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Charleston, S.C.

1841

ORDINANCES, etc

OF THE

CITY COUNCIL

OF CHARLESTON,

IN THE STATE OF SOUTH-CAROLINA.

PASSED SINCE THE INCORPORATION OF THE CITY.

Collected and Revised by T. FORD, Esquire; the Corporation consisting at the time of the Collection of the Ordinances, of the following Members.

INTENDANT,

The Honorable RAWLINS LOWNDES, *Esquire.*

WARDENS.

	FOR WARD,		FOR WARD,
No. 1.	JOHN TODD,	No. 8.	JAMES LYNAH,
2.	JOHN MITCHEL,	9.	DANIEL STEVENS,
3.	FRANCIS KINLOCH,	10.	SAMUEL BEACH,
4.	BARNARD BEEKMAN,	11.	CHARLES LINING,
5.	WILLIAM CRAFTS,	12.	TUCKER HARRIS,
6.	CHARLES WARHAM,	13.	JOHN ROBERTSON, ESQUIRES.
7.	HENRY WM. DESAUSSURE,		

JOHN BEE HOLMES, Esquire, RECORDER.

PETER BOUNETHEAU, Esquire, CITY CLERK.

JOHN M'CALL, Esquire, CITY-TREASURER,

CAPTAIN ROBERT COCHRAN, HARBOUR-MASTER.

TO WHICH ARE PREFIXED,

The Act of the General Assembly for Incorporating the City, and the subsequent Acts to explain and amend the same.

CHARLESTON: Printed for A. TIMOTHY, Printer to the State.

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AN ACT

To Incorporate CHARLESTON.

I. WHEREAS from the extent and population of Charleston, its growing importance, both with respect to increase of inhabitants and an extensive commerce with foreign nations, it is indispensably necessary that many regulations should be made for the preservation of peace and good order within the same: And whereas, from the many weighty and important matters that occupy the attention of the legislature at their general meeting, it has hitherto been found impracticable, and probably may hereafter become more so, for them to devise, consider, deliberate on, and determine all such laws and regulations as emergencies, or the local circumstances of the said town may from time to time require; *therefore be it enacted by the honorable the Senate and House of Representatives, and by the authority of the same*, that from and immediately after the passing of this act, all persons, citizens of the United States, and residing one year within the said town, or having had a freehold one year within the same, shall be deemed, and they are hereby declared to be a *Body Politic* and *Corporate*, and the said town shall hereafter be called and known by the name of the city of CHARLESTON; and shall be divided into the following wards, viz.

Preamble.

Enacted, that persons citiz's of U. S. and residing 1 year in town, or having had a freehold one year therein, shall be a body politic, & the town to be call'd city of Charleston.

1. From Wilkins's fort, east-side of Church-street, to the south-side of Tradd-street, easterly to the Bay.

2. North-side of Tradd-street, to the south-side of Queen-street, easterly.

3. From the north-side of Queen-street, to the south-side of Ellery-street, easterly.

4. North-side of Ellery-street, up to meeting-street, and along the same to the west end of Quince-street, and along Quince-street through Anson-street to Boundary-street, easterly.

Boundaries the wards.

5. South-end of King-street to the south-side of Tradd-street easterly to Church-street.

6. From the north-side of Tradd-street along King-street, to the south-side of Broad to Church-street, easterly.

7. North-side of Broad-street along King-street, to the south-side of Queen-street, easterly to Church-street.

8. North-side of Queen-street along King-street, south of Hazel-street, easterly to join the ward No. 3.

9. From Hazel-street, along King-street to Boundary-street, and to join the ward No. 4, easterly.

10. South-end of Legare-street, including the west-end of Tradd-street, easterly to King-street.

11. North-side of Tradd-street to the west-end of Broad-street, easterly to King-street.

12. North-side of Broad-street, to the west-end of Ellery-street, easterly to King-street.

13. North-side of Ellery-street, west to Boundary-street, easterly to King-street.

II. *And be it further enacted by the authority aforesaid*, that the church-wardens of the parish of St. Philip and St. Michael, shall within one month after passing this act, give ten days public notice that wardens are to be chosen for each ward, whose qualification shall be the same as that of a member of the house of representatives; and that all free white persons residing in each ward, being citizens of this state, who were taxed three shillings sterling the preceding year, or are taxed three shillings sterling in the present year, towards the support of the government of this state, shall be intitled to vote for a warden for their respective ward: and they shall also notify the time and place when and where the election is to be held in each ward, and appoint proper persons for managing and conducting the same: and the said persons, after the election is closed, shall make a return to the church wardens of the persons chosen wardens of the respective wards: and the said church wardens shall give a notive to the several persons of their appointment respectively, and summon them to meet together at any time and place within two days after their election, for the purpose of taking

Church wardens to give 10 days notice of election of wardens.

Qualification of wardens & electors.

Chur. wardens notify return of elections to the persons chosen

the oaths of qualification, allegiance and office, prescribed by law; which oaths, may be administered by any one warden to the other, provided seven shall be present at the time of administering the same.

Seven wardens having met & qualifi'd, they are to give 7 days notice of an Intendant to be chosen, &c.

III. *And be it further enacted by the authority aforesaid*, That when seven or more of the said wardens shall have met and qualified as aforesaid, they shall within ten days after such their qualification, give seven days public notice, that an Intendant of the city is to be chosen from among the wardens, and that a general election will be held for the purpose by proper persons to be appointed, and at the time mentioned, under the Exchange of the said city; and that all persons qualified to vote for wardens in their respective wards may attend and vote for such Intendant. And when such Intendant shall be chosen, he shall take the oaths of qualification, allegiance, and office, prescribed by law, in the presence of the wardens; after which he may qualify such wardens as were not before qualified: issue a summons to the ward whose warden was chosen Intendant, or to any other ward where there is a vacancy, to chuse another warden for filling up such vacancy, appointing the time when, and place where the election is to be held, and proper persons for managing and conducting the same.

Intendant take the oaths, &c.

Intendant may sum'n the war. to meet in city council, 9 to be a quorum.

IV. *And be it further enacted by the authority aforesaid*, That the said Intendant shall and may, as often as occasion shall require, summon the wardens to meet together in city council, any nine of whom to be a quorum, who, with the Intendant, shall be known by the name of and they are hereby declared to be the *City Council of Charleston*; and they and their successors hereafter to be appointed, shall have a common seal, and shall be capable in law to purchase, have, hold, receive, enjoy, possess, and retain to them and their successors, for the use of the city of Charleston, in perpetuity, or for any term of years, any estate or estates, real or personal, messuages, lands, tenements, or hereditaments, of what kind or nature soever, within the limits of the said city and the parish of St. Philip, and to sell, alien, exchange, or lease the same, or any part thereof, as they shall think proper; and by the same name to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this state. And they shall also be vested with full power and authority, from time to time, under their common seal, to make and establish such bye-laws, rules, and ordinances respecting the harbour, streets, lanes, public buildings, work-houses, markets, wharves, public houses, carriages, waggons, carts, drays, pumps, buckets, fire-engines, the care of the poor, the regulation of seamen, or disorderly people, negroes, and in general every other bye-law or regulation, that shall appear to them requisite and necessary for the security, welfare, and convenience of the said city, or for preserving peace, order and good government within the same. And they shall also be vested with all the powers and authorities which by law are vested in the commissioners of the streets, commissioners of the markets, of the work-house, fire-masters, and commissioners of the pilotage; and they may take such effectual measures for carrying into execution all laws now in force respecting the said city and harbour. as to them shall appear expedient and necessary. And the said city council shall also be vested with full power and authority to make such assessments on the inhabitants of Charleston, or those who hold taxable property within the same, for the safety, convenience, benefit, and advantage of the said city, as shall appear to them expedient; and to affix and levy fines for all offences committed against the bye-laws of the said city; and to recover all such penalties as may be incurred under any law or laws now existing respecting the said city. And they are hereby also authorised to appoint a Recorder, Treasurer, Clerk, Coroner, Harbour Master, Fire Masters, Constables, and all such other officers (affixing the salaries and fees of such offices respectively) as shall appear to them requisite and necessary for carrying into effectual execution all the bye-laws, rules and ordinances, they may make for the good order and government of the said city, and the persons residing within the same. Provided always, that nothing herein contained shall authorise the city council to lay a duty of more than three pence per ton on any shipping in the harbour; nor shall they make any bye-laws repugnant to the laws of the land, or inconsistent with treaties made with foreign nations. And provided also, that all the bye-laws, rules and ordinances they may make, shall at all times be subject to the revisal, alteration, or repeal of the legislature.

Have a com. seal, & to purchase lands, &c

To sue and be sued.

To make bye-laws respecting the harbour, &c. For the security of the city.

Powers of the comm's of the streets, &c.

City Council may make assessments on the inhabitants levy fines and appoint officers

Proviso.

Proviso.

Fee-simple of the lands appropriated for the Exchange, &c. vested in city council.

