other places in said city for sale, unless the vendors thereof shall return the market value thereof to the Clerk of Council under oath, and pay to the said Clerk one-half of one per cent. upon the market value of said goods, so held on deposit aforesaid.

SEC. 2. In the event that any person or persons shall violate the above Ordinance, it shall be the duty of the Marshal or Marshals of said city, to seize the said goods, and bring the offenders before the Mayor of said city, who upon ascertaining the market value thereof, shall require the Clerk of Council to issue executions against said offenders for one-half of one per cent. upon the market value of said goods so held on deposit aforesaid, which shall be levied upon the same by the Marshal aforesaid and sufficient thereof sold to satisfy the tax aforesaid.

SEC. 3. Said offenders shall be fined for said violation at the discretion of said Mayor, not exceeding the sum of fifty dollars for each violation.

STREETS, ALLEYS, AND SIDEWALKS.

SECTION 1. No streets or alleys shall be laid out, closed or altered, without the consent of three-fourths of the members of the City Council, and any person intending to make such application, shall give at least thirty days' notice thereof, in each of the gazettes of the city, and no such application shall be acted on, except at a regular meeting of the Council.

SEC. 2. No person shall be allowed to haul or dig any dirt, from any of the streets, commons, alleys, or reserve of the city, without the written permission of the Mayor, and at least two members of the Council; any violation shall be punished on conviction before the Mayor. If a negro, the punishment shall be whipping by the Marshal; if a white person, by a fine of five dollars a day for each day the same may continue.

SEC. 3. No person shall place in any street or sidewalk, any empty boxes or casks, or other obstructions of any kind. No

person shall drive a dray, wagon or carriage of any kind nor ride a horse in the streets in a disorderly manner, so as to endanger other passengers. Nor shall any one drive, ride, or place any horse or mule, or any kind of carriage, on any sidewalk, or in any street or alley which intersects any walk in such a manner as to prevent the free passage of persons on foot, under the penalty of five dollars for the first, and ten dollars for the second offence.

SEC. 4. The sidewalks on the wide streets shall be twenty feet, those on the alternate narrow streets shall be sixteen feet wide, and those on Cotton Avenue shall be thirteen feet wide; and all trees and awning posts, on the several streets, shall be so set as to conform to this regulation, and shall be placed in a row. In case of deviation, it shall be the duty of the Council, after notice to the party so offending, and in case of refusal, to have such posts or trees removed.

SEC. 5. No person shall, without permission from the Council, erect any wooden shed or awning before his store or dwelling. Such permission shall not be given unless the party making the application shall have the awning erected by him neatly finished, painted, and with posts corresponding in length with those on the same street. *And provided*, That this permission shall not give to the party any right to the ground occupied by such shed, and may be withdrawn at any time. And any person fastening any horse or other animal, to any tree or box around it, or in any other way injuring the same; shall, on conviction of the same before the Mayor, be fined in a sum not less than five nor more than twenty dollars.

SEC. 6. It shall be lawful for any person, and the duty of the Marshals of the city, to take up any horse or mule found loose in the streets of the city, and forthwith summon the owner to appear before the Mayor, who may impose a fine for the offence at his discretion, not to exceed twenty dollars. In case the owner of any horse or mule taken up cannot be found, they shall be put in some lot or stable to be designated by the Mayor for safe keeping, and posted in one of the city papers, and if not claimed within ten days, shall be sold on the public square to pay the keeping and all costs. The Marshal's fee for taking up a loose horse or mule shall be one dollar, and for selling one dollar; to be paid by the owner, or from the sale of the same.

SEC. 7. That one dollar be charged for every horse or mule sold in the city by any drover or person bringing horses or mules and selling them in said city; and that the livery stable keepers be held responsible for one dollar per head for every horse or mule sold from their respective stables.

STREET ENCROACHMENT.