V. *And be it further enacted by the authority aforesaid*, That the fee-simple of the following public lands and buildings within the said city viz.—The lands appropriated for the Exchange, the Beef Market, the Lower Market, the Fish Market, the Market at the western end of Broad-street, with the buildings respectively thereon, and the lands and appurtenances belonging thereto:—The marshland appropriated by law for a common:—The lands bounded by Queen-street, Magazine-street, Back-street, and Mazyck-street, (except two hundred feet square at the north-west corner thereof reserved

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reserved for a gaol:) Such part of the Negro Burial Ground as is public property: The lands on which the horn work at the north part of the city is situate, and the public lands near the same, purchased of the Wragg and Manigault family:—Any low water lots fronting any of the streets:—Shall be vested in the said City Council and their successors, for the use and advantage of the said city, to be leased, sold, improved on, or otherwise disposed of, as to the said City Council shall appear most conducive to the welfare and advantage of the said city, and the inhabitants thereof. And all fines and forfeitures for offences committed within the said city, against any of the bye-laws of the same, shall be sued for by the Recorder, and lodged with the Treasurer of the said city, to be at the disposal of the City Council, for the use and advantage of the said city.

Fines to be sued for by the Recorder.

VI. *And be it further enacted by the authority aforesaid,* That in case of tumult or riot, or appearance or probability of tumult or riot in the said city, the Intendant shall immediately summon together the City Council, and order the constables and other city officers to attend the City Council, and such measures shall thereupon be taken as shall appear most adviseable for preventing or suppressing such riot or tumult: and if any city officer shall neglect or refuse to obey the order for attendance from the Intendant, he shall forfeit a sum not exceeding ten pounds sterling for every such offence: and any other inhabitant refusing to obey the orders of the Intendant for the purposes of suppressing any riot or tumult, he shall forfeit a sum not exceeding five pounds sterling for every such refusal.

In case of riot, Intend't. shall sum. wardens, &c.

Fines for city officers, or other inhabit's. &c.

VII. *And be it further enacted by the authority aforesaid,* That the said wardens shall each of them have full power and authority, and they are hereby required to keep peace and good order in their respective wards, to issue warrants, and cause all offenders against law to be brought before them, and on examination, either to release, admit to bail, if the offence be bailable, or commit to the custody of the sheriff of Charleston district, who is hereby required and commanded to receive the same, and the same to keep in safe custody until discharged by due course of law. And the said wardens, or any three of them, shall in rotation meet twice every week, or oftener if occasion require, in the City-Hall, over the exchange, to hear and determine all small and mean causes, agreeably to the directions of the act of the general assembly, and all other matters of complaint arising within the said city: And each and every of the said wardens for the time being shall be vested with all the powers and authorities that justices of the peace are vested with by the laws of this state, and shall and may exercise the same in every part of the said city, for the preservation of the peace and good order thereof.

Wardens power within their respec. wards.

Their duty

And authority in the city.

VIII. *And be it further enacted by the authority aforesaid,* that on the first Monday in September, 1784, and on the first Monday in September every year thereafter, there shall be an election of wardens for each ward, and the Intendant for the time being shall give at least ten days notice of such election, and appoint the place for holding it in each ward, and proper persons for managing and conducting the same; and the persons so chosen may take the oaths of qualification, allegiance, and office, before the Intendant for the time being, after which they shall be fully qualified to act as wardens, or sit as members of the city council; but after a new election of wardens, none of the former wardens shall sit as members of the city council, unless they shall have been re-elected.

Time of election of ward's.

Before whom to qualify.

IX. *And be it further enacted by the authority aforesaid,* That on the second Monday in September, 1784, and on every second Monday in September thereafter, an Intendant shall be chosen from among the wardens by the inhabitants of all the wards, at the City-Hall, over the Exchange, or at such other place as the Intendant for the time being shall think proper, who shall give ten days notice of such election, and appoint proper persons for conducting the same; and the persons so chosen shall take the oath of qualification in the presence of the wardens, until which the former Intendant shall continue to act; but no person shall be eligible to serve as Intendant for more than three years in any term of five years.

Time of election of an Intendant.

No person eligible as Intend more than 3 y in five.

X. *And be it further enacted by the authority aforesaid,* That in case of the death of the Intendant, his resignation, removal from office, or absence from the state, the wardens shall thereupon appoint a time for chusing another, and give ten days public notice of the same: and in case of vacancy in any of the wards, by death or otherwise, the Intendant shall issue a summons to the ward for filling up such vacancy, giving five days notice of the same. And if any person, on being elected Intendant, shall refuse to act, he shall forfeit and pay to the treasurer of the city, for the use of the same, the sum of thirty pounds sterling; and if any person, on being elected warden, shall refuse to act, he shall also pay to the treasurer of the city the sum of twenty pounds sterling. Provided, that no person who hath attained the age of fifty years shall be compelled to serve in either

In case of Intendant's death

Person elected Intendant, refusing to act, shall forfeit 30l A warden, 20l Proviso.

either of the ſaid offices; nor ſhall any other perſon be obliged to ſerve more than one year in any term of ſeven years. And in caſe the Intendant, or any of the wardens, whilſt in office, ſhall be guilty of any wilful neglect, mal-practices, or abuſes, on information being filed of the ſame at the court of general ſeſſions, and conviction thereof, he ſhall forfeit and pay a ſum not exceeding two hundred pounds ſterling for every ſuch wilful neglect, mal-practice, or abuſe, the money to be recovered by the Recorder, and lodged with the city treaſurer, for the uſe and benefit of the ſaid city.

Penalty on Intend't. or wardens miſbehaving in office.

II. *And be it further enacted by the authority aforeſaid*, That if any perſon ſhall be ſued for any thing done by virtue of this act, he may plead the general iſſue, and give this act, and the ſpecial matter in evidence.

Perſons acting under this law, being ſued, may plead, &c.

In the Senate Houſe, the 13th day of Auguſt, 1783, and in the eighth year of the independence of the United States of America.

JOHN LLOYD, Preſident of the Senate;

HUGH RUTLEDGE, Speaker of the Houſe of Repreſentatives.

AN ACT to explain and amend an Act, entitled, "An Act to incorporate Charleſton, and to enlarge the powers of the City Council."

Preamble.

I. WHEREAS doubts have ariſen reſpecting an act, entitled, "an act to incorporate Charleſton," ſo far as relates to the power of the court of wardens to commit for penalties and forfeitures incurred by virtue of the bye-laws of the ſaid corporation; *be it therefore enacted by the honorable the Senate and Houſe of Repreſentatives, and by the authority of the ſame*, That the ſaid court of wardens ought, and they are hereby fully authoriſed and impowered from time to time, to commit to cloſe priſon all ſuch perſon and perſons, who ſhall incur any penalties and forfeitures intended to be inflicted by any of the bye-laws of the ſaid corporation, paſſed conformable to the powers veſted in them by the ſaid act of incorporation.

That the court wardens be authoriſed to commit for penalties, &c.

II. *And be it further enacted by the authority aforeſaid*, That the ſaid corporation ſhall be, and they are hereby fully authoriſed and impowered, from time to time, to erect and proceed to the drawing, and finally to conclude, any lottery or lotteries that they may think neceſſary to eſtabliſh for the uſe and benefit of the city of Charleſton.

Corpora'n. authoriz'd to draw lotteries.

III. *And be it further enacted by the authority aforeſaid*, That the city council of Charleſton be, and they are hereby veſted with full power and authority to regulate, from time to time, the price and aſſize of bread.

Aſſize of bread

IV. *And be it further enacted by the authority aforeſaid*, that the city council of Charleſton be inveſted with all the powers and authorities which by any act or acts of the general aſſembly were formerly veſted in the commiſſioners of fortifications, ſo far as the ſame relates to the putting down or removing any building, or other erection, on any of the wharves, or within fifty feet of the curtain line on the Bay of Charleſton.

Council inveſted with powr's granted to the comm's of fortifications.

V. *And be it further enacted by the authority aforeſaid*, That the city council ſhall have power and authority to permit the owners or occupiers of wharves, to conſtruct warehouſes, cellars, or arches, along the ſaid curtain line, of ſuch dimenſions as ſhall be approved of by the ſaid city council, ſo as the ſame be not more than ſix feet in height, or thirty feet wide, and that the whole be of one uniform conſtruction; and to make ſuch other regulations for the benefit of the owners of the ſaid wharves, and the health and convenience of the city, from time to time, as ſhall appear proper and convenient.

Power to regulate buildings on the curtain line.

VI. *And be it further enacted by the authority aforeſaid*, That from and after the paſſing of this act, it ſhall and may be lawful for the Intendant and wardens of the corporation of Charleſton, or any of them, upon complaint made by petition from ſeamen for the non-payment of their wages, or by any other perſon for the non-payment of any debt or ſum of money, or for any damage, not exceeding twenty pounds, by whatever means, for any cauſe, matter, or thing, the ſaid debt or ſum of money became due, or the damages were ſuſtained, except where the titles of lands may come in queſtion, to iſſue a warrant directed to any one of the conſtables, to ſummon the defendant, and all witneſſes required by either party, to appear at the court of wardens on ſuch day as ſhall be therein appointed; which ſummons, with a true copy of the petition annexed,

To remedy complaints of ſeamen for non payment wages & to take cognizance of debts not exceeding 20l. &c.

By ſummons, &c.

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nexed, ſhall be ſerved ten days on the defendant before the ſitting of the ſaid court.

VII. *And be it further enacted by the authority aforeſaid,* That the court of wardens ſhall and may have, hold and exerciſe the ſame powers and authorities therein reſpectively, touching all matters within the limits of their juriſdiction, and which do not exceed in value twenty pounds, except when the title of lands may come in queſtion, as the judges of the court of common pleas or admiralty have, hold or do exerciſe in their ſeveral juriſdictions; and the ſaid court of wardens ſhall be a court of record; and all perſons neceſſarily going to, attending on, or returning from the ſame, ſhall be free from arreſts in any civil action.

Powers of the court of wardens.

Exception.

Court of wardens to be a court of record.

In the Senate Houſe, the 26th day of March, in the year of our Lord 1784, *and in the 8th year of the independence of the United States of America.*

JOHN LLOYD, Preſident of the ſenate.

HUGH RUTLEDGE, Speaker of the houſe of repreſentatives.

A N A C T

To explain and amend the Acts for incorporating the City of Charleſton, and enlarging the powers of the City Council, and to prevent a Claſhing of Juriſdiction within the ſame.

WHEREAS many Acts of the Legiſlature reſpecting the internal government and police of Charleſton before it was incorporated, remain unrepealed;—and ordinances for the ſame purpoſes have been framed by the City Council, by which means a claſhing of juriſdiction may ariſe between the State Magiſtrates and the City Officers, as there may be a doubt whether both have not equal power to act under each; in order to obviate any difficulties on ſuch occaſions,

Preamble.

I. *Be it enacted by the honorable the ſenate and houſe of repreſentatives, and by the authority of the ſame,* That from and immediately after the paſſing of this act, all ſuch acts of the legiſlature ſhall be and they are hereby repealed.

All acts concerning the city poliee repealed.

AND WHEREAS no proviſion is made in caſe of the ſickneſs, temporary abſence, or other occaſion of non-attendance of the Intendant,

II. *Be it enacted by the authority aforeſaid,* That the City Council ſhall be impowered to elect one of the wardens to act in his room on any ſuch occaſion.

In caſe of ſickneſs of the intendant, &c. one of the wardens to act

In the Senate Houſe, the 12th day of October, Anno Domini 1785, *and in the 10th year of the independence of the United States of America.*

JOHN LLOYD, Preſident of the ſenate.

J. F. GRIMKE, Speaker of the houſe of repreſentatives.

(No. 1.) AN ORDINANCE

For imposing a Duty of Three-Pence per Ton on Vessels making Entry at the Custom-House of Charleston, in the State of South Carolina.

A duty of 3d. per ton shall be paid by masters of ships entering at the custom-house, or owners of ships, into the hands of the city treasurer, previous to any clearance, or within 20 days after entry, under a Penalty to be recovered in the court of wardens. Proviso.

BE IT ORDAINED *by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same*, That a tonnage or duty of three-pence, sterling money, per ton*, according to the measurement used in this state, the same to be made by the harbour-master of the port, shall be laid on every ship or other vessel which shall make an entry in the custom-house of Charleston, from any port or place whatsoever, without the limits of the state aforesaid, which said duty shall be paid by every master or owner of such ship or vessel into the hands of the city treasurer, previous to any clearance from the custom house, or within twenty days after such entry, under a penalty of ten pounds sterling, to be recovered in the court of wardens, from the said master, owner, or his or their security or securities, for every neglect or refusal thereof: *Provided always*, that this ordinance shall not extend to vessels compelled to enter the said port by distress, and without intent of carrying on trade or commerce, and shall depart the same without disposing of more of the cargo than was sufficient for repairing of damages or for outfits; nor shall this ordinance extend to coasting vessels belonging to any citizen of this state, employed in bringing to market the produce of any plantation in any other of the United States, owned by himself or any other citizen of this state.

Ratified in City Council, this 23d day of September, 1783.

RICHARD HUTSON, *Intendant.*

* Vide No. 60. § 3. for the mode of ascertaining the tonnage of vessels.

(No. 2.) AN ORDINANCE

To restrain the Exhibition of Theatrical Entertainments within the City of Charleston.

Preamble.

Ordained,

That all persons exhibiting theatrical entertainments within the city without permission of the city council, be fined, &c. The fines recoverable in the court of wardens. Fines not paid party to be committed 20 days.

FORASMUCH as the exhibition of theatrical entertainments within the city, without permission, or under proper regulations, may prove of injurious consequence, by corrupting the morals of youth, apprentices and servants, and encouraging idleness, riot and disorder: *Be it therefore ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same*, That from and after the publication hereof, all and every person or persons who shall act or perform, or be aiding or assisting in the acting, performing, or exhibiting of any tragedy, comedy, farce, interlude, or other theatrical entertainment within the city of Charleston, without permission of the city council first had and obtained, and under such regulations as they may establish, shall each forfeit and pay a fine of ten pounds sterling for every such offence, to be sued for and recovered by the city recorder before the court of wardens, by the oath of one or more credible witness or witnesses, to be levied by distress and sale of the goods and chattels of such offender or offenders; but if any such offender or offenders shall refuse to pay such fine, or to produce goods or chattels whereon to levy the same, every such offender or offenders shall, in such case, be committed to the house of correction, there to be kept to hard labour for the space of twenty days, or until such fine shall be paid.

II. *And*

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II. *And be it alſo ordained by the authority aforeſaid,* That any maſter or keeper of any public houſe or tavern, in Charleſton, who ſhall permit, or ſuffer any tragedy, comedy, farce, interlude, or other theatrical entertainment to be acted, performed, or exhibited therein, without permiſſion firſt had and obtained as aforeſaid, ſhall forfeit his licence, and be rendered incapable of obtaining another for the ſpace of ſeven years.

Public houſe-keepers permiting exhibitions in their houſes, forfeit their licences, and rendered incapable of obtaining another.

Ratified in City Council, this 26th day of September, 1783.

RICHARD HUTSON, *Intendant.*

(No. 3.) AN ORDINANCE

To prevent the killing of Cattle within the City of Charleſton.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleſton. in City Council aſſembled, and it is hereby ordained by the authority of the ſame,* That after ten days from the publication of this ordinance, no bullock, ox, cow, or other grown neat cattle, ſhall be killed within the bounds of the city, under the penalty of twenty ſhillings ſterling for every head of ſuch cattle ſo killed.

Penalty for ſlaughtering grown neat cattle within the bounds of the city.

II. *And be it further ordained by the authority aforeſaid,* That no butchers-pen or incloſure, for the purpoſe of keeping or ſlaughtering any ſuch cattle ſhall be thereafter continued within the city, under the penalty of twenty ſhillings per day, for every ſuch pen or incloſure which ſhall be ſo continued.

No butcher's pen, &c. to be kept within the city under penalty.

III. *And be it further ordained by the authority aforeſaid,* That the fines and forfeitures impoſed by this ordinance, ſhall and may be recovered before the court of wardens with coſts, the one half thereof to the informer, and the other half to be paid into the hands of the city-treaſurer, for the uſe of the corporation.

Fines recoverable before the court of wardens.

Ratified in City Council, this 26th day of September, 1783.

RICHARD HUTSON, *Intendant.*

(No. 4.) AN ORDINANCE

For defining and aſcertaining the Duties of a Harbour-Maſter for the port of Charleſton.

Ratified the firſt day of October, 1783.

Repealed by No. 60, Sect. 12.

AN

(No. 5.) AN ORDINANCE

For governing Mariners and Seamen, within the City of Charleston.

Persons giving credit to mariners, without permission of the master of the vessel they belong to, lose what they trust and forfeit double the value.

Proviso.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That if any person or persons whatsoever, shall, after the ratification of this law, on any pretence, give a credit, loan or trust, to any mariner belonging to any ship or vessel that now is, or that may hereafter arrive within this port, exceeding the sum of five shillings (except in matters of trade, by leave of the master or commander of the vessel he belongs to) that then and in such case, he, she, or they shall for every such offence, loose all the monies and goods so credited or trusted, and shall over and above the monies and goods so credited and trusted, forfeit double the value thereof: Provided always, that if any mariners or seamen belonging to any vessel or vessels, shall be visited with sickness, then and in such case, it shall and may be lawful for any one of the city wardens, by an order under his hand, to licence the master or mistress of any public or private house, to give him or them credit for any such sum or sums of money, as the said master or mistress is willing to trust for their necessary relief.

Penalty for tavern-keepers entertaining seamen, &c.

Proviso. This shall not extend to any seaman who is discharged, and shall produce his certificate.

II. *And be it further ordained by the authority aforesaid,* That no tavern-keeper, innholder, retailer of liquors, or victualler within this city, shall hereafter at any time, harbour or entertain any mariner or seaman exceeding one hour in twenty-four; nor supply him or them with any victuals or strong liquor above the value of two shillings within the said hour, under pain of forfeiting forty shillings for every such offence, to be recovered and applied as is herein after directed, and on non-payment thereof, shall be committed to the house of correction, and kept to hard labour for any time not exceeding thirty days: Provided always, that nothing herein contained shall extend, or be construed to extend to such mariners or seamen as shall be legally discharged from any ship or vessel, and who shall produce a certificate thereof, under the hand of the master or commander of the ship or vessel to which such mariner or seaman did belong, or from the court of wardens as herein after directed, any thing herein before to the contrary notwithstanding.