SECTION 1. No person shall be allowed to erect a fence, steps, portico or other obstruction beyond the line of their lots so as to be an encroachment upon the streets without first obtaining the consent of the Council.

SEC. 2. And any person who shall so encroach upon any of the streets or alleys of the city, and on being notified to do so, shall neglect or refuse to remove said encroachment, shall be fined in a sum not exceeding five dollars for each and every day said encroachment may remain unremoved after such notice given.

SEC. 3. All encroachments hereafter made shall be equally liable to the provisions of this Ordinance, and shall be removed unless upon application to Council the same be permitted to remain.

SEC. 4. In all cases of encroachment upon streets, lanes or alleys in said city, the Mayor and Council may cause the same to be removed upon reasonable notice to the party causing the same, or, should they in their discretion deem it best, may permit and sanction the same, for such fair consideration as the parties may agree upon, due regard being first had to the interests of property holders likely to be affected thereby.

SEC. 5. All streets heretofore known and laid down in the original survey as wide streets, being one hundred and eighty (180) feet, shall from the passage of this Ordinance be only one hundred and thirty (130) feet wide; and all streets known and laid down in the original survey as narrow streets, being one hundred and twenty (120) feet, shall from the passage of this Ordinance be ninety (90) feet wide.

SEC. 6. The above shall not apply to that portion of the city lying between, and including Plum and Wharf streets, and Spring and Fifth streets; but the width of these streets shall remain as in the original survey; viz., one hundred and eighty (180) and one hundred and twenty (120) feet alternately; any encroachments within these limits must be by special permission of Council.

SEC. 7. That all property holders in the city, who avail themselves of the provisions of this Ordinance, be required to build their fences on an uniform line; that is, in all the wide streets, to build their fences sixty-five (65) feet, and in the narrow streets forty-five (45) feet from a common centre, as established by this Council. And that no property holder shall be permitted to encroach on any street unless all the property holders adjoining, from street to street shall consent to such encroachment in writing; such written consent to be filed with the Clerk of Council. Nor shall any one be permitted to encroach on any street unless all those adjoining, from street to street, shall simultaneously

move out in a uniform line, unless by special permission of Council.

SEC. 8. That all property holders who avail themselves of the privilege of this Ordinance be required to put in order and keep up a sidewalk of twelve (12) feet in width, on each side of the street, and plant shade trees between the road bed and sidewalk, and keep the same in proper order. And such property holders shall have removed, at their own expense, the lamp posts now in the streets, to the same relative positions on the new, they now occupy on the old sidewalk; and have the gas pipes so arranged as to communicate with the said lamp posts.

SEC. 9. No building of any description shall ever be erected upon any lot in the city, outside of the original lot line.

SEC. 10. The foregoing Ordinance shall have no reference to any street originally surveyed less than one hundred and twenty feet in width; and shall have no reference to the width of alleys, and no reference to High street; and no street shall be changed in its width so as to interfere with public buildings now erected.

SEC. 11. All property holders availing themselves of the provisions of this Ordinance shall pay into the City Treasury the sum of ten dollars for each lot thus enlarged; and where the lot corners on two streets and the owner encroaches on both streets, such owner shall pay the sum of twenty dollars.

SEC. 12. It shall not be lawful for any person or persons to advance their lots from the original boundary on any of the streets of the City of Macon, without making application to Council, which if granted, shall not be moved out until the amount is paid to the Clerk of Council; and they in every other respect comply with the action of Council on said application.

SEC. 13. All persons who have availed themselves of the Ordinance granting street encroachments, or have received privilege by direct application to Council, and have hitherto neglected or refused to make sidewalks and plant shade trees, or other requirements in compliance with said Ordinance, or direct grant, be forthwith notified by the Marshal to do so; and on failing to comply within thirty (30) days from the notice, then the City Marshal shall cause the same to be done, and return the amount of cost and charges to the Mayor and Aldermen, who shall order the City Treasurer to issue execution for the same against the owner or owners, or agents of the lot or lots, which shall be levied and collected as all executions for taxes on real estate.