Every master of vessel shall give such certificates gratis, and if he refuses the court of wardens to give it.

III. *And be it further ordained by the authority aforesaid,* That every master or commander of a vessel in this port, immediately after the passing of this ordinance, shall, under the penalty of five pounds for every refusal, deliver on demand, to every mariner under his command, requiring the same, a certificate in writing, gratis, of the discharge of such mariner, if the time of his service by agreement, contract or otherwise, is expired; and upon refusal without just cause, the sitting wardens are hereby empowered and required, upon application to them, and on due proof, to grant such certificates, which shall be of equal force with certificates given by such masters or commanders of vessels.

No master shall hire or receive any seaman belonging to any other ship without such certificate under penalty.

IV. *And be it further ordained by the authority aforesaid,* That no master or commander of a ship or vessel within this port, shall hereafter hire, receive, or entertain, any mariner or seaman belonging to any other ship or vessel trading or being within the same, without such certificate as aforesaid, under the penalty of ten pounds for every such offence, to be recovered and applied as is herein after directed.

Constables to apprehend absconding seamen, &c.

V. *And be it further ordained by the athority aforesaid,* That it shall be the duty of the constables of the city to apprehend any mariner or seaman going at large, that he shall be informed, or shall have cause to suspect is a deserter, and carry him, with all convenient speed before the court of wardens; or if they are not sitting, before the nearest warden, to be examined; and if found to be a deserter, or without a certificate of discharge, every such mariner shall, by order of the said court of wardens as aforesaid, be sent to the vessel to which he belongs, to be delivered to the master or commander of the same, upon payment of the reward herein-after mentioned, and the customary charges, if such master or commander is to be found within this port, otherwise to be delivered into the common gaol or work-house in this city, there to be kept until the master or commander of the vessel to which he belongs, demands him, and pays the said reward and charges: *Provided,* the said commander or master makes his demand within ten days after the commitment of such mariner or seaman; and if no such demand is made, and reward and charges paid within that time,

Proviso.

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time, or in caſe the veſſel to which ſuch mariner or ſeaman did belong, ſhall have departed this port, then and in ſuch caſe, it ſhall and may be lawful for the gaol-keeper, or keeper of the work-houſe, and they are hereby required to deliver ſuch ſeaman to any maſter of a veſſel requiring him, and paying the ſaid reward and charges, to be deducted out of the wages of ſuch mariner or ſeaman, by the maſter ſo paying the ſame.

Conſtable entitled to a reward for apprehending &c

VI. *And be it further ordained by the authority aforeſaid,* That every conſtable apprehending a fugitive mariner or ſeaman, ſhall receive as a reward for the ſame ten ſhillings, to be paid as by this ordinance is before directed.

Public houſe-keepers entertaining ſeamen without leave to be on ſhore after ringing bell, forfeit 20s.

VII. *And be it further ordained by the authority aforeſaid.* That any public houſe-keeper, or houſe-keepers, who ſhall entertain any mariner or ſeaman belonging to any ſhip or veſſel in this harbour, after ringing of the city-bell, who hath not leave in writing to be on ſhore, from the maſter or commander of the ſhip or veſſel to which he belongs, ſhall forfeit twenty ſhillings for every ſuch offence.

The city-guard or watch ſhall alſo take up ſuch ſeamen, and confine them till morning, when they ſhall be carried before ſome warden, &c. who may fine them, and commit for non-payment.

VIII. *And be it further ordained by the authority aforeſaid,* That the city-guard or watch are hereby authoriſed and required to apprehend and deliver to the main-guard every ſuch mariner and ſeaman ſo found on ſhore, after ringing the city-bell as aforeſaid, where every ſuch mariner and ſeaman ſhall be cloſely confined until the next morning, when he or they ſhall be brought before any one of the city wardens to be examined, and if not charged with any breach of the peace or act of felony, the ſaid warden ſhall diſcharge him or them, on payment of ſuch ſum as he ſhall in his diſcretion think adequate to the offence, ſo as the ſame do not exceed twenty ſhillings; and on refuſal or neglect to pay the ſame, he or they ſhall be committed to the houſe of correction, there to remain not exceeding ten days, unleſs the fine inflicted ſhall be ſooner paid.

One-half of the penalties to go to the city, the other to the party proſecuting.

IX.* *And be it further ordained by the authority aforeſaid,* That one-half of all the fines, penalties and forfeitures impoſed or inflicted by this ordinance, ſhall be to the uſe of the corporation of the city of Charleſton, and the other half to the uſe of him or them who ſhall inform and proſecute to effect for the ſame, to be recovered by the recorder of this city before the court of wardens.

This ſhall not invalidate any convention between congreſs and any foreign nation.

X. *And be it further ordained by the authority aforeſaid,* That nothing herein contained ſhall be conſtrued to invalidate any convention or conventions that have been, or that may hereafter be entered into between the Congreſs of the United States of America and any foreign nation or nations, all which ſaid conventions ſhall have their full operation and effect within this city.

Ratified in City Council, the 6th day of October, 1783.

RICHARD HUTSON, *Intendant.*

* Note. This clauſe is altered by No. 32, in as far as it appropriates the fines to be impoſed upon ſailors taken up according to the 8th clauſe; that is to ſay, two-thirds of the ſaid fine is to go to the guard or watchman apprehending them, and the remaining one-third to the conſtable who ſhall attend at the guard-houſe for the purpoſe of carrying them before a magiſtrate.

(No. 6.) AN ORDINANCE

For appointing Conſtables in the ſeveral Wards of the City of Charleſton.

Preamble.

I. WHEREAS for the preſervation of peace and good order in the city of Charleſton, it is neceſſary that conſtables ſhould be nominated in the reſpective wards of the ſaid city: Therefore, *be it ordained by the honorable the Intendant and Wardens of Charleſton, in City Council aſſembled, and it is hereby ordained by the autho-*

Two constables shall be elected in each ward of the city.

Their necessary qualifications.

And they shall be invested with the usual powers of constables under the laws of the state, &c.

Certain persons exempted from serving in the office of constables,

rity of the same, That two constables shall be elected in each ward of the city, by the inhabitants of such wards respectively qualified by law to vote for wardens; and the persons so chosen shall be citizens of the state, and residents in such ward at the time of their election, and upon taking the oath herein after mentioned, shall be liable to the same duties, and invested with all the powers and authorities in any part of the said city*, that constables by the laws of this state have usually been liable to, or exercised. And every person so chosen, who shall refuse to act, shall forfeit and pay to the city-treasurer the sum of seven pounds sterling, to be sued for and recovered by the recorder of the city in the court of wardens. Provided, that no officer of this state, civil or military, member of either branch of the legislature, clergyman of any denomination, practising barristers or attornies, or other officers of the courts of justice, practising physicians or apothecaries, schoolmasters, masters of coasting vessels, pilots, or any person who has attained the age of fifty years, shall be compelled to serve in the said office; nor shall any other person be obliged to serve more than one year in any term of five years.

When vacancies shall happen, the wardens shall give 5 days notice, and hold elections in their respective wards.

The persons elected shall take the following oath.

II. *And be it further ordained by the authority aforesaid*, That each warden of the city shall, within ten days after the passing of this ordinance, and at all times thereafter when a vacancy shall happen by death or otherwise, give five days public notice to the inhabitants of his ward, that constables are to be chosen therein; and the said wardens respectively, shall hold such election from the hour of ten o'clock in the forenoon to one o'clock of the same day, on the day and at the place to be by them appointed in such notification. And the person or persons who shall then and there be chosen, before entering on the duties of the office, shall take the following oath, to be administered by one of the wardens, (that is to say) I. A. B. do swear, that I will well and truly serve in the office of city constable, and execute all the duties belonging to the same, according to the best of my skill and knowledge.——SO HELP ME GOD,

Penalty for opposing constables in discharging their lawful duty.

III. *And be it further ordained by the authority aforesaid*, That if any person shall resist or oppose any such constable in the lawful execution of the duties of his office, every such person shall, upon conviction in the court of wardens, be liable to be fined at the discretion of the said court, in any sum not exceeding twenty pounds sterling, and be also bound over to the court of general sessions to answer for the same.

Fees which the constables are allowed to take for their different services.

IV. *And be it further ordained by the authority aforesaid*, That the said constables shall be entitled to have and receive for his or their trouble, in executing the business attendant on the said office, the following fees, (that is to say,) For serving a summons, one shilling and six-pence—For serving an execution, one shilling and six-pence—For poundage, after the rate of five per cent. on all sums levied—For serving a peace warrant, two shillings—For carrying on a hue and cry, five shillings—For attendance in searching for stolen goods, for every day at the request of the party complaining, four shillings and eight-pence—For each day in assisting to distrain for rent, two shillings—For causing an execution upon every slave extending to life, fifteen shillings—For causing any slave to be corrected by whipping, or other corporal punishment, four shillings and eight-pence—For apprehending every fugitive seaman, ten shillings.

Ratified in City Council, this 6th day of October, 1783.

RICHARD HUTSON, *Intendant.*

* *Vide No. 5. § 5. and 6. for some of the duties of the city constables.*

(No. 7.) AN ORDINANCE

To continue the present Fire-Masters commissioners of the streets and commissioners of the work-house and markets, for the time therein mentioned.

Ratified the 10th day of October, 1783.

This Ordinance has had its operation and expired.

AN

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(No. 8.) AN ORDINANCE

For eſtabliſhing and regulating a nightly Guard and Watch in Charleſton

Ratified the 14th of October, 1783.

Repealed firſt by No. 43, which is itſelf repealed by No. 54, which repeals this Ordinance again

(No. 9.) AN ORDINANCE

For the preſervation of the Lamps of this City.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleſton, in City Council aſſembled, and it is hereby ordained by the authority of the ſame,* That any perſon or perſons who ſhall break or remove any lamp, public or private property, already ſet up, or which ſhall hereafter be ſet up in this city, ſhall forfeit for each lamp ſo broken or removed, the ſum of twenty pounds ſterling, to be recovered before the court of wardens; and in caſe any perſon or perſons ſhall be convicted of the offence, and neglect or refuſe to pay the penalty immediately, with coſts, every ſuch perſon ſhall be committed to the common gaol, there to remain until the ſaid penalty and coſts, and the charge of ſuch detention, ſhall be fully paid and ſatisfied. And in caſe any ſlave ſhall commit the ſaid offence, and be convicted thereof before the court of wardens, he or ſhe ſhall ſuffer ſuch corporal puniſhment, not extending to life or limb, as the ſaid court ſhall in their diſcretion award, unleſs the owner of ſuch ſlave ſhall redeem the puniſhment by paying a fine of twenty pounds ſterling for every lamp ſo broken or removed. One moiety of all fines ſo recovered, ſhall be paid to the informer, and the other to the city treaſurer for the uſe of the corporation, if a public lamp; and to the owner thereof if a private lamp.

Penalty for removing or breaking of lamps.

On refuſal or neglect to pay the ſame to be committed.

Puniſhment of ſlaves for ſuch offence.

Ratified in City Council, this 6th day of November, 1783.

RICHARD HUTSON, *Intendant.*

(No. 10.) AN ORDINANCE

To prohibit Hawking and Pedling within the City of Charleſton.

I. WHEREAS the practice of hawking and vending goods, wares, and merchandize, in and about the ſtreets of this city, is prejudicial to the commercial intereſts thereof; *be it ordained by the honorable the Intendant and Wardens of Charleſton, in city council aſſembled, and it is hereby ordained by the authority of the ſame,* That after ten days from the publication of this ordinance, no hawker or pedlar ſhall carry about, or expoſe at any ſtall or ſtand, in the ſtreets or markets, or on any of the wharves of this city, with intent to vend, ſell or diſpoſe thereof, any goods, wares or merchandize, upon pain of forfeiting the ſame. And it ſhall and may be lawful for any perſon or perſons whatſoever, to ſeize any goods, wares or merchandize, which ſhall be ſo expoſed or hawked about for ſale, and carry the ſame, together with the perſon ſo offending, before any one of the wardens of the city, who ſhall take the articles ſeized into his cuſtody; and cite the parties to appear before the next court of wardens, where the caſe ſhall be heard and finally determined; and upon condemnation, one half of the proceeds of the ſaid goods, wares or merchandize, ſhall be adjudged to the perſon who made the ſeizure, and the other half to the uſe of the corporation of this city.

Preamble.

Ordained that hawkers and pedlars ſhall not carry about or expoſe at any ſtall in the ſtreets &c. any goods, &c. on pain of forfeiting the ſame, ½ to the ſeizer, the other to the corporation.

Ratified in City Council, this 6th day of November, 1783.

RICHARD HUTSON, *Intendant.*

AN

(No. 11.) AN ORDINANCE

For the better observance of the Lord's Day, commonly called Sunday, and to prevent Disturbances at any place of Public Worship within the City of Charleston.

Ordained that no tradesman, labourer, &c. shall exercise any worldly labor, &c. on the Lord's day under penalty.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That from and after the publication of this ordinance, no tradesman, labourer, or other person whatsoever, shall do or exercise any worldly labour, business, or work of their ordinary callings, on the Lord's day, (works of necessity, charity, and the necessary occasions of the family excepted); and every person of the age of fifteen years or upwards, so offending, shall, for every such offence, forfeit the sum of twenty shillings.

Goods, &c. not to be sold on the Lord's day, under penalty.

II. *And be it further ordained by the authority aforesaid,* That no person or persons whatsoever, shall publicly shew forth or expose to sale, in any shop, ware-house, or otherwise, any goods, wares or merchandize whatsoever, upon the Lord's day; and every person so offending, shall, for every such offence, be liable to be fined at the discretion of the court of wardens, in any sum not exceeding fifty pounds.

No sports, pastimes, &c. allowed on said day, under penalty.

III. *And be it further ordained by the authority aforesaid,* That no sports or pastimes, as bear-beating, bull-beating, foot-ball, horse-racing, or any other public exercise or exhibition, playing at cards, dice, billiards, or any other games whatsoever, shall be allowed on the Lord's day; and every person so offending, shall forfeit for every such offence the sum of five pounds.

No tavern-keeper, &c. to suffer gaming on that day, under penalty.

IV. *And be it further ordained by the authority aforesaid,* That no tavern-keeper, inn-holder, or other person, keeping any public house of entertainment, shall suffer any gaming, rioting, or other disorderly conduct, in their houses or inclosures, on the Lord's day, under the penalty of twenty pounds for every such offence. And for the better preservation of good order on the Lord's day, *be it further ordained by the authority aforesaid,* That the wardens of the churches within this city, with one or more of the city constables, shall, once every forenoon, and once every afternoon, in the time of divine service, walk through the said city, to observe and suppress any riotous, indecent, or disorderly conduct therein; and the said wardens and constables, or any one of them, shall have power, and are hereby authorised and empowered to enter into any public house, dram-shop, or other house or inclosure, where any riot may be committed, for the purpose of suppressing the same; and any person or persons who shall, in such case, refuse entrance to the wardens or constables as aforesaid, shall, for every such offence, forfeit the sum of ten pounds.

Church-wardens, &c. on Sundays, to walk through the city during divine service to suppress riots, &c.

Empowered to enter public houses, &c.

Penalty on refusal of entrance.

Wardens empowr'd to stop persons walking the streets on said day & conduct them to a place of worship.

Penalty on refusal to go.

V. *And be it further ordained by the authority aforesaid,* That the aforesaid wardens, or any one of them, shall have full power, and are hereby authorised and empowered, to stop any person or persons (except such as are employed in works of necessity or charity) who shall be found walking or riding through the streets in time of divine service, and to insist on such person or persons going to some place of worship, there to remain till the service is over; and on refusal so to do, every such person shall forfeit the sum of two shillings and four-pence.

Penalty on disturbing any congregation.

VI. *And be it further ordained by the authority aforesaid,* That if any person or persons whatsoever, shall disturb any congregation of people lawfully assembled at any church, or public place of worship, to perform divine service, or shall, at any time, cause any riot or disturbance in any of the churches or public places of worship, of any lawful sect of religion within this city, he, she or they shall, for every such offence, be liable to be fined at the discretion of the court of wardens, in any sum not exceeding twenty pounds.

Penalty on employing slaves to work on the Lord's day.

VII. *And be it further ordained by the authority aforesaid,* That if any person or persons shall employ any slave or slaves to work or labour on the Lord's day, within this city (works of absolute necessity, and the necessary occasions of the family excepted,) every person so offending, shall for every such offence, forfeit the sum of forty shillings.

Fines, &c. recoverable in the court of wardens for the use of the corporation.

VIII. *And be it further ordained by the authority aforesaid,* That all the fines and penalties hereby imposed, shall be sued for and recovered in the court of wardens, for the use of the corporation; and any person or persons refusing to pay such fine after conviction, shall be committed to the common gaol, or house of correction, for any time

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time not exceeding ninety days, unleſs ſuch fine, and the lawful charges attending the impriſonment, ſhall be ſooner paid. *Provided*, That no perſon or perſons ſhall be impeached, proſecuted or moleſted, for any offence before mentioned in this ordinance, unleſs he or they be proſecuted for the ſame within ten days after the offence is committed.

Perſons refuſing to pay, to be committed. Proviſo.

Ratified in City Council, this 22d day of November, in the year of our Lord, 1783.

RICHARD HUTSON, *Intendant.*

(No. 12.) AN ORDINANCE

For the better Ordering and Governing of Negroes, and other Slaves, and of free Negroes, Mulattoes and Muſtizoes, within the City of Charleſton.

Ratified the 22d November, 1783.

*Repealed by an Ordinance paſſed the 16th of June, 1789, being No. 71.**

* The laſt clauſe of the repealing ordinance, leaves, by a proviſo, the regulations reſpecting badges contained in No. 12, of force, until 1ſt. January, 1790.

(No. 13.) AN ORDINANCE

For the better regulating the Pilotage of the Bar and Harbour of Charleſton.

Ratified the 26th November, 1783.

Repealed by No. 45, Section 13.

(No. 14.) AN ORDINANCE

For eſtabliſhing and regulating the Proceedings in the ſummary Juriſdiction of the Court of Wardens.

Ratified the 6th of May, 1784.

Repealed by No. 53. where it is mentioned as an ordinance paſſed the 22d of November, 1783—but in fact ratified as above, the 6th of May, 1784.