SEC. 14. All persons who may hereafter avail themselves of said Encroachment Ordinance, or by direct petition may obtain leave, shall be equally liable to the provisions of this Ordinance.

OFFENCES AGAINST MORALITY, PUBLIC SAFETY, AND DECENCY.

SECTION 1. Upon complaint lodged and proof produced to Council of the existence and maintenance of any house of ill fame, or bawdy house, it shall be the duty of the Mayor to give the occupants thereof five days' notice to leave the city, and in case of their failing to do so, by the expiration of that time, he shall require the Marshal and Deputy Marshals forcibly to eject them from the premises, and if necessary, he shall summons a sufficient number of citizens to assist the officers in so doing.

SEC. 2. Any person who shall keep a disorderly house, where noisy, riotous people assemble, to the annoyance of the neighborhood, shall be fined in a sum not exceeding twenty dollars, for each day that the house is so kept.

SEC. 3. All chimneys and stove pipes shall be so constructed as not to endanger the building to which they are attached, or those adjoining, as to fire. And any chimney or stove pipe, which in the opinion of the Council, or a Committee thereof appointed to examine the same, is considered dangerous or a nuisance, shall be removed, or the party shall so alter the same, as to remedy the evil.

SEC. 4. No person shall put in any public pump, pieces of brick, or other substances tending to prevent the free use thereof. No person shall place or cause to be placed near a pump, any barrel, nor wash any clothes, carriages or horses, within twenty feet thereof, under a penalty of five dollars.

SEC. 5. No cellar door shall extend more than six feet into any sidewalk, street or alley, or shall the outer or front part be elevated above the level of such sidewalk, street or alley, nor shall the inner part thereof attached to the dwelling, be elevated more than ten inches above the ground pavement.

SEC. 6. If any person or persons shall cut down or destroy any embankment or other improvement erected by the city authorities for the improvement of the streets or alleys of said city, he or they shall be fined in a sum not exceeding twenty dollars.

SEC. 7. It shall not be lawful for any dray, wagon or carriage to pass through any of the ten foot alleys of the city, unless for the use of persons living on the line of said alleys; and every driver, Owner or employer of said drays, wagons or carriages, found driving in, or using the aforesaid alleys, other than for the purposes mentioned, shall be fined in a sum not exceeding five, nor less than two dollars, on conviction before the Mayor.

RAIL ROADS.

It shall not be lawful for any engineer or employee of any Rail Road Company to run any engine or train through any part of the city at a greater rate of speed than five miles per hour, except

that portion of the Macon and Western Road from the junction at the southern portion of the city to the Vineville branch; nor shall it be lawful to move any cars backwards without having a guard placed on the backward platform, who shall be furnished with proper means of giving an alarm in case of danger. Any person or persons, engineer or fireman, conductor or employee, guilty of violating this Ordinance, shall be liable to arrest by the Marshal, Deputy Marshals, or either of the Police officers in special employ of Rail Road Companies, and upon conviction before the Mayor shall be fined in a sum not less than five, nor more than fifty dollars, or imprisonment in the city Guard House, or otherwise dealt with, at the discretion of the Mayor.

FAST DRIVING.

It shall not be lawful for any person or persons to ride on horseback in the city faster than a canter, nor for any coachman or other person, driving a coach or other carriage, to proceed faster than a moderate trot, nor for any person driving a loaded cart, wagon, dray or other carriage used for the transportation of articles of produce, wares or merchandize, to proceed in a pace beyond a walk, (except bread carts, which may be driven in a moderate trot); but all unloaded wagons, carts or drays may be driven in a moderate trot. *Provided, nevertheless,* the drivers thereof shall not be allowed to turn corners in any other manner than walk; and any person violating the provisions of this Ordinance, or owner or owners of such vehicles, shall on conviction be fined, if a white or free person, in the sum of five dollars; and if the offender be a slave, his owner or employer shall pay a like sum, and on refusal to do so, the slave shall be committed to the Guard House and there kept until his owner or employer shall have paid said fine together with all expenses; and if a free person of color, offending against this Ordinance, shall refuse or be unable to pay the aforesaid fine, such free person may be committed to the Guard House, there to remain not exceeding ten days, or until the aforesaid fine and all expenses shall have been paid.