STATE OF SOUTH-CAROLINA.

(No. 15.) AN ORDINANCE

For regulating the Sale of Goods, Wares and Merchandize, by Public Auction, in this City.

Ordained, that no goods shall be laid in any street for sale by auction, except, &c.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That from and after the first day of August next, no goods, wares or merchandize, shall be laid or deposited in any street, lane, or alley within this city, for the purpose of exposing the same to sale by public auction, except to the eastward of the curtain line on the Bay.

Sales by auction to be on Tues. or Thurs days only.

Proviso.

II. *And be it further ordained by the authority aforesaid,* That no person or persons shall after the publication of this ordinance, sell or expose to sale by public auction, either on their own account, or on the account of any other person, any kind of goods, wares or merchandize, upon any other days of the week than upon Tuesdays and Thursdays: *Provided nevertheless,* That nothing herein contained shall extend, or be construed to extend, to the goods or effects of a deceased person, of any person about to leave the state, or of insolvent debtors, to the sales of sheriffs or constables, to the sale of damaged, wrecked, or condemned goods, or to the disposal of goods, wares or merchandize, belonging to any merchant or shop-keeper about to leave off business, who will make oath thereof before one of the wardens, or the city clerk.

Penalty for offences against the ordinance,

III. *And be it further ordained by the authority aforesaid,* That if any person or persons shall be convicted of any offence against this ordinance, he, she, or they, shall for every such offence forfeit and pay the sum of twenty pounds sterling, to be recovered in the court of wardens, one-half thereof to the person or persons who shall sue for and prosecute the same to effect, and the other half to the use of the corporation; and in case of non-payment thereof, he, she, or they, shall be committed to the common gaol for any time not exceeding thirty days.

Ratified in City Council, this tenth day of May, in the year of our Lord 1784.

STATE OF SOUTH-CAROLINA.

(No. 16.) AN ORDINANCE

For appointing commissioners of the Poor in the city of Charleston.

Comm's of the poor appoint'd for the time being, and time fixed for future appointments which are to be by ballot of city council

Penalty on refusal to act.

I. BE IT ORDAINED *by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That Messieurs Richard Lushington, John Webb, John Bryan, James Bentham, Lambert Lance and Isaac Peace be, and they are hereby nominated and appointed commissioners of the poor within this city, until Easter Monday next,* on which day, and on every Easter Monday thereafter, six fit and proper persons to be chosen by ballot in the city council, shall be appointed commissioners of the poor for one year, and every person who being so chosen, shall refuse to act, shall forfeit and pay the sum of ten pounds sterling for such refusal, to be recovered in the court of wardens, for the use of the corporation: *Provided always,* That no person shall be obliged to serve more than one year in any term of five years.

Duty of commissioners.

II. *And be it further ordained by the authority aforesaid,* That the commissioners of the poor, for the time being, shall have the care and direction of the poor-house and poor in the city of Charleston, and also of all lunatics, or persons disordered in their

* *Note. The time of election is altered by No.* 56. § 7. *to the last Monday in October.*

senses,

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ſenſes, who may be there confined, and ſhall from time to time viſit and ſuperintend the ſame, and manage and tranſact all matters relative thereto, according to ſuch regulations as they ſhall think neceſſary and expedient, or as may at any time be eſtabliſhed by the city council for their guidance and direction.

III. *And be it further ordained by the authority aforeſaid,* That the ſaid commiſſioners ſhall, and they are hereby required, once in every three months, to lay before the city council an exact account of all the expenditures at the poor-houſe and for the poor under their care, with the ſeveral vouchers for the ſame, as alſo a liſt of all ſuch poor perſons, and their manner of employment, the names and ages of the ſeveral children at the charity ſchool, together with an account of the number of both ſexes, from time to time bound out to trades or profeſſions.

Comm's to give account every 3 months of expenditur's and report the ſtate of the poor-houſe & charity ſchool.

Ratified in City Council, this twentieth day of May, in the year of our Lord 1784.

STATE OF SOUTH-CAROLINA.

(No. 17.) *AN ORDINANCE*

For regulating Funerals within the City of Charleſton.

I. BE *it ordained by the honorable the Intendant and wardens of Charleſton, in City Council aſſembled, and it is hereby ordained by the authority of the ſame,* That from and immediately after the publication of this ordinance, all proceſſions of funerals within this city, ſhall begin to move from the place where the corpſe ſhall be, towards the place of interment, at or before the hour of ſix o'clock in the evening, from the firſt day of April to the firſt day of October, and at or before four o'clock, from the ſaid firſt day of October, to the firſt day of April in every year.

Funerals to move at the hours preſcribed in this ordinance.

II. *And be it further ordained by the authority aforeſaid,* That on every neglect or failure of removing the corpſe at the time or times herein before mentioned; and on proof being made thereof to the court of wardens every owner or occupier of any houſe from whence the corpſe is ſo to be removed, ſhall for every ſuch neglect forfeit and pay the ſum of five pounds: the one half to the perſon informing and ſuing for the ſame, and the other half to the uſe of the corporation of this city.

Penalty on neglect.

Ratified in City Council, this ninth day of June, in the year of our Lord, 1784.

(No. 18.) AN ORDINANCE

For repairing, cleanſing, and keeping in good Order the Streets of Charleſton.

Ratified the 17th June, 1784

Repealed by No. 69.

AN

(No. 19.) AN ADDITIONAL ORDINANCE

To the Ordinance for appointing Conſtables in the ſeveral Wards of the City of Charleſton.

Ratified the 19th of July, 1784.

Repealed by No. 53. Sect. 22.

(*No.* 20.) *AN ORDINANCE*

For raiſing and paying into the public Treaſury, the Tax therein mentioned, for the uſe and benefit of the City.

Ratified the 22d of July, 1784.

This Ordinance has had its operation, and is now obſolete.

STATE OF SOUTH-CAROLINA.

(No. 21.) AN ORDINANCE

For regulating Carts, Drays and Waggons, within this City.

No perſon to let or drive for hire any cart, &c. or other carriage, without a licence firſt obtain'd & to pay 1 guinea per an for the uſe of the corporation. Penalty for letting or drivnig withoutlicence &c. 5l.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleſton, in City Council aſſembled, and it is hereby ordained by the authority of the ſame* That no perſon ſhall let or drive for hire any cart, waggon or dray, or other carriage within the city, without having firſt obtained a licence for ſo doing from the city clerk, who ſhall number and regiſter the ſame, for which licence ſhall be paid the ſum of one guinea per annum, for every ſuch cart, waggon, dray or other carriage, to be lodged in the city treaſury for the uſe the of corporation; and in caſe any perſon or perſons ſhall let or drive for hire any cart, waggon, dray or other carriage, within the city, without having obtained ſuch licence, or without having the number of ſuch licence fairly painted upon each ſide thereof with red* paint, eaſily to be ſeen, on the after part of the ſhaft, upon the ſquare thereof, or without one able perſon to attend and conduct the ſame, every ſuch perſon or perſons ſhall forfeit and pay for every ſuch offence the ſum of five pounds.

Carts, &c. having licences, bound to carry goods, &c. where requir'd unleſs pre-engaged, &c. Proviſo.

II. *And be it further ordained by the authority aforeſaid,* That all and every perſon and perſons having obtained ſuch licence, ſhall be, and they are hereby obliged and required at all times of the day (ſundays excepted) without delay to carry ſuch goods, wares, merchandize and commodities whatever, from any part of the city to another, as ſhall be required of them, on pain of forfeiting the ſum of twenty ſhillings for every neglect or refuſal: *Provided always,* That no ſuch carter, waggoner or drayman ſhall be ſubject to the ſaid penalty, who can make it appear by the teſtimony of any credible perſon that they were pre-engaged, or ſhall have ſome other reaſonable excuſe, ſuch as ſhall be approved of by the court of wardens.

III. *And be it further ordained, &c.* [Repealed by No. 30. § 3.]

* Note. The firſt clauſe, as far as it reſpects the colour with which the numbers are to be painted on the drays, is altered by No. 51. § 3. which authoriſes any colour.

IV. *And*

STATE OF SOUTH-CAROLINA.

(No. 22.) AN ORDINANCE

To alter and amend an Ordinance, entitled, "An Ordinance for regulating carts, drays and waggons within this city," passed the twenty-ninth day of July, in the present year.

I. WHEREAS from the high prices of provisions, house-rent and other necessaries, the rates of cartage affixed to the ordinance before mentioned are found inadequate; BE *it therefore ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That so much of the said ordinance, as relates to the rates aforesaid, be and the same is hereby repealed. Preamble. Rates fixed by former ordinance repealed

II. *And be it further ordained by the authority aforesaid,* That the following rates, and not more, shall be in future taken or demanded for cartage within this city; that is to say, New rates for cartage, &c. fixed.

(No. 21.) AN ORDINANCE

For regulating Carts, Drays and Waggons, within this City.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleſton, in City Council aſſembled, and it is hereby ordained by the authority of the ſame* That no perſon ſhall let or drive for hire any cart, waggon or dray, or other carriage within the city, without having firſt obtained a licence for ſo doing from the city clerk, who ſhall number and regiſter the ſame, for which licence ſhall be paid the ſum of one guinea per annum, for every ſuch cart, waggon, dray or other carriage, to be lodged in the city treaſury for the uſe the of corporation; and in caſe any perſon or perſons ſhall let or drive for hire any cart, waggon, dray or other carriage, within the city, without having obtained ſuch licence, or without having the number of ſuch licence fairly painted upon each ſide thereof with red* paint, eaſily to be ſeen, on the after part of the ſhaft, upon the ſquare thereof, or without one able perſon to attend and conduct the ſame, every ſuch perſon or perſons ſhall forfeit and pay for every ſuch offence the ſum of five pounds.

No perſon to let or drive for hire any cart, &c. or other carriage, without a licence firſt obtain'd & to pay 1 guinea per an for the uſe of the corporation. Penalty for letting or drivnig withoutlicence &c. 5l.

II. *And be it further ordained by the authority aforeſaid,* That all and every perſon and perſons having obtained ſuch licence, ſhall be, and they are hereby obliged and required at all times of the day (ſundays excepted) without delay to carry ſuch goods, wares, merchandize and commodities whatever, from any part of the city to another, as ſhall be required of them, on pain of forfeiting the ſum of twenty ſhillings for every neglect or refuſal: *Provided always,* That no ſuch carter, waggoner or drayman ſhall be ſubject to the ſaid penalty, who can make it appear by the teſtimony of any credible perſon that they were pre-engaged, or ſhall have ſome other reaſonable excuſe, ſuch as ſhall be approved of by the court of wardens.

Carts, &c. having licences, bound to carry goods, &c. where requir'd unleſs pre-engaged, &c. Proviſo.

III. *And be it further ordained, &c.* [Repealed by No. 30. § 3.]

* Note. The firſt clauſe, as far as it reſpects the colour with which the numbers are to be painted on the drays, is altered by No. 51. § 3. which authoriſes any colour.

IV. *And*

IV. *And be it further ordained, &c.* [The whole of this clauſe is repealed by No. 22. except in as far as it aſcertains the rates of Porterage, viz. " For porterage per day two ſhillings—ditto half a day's work one ſhilling and two-pence—ditto two or three hours, eight-pence."]

V. *And be it further ordained by the athority aforeſaid,* That no carts, drays or waggons ſhall be allowed to ſtand two a-breaſt, or in any other manner than in a ſingle and direct line in any part of this city, nor ſhall ſuch as uſually ply for buſineſs within the city, be allowed to take or occupy any ſtands, except on the wharves along the weſt ſide of the Curtain Line, in Bay-ſtreet, and at the Market-ſquare, under the penalty of twenty ſhillings for every ſuch offence.

Carts, &c. not to be two a-breaſt, nor occupy ſtands except at the market ſquare & weſt ſide curtain line.

VI. *And be it further ordained by the authority aforeſaid,* That if any cartman, waggoner or drayman within this city, ſhall demand or receive any greater rate or rates, price or prices, for carting any goods, merchandize, fire-wood, coals, lumber or other things, than what are abovementioned or limited, upon conviction of the court of wardens, every ſuch perſon ſhall pay a fine of twenty ſhillings for every ſuch offence.

Any carter demanding or receiving greater rates than thoſe fix'd by law to forfeit 20s.

VII. *And be it further ordained by the authority aforeſaid,* That all the fines impoſed by this ordinance may be ſued for and recovered in the court of wardens, and ſhall go and be diſpoſed of, one-half to the informer, who ſhall proſecute the ſame to effect, and the other half to the uſe of the corporation; but if any offence for which a fine is hereby impoſed ſhall be committed by a negro or other ſlave, he or ſhe ſhall be publicly whipped, at the diſcretion of the ſaid court, unleſs the owner of ſuch ſlave ſhall pay ſuch fine and the charges of recovery.

Fines to be divided between informer & the corporation. Negroes to be whipt if their maſters refuſe to pay fines.

Ratified in City Council, this 29th day of July, in the year of our Lord 1784.

STATE OF SOUTH-CAROLINA.

(No. 22.) AN ORDINANCE

To alter and amend an Ordinance, entitled, "An Ordinance for regulating carts, drays and waggons within this city," paſſed the twenty-ninth day of July, in the preſent year.

I. WHEREAS from the high prices of proviſions, houſe-rent and other neceſſaries, the rates of cartage affixed to the ordinance before mentioned are found inadequate; BE *it therefore ordained by the honorable the Intendant and Wardens of Charleſton, in City Council aſſembled, and it is hereby ordained by the authority of the ſame,* That ſo much of the ſaid ordinance, as relates to the rates aforeſaid, be and the ſame is hereby repealed.

Preamble.

Rates fixed by former ordinance repealed

II. *And be it further ordained by the authority aforeſaid,* That the following rates, and not more, ſhall be in future taken or demanded for cartage within this city; that is to ſay,

New rates for cartage, &c. fixed.

	Hogſheads Tobacco	Puncheons or pieces of Spirits	Rice per Barrel	Fire-Wood per Cord	Lumber per Load 500 feet	Bricks per Load 500	Shingles per M.	Lime and Salt, not in packages, per buſhel
	d.	d.	d.	d.	d.	d.	d.	d.
From or to any of the wharves between Granville's baſtion and Broad ſtreet to Church-ſtreet, between Mr. Thomas Young's bridge and the ſouth ſide of Broad-ſtreet — — — —	10	10	3	21	16	16	10	½
—— Meeting ſtreet, between St. Michael's parſonage and Pitt's ſtatue	11	11	4	27	24	24	12	½
—— White Point, ſouth of Mr. Thomas Young's bridge and St. Michael's parſonage — — — — —	12	12	4	30	26	26	14	½
—— King ſtreet, between Lamboll's bridge and ſouth ſide of Broad ſtreet	12	12	4	33	28	28	16	1
—— Legare and Friend ſtreets, and to the weſtward between Gibbes's wharf and ſouth ſide of Broad ſtreet — — —	14	14	5	36	30	30	18	1
—— Croſſing Broad ſtreet to any part of Church ſtreet, ſouth of the marſh behind St. Philip's church — — — —	10	10	3	21	16	16	12	½
—— Ditto of Meeting ſtreet ſouth of Ellery ſtreet — —	12	12	4	30	24	24	14	½
—— Ditto of King-ſtreet, ſouth on a line with Ellery-ſtreet —	14	14	5	33	28	28	16	½
—— Ditto of Friend and Archdale ſtreets, ſouth of Mr. John Palmer's	18	18	7	36	30	30	18	1
—— Ditto weſtward of the above, between Mr. Gervais and Mr. Lannneu's houſes — — — —	20	20	8	42	39	39	24	1
From or to any of the wharves between Craven's baſtion and Broad ſtreet to Church ſtreet between the marſh behind St. Philip's church and City Tavern, north ſide of Broad ſtreet — —	10	10	3	21	16	16	10	½
—— Meeting ſtreet between, ſouth of Ellery ſtreet and Pitt's ſtatue	11	11	4	27	24	24	12	½
—— King ſtreet, on the courſe of ſouth ſide of Ellery ſtreet and Mr. Wagner's houſe — — —	12	12	4	33	28	28	14	½
—— Friend and Archdale ſtreets, ſouth of Beaufain ſtreet —	14	14	5	36	30	30	18	1
—— Weſtward of the above ſtreets, between Mr. Gervais and Mr. Lanneau's houſes — — — —	16	16	6	42	39	39	24	1
—— Croſſing Broad ſtreet to any part of Church ſtreet, north of Young's bridge — — — —	10	10	3	21	16	16	12	½
—— Ditto Meeting ſtreet, north of St. Michael's parſonage —	12	12	4	27	24	24	14	½
—— Ditto King ſtreet, north of Lamboll's bridge — —	14	14	5	33	28	28	16	½
—— Ditto weſtward of the above, between Gibbes's wharf and the Sugar Houſe — — — —	16	16	6	36	30	30	18	1
—— Ditto Ellery ſtreet to any part of Quince and Anſon ſtreets to Boundery ſtreet — — — —	12	12	4	33	30	30	14	½
—— Ditto Meeting ſtreet to Boundary ſtreet — —	16	16	6	36	33	33	16	1
—— Ditto King ſtreet to Boundary ſtreet — —	18	18	7	15	39	39	18	1
—— Ditto weſtward of the above to Boundary ſtreet — —	20	20	8	18	42	42	24	1
From or to any of the wharves between Craven's baſtion and Boundary ſtreet to Charles, Quince and Anſon's ſtreets, between Ellery and Boundary ſtreets — — —	10	10	3	21	16	16	10	
—— Meeting and Squirrel ſtreets between ditto and ditto — —	11	11	4	27	20	20	12	½
—— King ſtreet on the courſe of Ellery ſtreet and Boundary ſtreet —	12	12	4	33	24	24	14	½
—— Ditto of Beaufain ſtreet and Boundary ſtreet — —	14	12	4	36	28	28	16	½
—— Ditto weſtward of the above, between Mr. Lanneau's and Boundary ſtreet — — — —	14	14	5	42	32	32	18	½
—— Croſſing Ellery ſtreet to any part of Meeting ſtreet north of Broad ſtreet — — — —	16	16	6	32	24	24	16	1
—— Ditto of King ſtreet north of ditto — —	18	18	7	36	28	28	18	1
—— Ditto weſtward of the above and north of ditto — —	20	20	8	40	36	36	30	1

Non-enumerated goods to be car'd at the of fire wood. Coals as lumb'r a dray load of non-enumerated articles as a hhd. of tobacco

For every full cart load, if required, of every other kind of goods, at the rate of fire-wood, to every place as above ſpecified; for every ton of coals to any part of the city, at the ſame rate as lumber; for every full dray load of every other kind of goods, at the rate of a hogſhead of tobacco; the cartage and dray hire to or from any part of the city to another part of the city (not deſcribed in the above rates,) to be paid in the proportion of the above rates and diſtances.