BARBER SHOPS

No Barber shall keep open his shop on the Sabbath day, on penalty of a fine at the discretion of the Mayor, not to exceed twenty dollars.

AGAINST GAMING.

Any person who shall be guilty of violating the laws of this State relative to gaming houses, gaming tables, or playing and betting at any game or games played with cards, in the city of Macon, shall, on proof thereof before the Mayor of the city, be fined by said Mayor in a sum not exceeding one hundred dollars,

or imprisoned in the common Jail of Bibb county for a space of not more than thirty days, at the discretion of said Mayor.

ORDINANCE AGAINST CARRYING DEADLY WEAPONS.

Be it ordained by the Mayor and Council of the City of Macon, That any white person who shall violate the Statutes of the State of Georgia now in force, relative to carrying about his or her person any deadly weapon mentioned in said Statutes, within the limits of the City of Macon, shall, for each offence, on proof thereof before the Mayor of said city, be fined by said Mayor in a sum of not less than fifty, nor more than one hundred dollars, or imprisoned in the common Jail of Bibb county or the Guard House of said city, for any period not exceeding one month, or both fined and imprisoned as aforesaid, in the discretion of the Mayor. And any slave or free person of color who shall carry about his or her person any deadly weapon of any description—such as are manufactured for purposes of offence or defence—within the limits of said city, shall be punished by whipping and imprisonment in the Guard House of said city, at the discretion of the Mayor—the whipping not to exceed seventy-five lashes, and the imprisonment not to exceed thirty days.

WEIGHTS AND MEASURES.

SECTION 1. The weights and measures used in the city shall correspond to the standard fixed by law.

SEC. 2. Once in each year the Chief Marshal shall examine and test all weights and measures used for buying and selling in the city, and have all variations therein from the legal standard, promptly corrected; and in case any person required by the Marshal to rectify the weights and measures shall refuse to do the same, or shall be found by said Marshal to have been using false or illegal weights or measures, the name of such person shall be published by order of Council in one of the public gazettes of the city.

SEC. 3. It shall be the duty of the Marshal, under the direction of a Committee to seize all illegal weights and measures in use by any person in the city, and the Marshal shall be entitled to twenty cents for each inspection and stamp, of each set of weights and measures found correct, to be paid by the owner thereof.

TAXES.

SECTION 1. It shall be the duty, of the Council each year, to pass an ordinance for raising revenue for the current year, imposing taxation on all the property of the city, not exceeding the limit authorized by the City Charter.

SEC. 2. All the real estate owned by any person on the first day of January, shall be subject to be assessed by the assessors.

and taxed, and all personal property owned on the first day of January, shall be returned by the person owning the same, or by their agents, under oath, to the Treasurer, and taxed accordingly; *Provided*, That all persons commencing business in the city, after the regular time of returning taxes, shall be liable to be called on for a return of their stock in trade, by the Treasurer, and shall give in and pay the tax thereon rateably, for the portion of the political year that may be unexpired: failing to do which, it shall be the duty of the Treasurer to assess the stock of such person to the best of his ability, and to collect the taxes thereon.

SEC. 3. All persons who shall fail to give in their taxable property other than real estate, within the time specified by the resolution of the Council, shall be double taxed, and the Treasurer shall issue execution against all persons who shall fail to pay their taxes when required by the Council, to be directed to the Marshal, and bear test in the name of the Mayor.

SEC. 4. All executions issued for taxes shall be collected by the Marshal. All sales under such executions shall be held on the regular Sheriff sales day, and shall be advertised by the Marshal once a week for thirty days, in one of the gazettes of the city. The property sold shall be offered in small parcels, until a bid can be had sufficient to pay the amount, with costs due upon the execution, and the property so offered shall be knocked off to the highest bidder, and the Marshal shall execute to the purchaser titles thereto.

FIRE DEPARTMENT.

SECTION 1. All Fire Companies that now exist or that may hereafter be created by the City Council shall have power to make and establish a system of By-laws, Rules and Regulations, which they may alter and amend at pleasure, for the management and direction of said Companies; *Provided*, such By-laws, Rules and Regulations, shall not be contrary to the provisions of this, or any other Ordinance of the City of Macon; and such Companies shall have power to fine or expel any of its members for the violation of this Ordinance or the By-laws of said Companies.

SEC. 2. All Fire Companies shall be empowered to take charge and have the care and management of their respective Engine Houses, Engines, Hose, Ladders, Hooks and other apparatus for extinguishing fires, that now belong to, or may hereafter be provided by the City Council, as long as such Companies exist.

SEC. 3. The Fire Companies shall select from their own bodies a Chief Engineer and Assistant Engineer, and shall, after said election, report the same to the City Council, with the names of the individuals so elected, who shall at once enter upon and perform the duties, and possess the powers as shall be hereinafter

specified in this Ordinance; *Provided*, said election of Engineers be approved of by the City Council. Elections for said officers to be held annually, on the second Monday in January, except in case of death or resignation, when an election shall be held as soon as practicable thereafter.

SEC. 4. At all fires the Chief Engineer shall have the supreme and absolute command of the Fire Department, and the entire apparatus that may be employed for the extinguishment of fires; and in the absence of the Chief Engineer the above supreme authority shall devolve upon the Assistant Engineer. In case of absence of both the Chief and Assistant Engineer, then the same authority shall devolve upon the senior Foreman present.

SEC. 5. The Chief Engineer shall examine or cause to be examined twice, or oftener if he deems necessary, in each year, into the condition of the Engine Houses, Engines, Hose, and all the apparatus attached to the Fire Department, and make a statement of the same to the City Council or the Committee upon Fire Department, and if any addition or repairs should be required at any time, it shall be his duty in co-operation with said Committee and the Foreman of the Company in whose charge the apparatus to be repaired or added to may be, to have such addition or repair made.

SEC. 6. The Chief Engineer shall order out the Companies of the Fire Department twice a year for inspection and drill.

SEC. 7. The Chief Engineer shall examine, or cause to be examined all Fire Wells and Cisterns belonging to the city as often as he may think necessary; and if the same are not in condition to be used in case of Fire, he shall report the same to the City Council or the Committee on Fire Department.

SEC. 8. The Chief and Assistant Engineer shall, at fires, be distinguished from the rest of the Department by the wearing of a white leather forecap, with the words "Chief," or "Assistant Engineer" upon the front.

FIRE APPARATUS PROTECTED.

SECTION 1. It shall not be lawful for any person, wilfully and knowingly, to injure or damage in any way or by any means whatever, any engine, hose, hook, ladder or hook and ladder truck or any other implement, material or apparatus of any kind connected with, or used by any Fire Company in this city as a part of their machinery or material for extinguishing or arresting fires. Any white person violating any of the provisions of this section, or who shall procure or induce by any means, whatever, any slave or free person of color to violate any of the provisions thereof, shall on proof thereof before the Mayor of said city, be fined by said Mayor in a sum of money not exceeding one hundred dollars, or imprisoned in the common Jail of Bibb county, or in

the Guard House of said city, for any period not exceeding one month, in the discretion of the Mayor. And any slave or free person of color violating the provisions of this section, shall be punished by whipping or imprisonment in the Guard House of said city, or both, at the discretion of the Mayor; the whipping not to exceed one hundred lashes, and the imprisonment not to exceed one month.

SEC. 2. Any white person who shall obstruct with rubbish, or in other way the entrance to any Engine House, used by any of the Fire Companies of said city, or who shall procure any slave or free person of color to do so, may be fined by the Mayor in a sum not exceeding fifty dollars, or imprisoned in the Guard House for not more than ten days. And any slave or free person of color, committing the offence aforesaid, shall be punished by whipping, not to exceed seventy-five lashes in the discretion of the Mayor.

PAY TO FIRE COMPANIES.

The Fire Companies of Macon, Nos. 1, 2, and 3, shall be paid one hundred dollars each per annum, payable quarterly, for the purpose of paying an Engineer employed by them for keeping their Engines and Hose in good order; said Engineers to report to their respective Foremen and the Foremen to the Chief Engineer of the city; no payment to be made to either Company without the endorsement of the Chief Engineer.

FIRE LIMITS.

SECTION 1. That Squares Nos. 18, 19, 20, 21, 22, 23, 38, 39, 40, 41, 42, 43, and 62 in said city, are hereby established and fixed as the Fire Limits.

SEC. 2. It shall not be lawful for any person to build, erect or construct on either of the squares designated in the first section of this Ordinance, any wooden or frame building or other structure of any description, except such as shall be hereinafter specially named, and then only on a strict compliance with the conditions mentioned.

SEC. 3. Any building framed of wood, or having more wood on the outside of the building than that required for door and window frames, doors and stairs, shall be deemed a wooden building, and subject to the penalties of this Ordinance, unless it be one of the buildings or structures hereinafter named and exempted from the operations thereof. And the roof of every piazza and portico (except such as shall be hereinafter exempted from this Ordinance) shall be covered with some material not combustible, otherwise they shall be deemed each to be a wooden building, and subject to the penalties of this Ordinance.

SEC. 4. The following buildings and structures are not interdicted by this Ordinance, provided the conditions of their construction and of their being allowed to remain after they are built, are in each instance strictly complied with, to wit:—There may be on each lot embraced within the squares designated in section 1, a wooden well house, provided the same is not more than ten feet in height, and is not used for any other purpose than a well house; and provided no more wood is employed in its construction than may be absolutely necessary to protect a well: There may be on each of said lots a wooden privy, provided the same is not more than ten feet in height, and ten feet in length and width, and is placed at the back part of the lot, as the point most remote from any other building: There may be, also, on each of said lots a wooden shed, not to exceed eight feet in height, nor to exceed eight feet in length or width, provided the same is used for one of the two following purposes, and for those only, to wit—either as a cow shed or as a wash shed; and provided, that in either event no fire shall be used under or within such shed; and there shall never be any chimney or stove put up under or about such shed; and provided further, that such shed shall not be built within fifteen (15) feet of any other building; and there may be on each of said lots, a wooden yard fence for the purpose of enclosing the same; provided said fence does not exceed seven feet in height. If any of the buildings or structures mentioned in this section shall ever be put up in any other manner than that mentioned herein, or after the erection of any building or structure mentioned in this section, any of the conditions of its construction shall be violated or disregarded, such buildings or structures shall thenceforth be subject to the penalties of this Ordinance.

SEC. 5. Should any one erect or cause to be erected on either of the squares designated in section 1, any wooden building or other wooden structure of any kind, except such as are allowed by section 4 on the conditions therein named, he, she, or they shall be notified by the Marshal to remove the same; and should he, she, or they fail to do so within five days after receiving such notice, the Mayor and Council of said city shall cause the same to be removed at the expense of the owner or owners of such buildings or structures, and which expense shall be collected by execution as in other cases.

SEC. 6. Each and every person who shall violate this Ordinance, or any part of it, shall be fined ten dollars per day for each and every day they fail to regard the notice provided for by section 5.

CITY COMMON, RESERVE, AND PUBLIC PROPERTY.

SECTION 1. Any white person who by himself or a servant, shall haul, or otherwise carry off from the Reserve or Common, any