Ratified in City Council, this tenth day of Auguſt, in the year of our Lord, 1784.

(No. 23.) AN ORDINANCE

For regulating the price and aſſize of Bread.

Ratified the 28th of April, 1785.

Repealed firſt by No. 40. which is itſelf repealed by No. 59. §. 9. which repeals this ordinance again.

(No. 24.) AN ORDINANCE

For continuing Eaſt-bay ſtreet to the ſouthward of the City, and for ſecuring the Eaſt part of White-Point from the Sea.

Ratified the 6th of May, 1785.

Repealed by No. 62, Sect. 5.

(No. 25.) AN ORDINANCE

For raiſing and paying into the city Treaſury the Tax therein mentioned, for the Uſe and Benefit of the City.

Ratified the 6th of June, 1785.

This Ordinance has had its operation, and is now obſolete.

(No. 26.) AN ORDINANCE

For the better ſecurity of Charleſton from the accident of Fire:

Ratified the 22d of Auguſt, 1785.

Repealed by No. 46. Sect. 20.

(No. 27.) AN ORDINANCE

To alter and amend an Ordinance, entitled an Ordinance for governing Seamen within the City of Charleſton.

Ratified the 22d of Auguſt, 1785.

Repealed by No 32, 43, *and* 54.

(No. 28.) AN ORDINANCE

To suppress EO Tables, within the City of Charleston,

If any person set up any EO table, he shall forfeit 100l. for each time the same shall be played at, &c to be recov. in the court of ward's. 1 half to the informer & the other to the city.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That from and immediately after the publication of this ordinance, if any person or persons shall open, set up, or exhibit to be played at within the city of Charleston, any EO table, or any table of the nature, kind or likeness of those commonly known by the name of EO tables, by which the ignorant and unwary are liable to be imposed upon and defrauded; every such person and persons shall forfeit the sum of one hundred pounds for each and every time such table shall be so played at or opened for that purpose; which fine shall and may be recovered in the court of wardens, and paid, one half to the informer, and the remainder into the city treasury for the use of the corporation.

Every such table shall be forfeited & publ'y broken in the market square.

II. *And be it also ordained by the authority aforesaid,* That each and every such table when discovered, shall, and the same is hereby declared to be forfeited, and shall be publicly broken to pieces and destroyed by the head-constable, in the square fronting the Beef market.

Tavern-keep's allowing such tables, shall forfeit his licence & be incapable of obtain'g another in the city.

III. *And be it further ordained by the authority aforesaid,* That if any retailer of liquors, or tavern-keeper in Charleston, shall suffer or permit any EO table, or other of a like kind, to be opened or played at in his or her house, every such person on conviction before the court of wardens, shall forfeit his or her licence, and be rendered incapable in future of obtaining a licence for retailing spirituous liquors in this city.

Ratified in City Council, this 1st day of September, 1785.

RICHARD HUTSON, *Intendant.*

(No. 29.) AN ORDINANCE

For removing and preventing Nuisances, within the City of Charleston.

Preamble.

WHEREAS, from the numerous waste and vacant lots within this city, being made the receptacles of rubbish and filth, the exhalations therefrom are not only extremely offensive, but in the more populous and close built parts thereof, must be highly injurious to the health of the inhabitants;

The propriet's of lots within certain boundaries shall inclose them, to prevent filth, &c. from bei'g thrown therein or city council may cause it to be done, & may make the proprietors pay the expences.

I. *Be it therefore ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same;* That on or before the first day of January next, all and every proprietor or proprietors of any vacant lot or lots of land in this city, above high water wark, included within the following boundaries, (that is to say) within Ellery-street on the north, up to Meeting-street, and a line running from thence in the same direction until it intersects Mazyck-street, and within Mazyck-street, on the west, up to Broad-street, and a line running from thence in the same direction to Ashley river, shall fence in and inclose the same, or cause the same to be fenced in and inclosed in such a manner as to prevent any filth, dirt or rubbish being thrown or deposited therein; and in case of the neglect or refusal of any proprietor of any such lot or lots so to do, then, and in such case, it shall and may be lawful to and for the city council to cause the same to be done, and to levy or cause to be levied, the costs and charges attending the same, by distress and sale of the goods and chattels of such proprietor or proprietors, by warrant in writing under the hand and seal of the honorable the Intendant of the said city for the time being; and in case such proprietor or proprietors shall have no goods or chattels within the said city, that then

How the same may be recovered.

such

such lot or lots of land shall be, and the same is and are hereby made liable to be leased from year to year, at such an annual sum as can be obtained, until the expence thereof shall be defrayed, unless the proprietor shall sooner pay the same. And whereas, the practice which has hitherto prevailed of exposing new negroes to view in the city without proper cloathing is indecent, and the continuing them on shore may endanger the health of the citizens;

II. *Be it therefore ordained by the authority aforesaid,* That from and after the publication of this ordinance, it shall not be lawful for any person or persons to bring on shore or exhibit to view within this city, any new negroes without decent cloathing or covering, nor shall it be lawful to keep them on shore for the purpose of exposing them to sale, at any one time longer than from sun-rise to sun-set; and every person or persons so offending, shall forfeit and pay the sum of forty shillings per head for every negro so exposed to view, without decent cloathing or covering, or continued on shore longer than the time above-mentioned, to be sued for and recovered in the court of wardens; the one half to the use of the corporation, and the other half to him or them who shall sue for and prosecute the same to effect.

No new negro shall be bro't on shore without decent covering, nor be continued longer than from sun-rise to sun-set. Penalty.

Ratified in City Council, this 1st day of September, 1785.

RICHARD HUTSON, *Intendant.*

(No. 30.) *AN ORDINANCE*

For the more effectual preventing of persons from Galloping on Horseback, or driving Carriages improperly through the Streets of Charleston.

WHEREAS the length of process for the recovery of fines inflicted by several ordinances, on persons riding faster than a moderate trot, and on carters and draymen riding on their carts or drays through the streets of Charleston, has been found not to answer the good and salutary purpose intended;

Preamble.

I. BE *it ordained by the honorable the Intendant and wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That it shall and may be lawful for any person or persons, and the city constables are hereby strictly required to stop or inform of any person or persons riding on horse-back, and any coachman or other person driving a coach or other carriage, otherways than on a walk, moderate trot, or pace, and all carters and draymen riding on their carts or drays, or driving faster than a walk within the city of Charleston, and him or them immediately to carry or summon before any one before any one of the city wardens, who, on conviction, shall condemn the said offender or offenders, to pay the sum of nine shillings and four-pence for every such offence, to be given to the informer.

Duty of the city constables.

Penalty on all carters or draymen, who shall drive thro' the streets faster than a walk, 9/4.

II. *And be it further ordained by the authority aforesaid,* That if any person or persons so offending, shall refuse, or be unable to pay his or their fine as aforesaid, the said warden be, and he is hereby authorised and required to commit him or them to the common gaol in the city, there to remain, without bail or main-prize, for any time not exceeding ten days; and in case the said offender be a negro or other slave, the said warden may, on conviction, sentence him to a punishment, not exceeding thirty nine lashes on the bare back, at any one of the stocks in the city, unless the owner of such slave shall and do pay to the said warden, for the remission of the said punishment, the sum of ten shillings, to be applied as above directed.

If the offender will not pay the fine, he may be committed not exceeding 10 days & if a slave, he may be whipt not exceed'g 39 lashes, unless his owner will pay the fine.

III. *And be it further ordained by the authority aforesaid,* That all such clauses and parts of the ordinances for regulating carts and drays, and waggons, and for repairing, cleansing and keeping in good order the streets of Charleston, as relate to the matters herein ordained, be and they are hereby repealed.

Repeals whatever relates to this subject in former ordinances.

Ratified in City Council, this 17th day of October, in the year of our Lord 1785.

A. VANDERHORST, *Intendant.*

(No. 31.) AN ORDINANCE

To appoint and regulate Guagers of Liquors, Packers of Beef and Pork, and Measurers of Fire-Wood, Coal and Lumber.

Ratified the 22d December, 1785.

Repealed by No. 68. § 13.

(No. 32.) AN ORDINANCE

To repeal an Ordinance, entitled, "An Ordinance to alter and amend an Ordinance for governing Mariners and Seamen within the City of Charleston; and also to alter and amend an Ordinance for establishing and regulating a nightly Guard and Watch in Charleston.

Repeals a former ordinance No. 27.

And appropriates the fines on sailors taken up after even'g bell; and on negroes taken up after the proper hour, 2-3ds to the guard or watch man, other 1-3 to the constable &c.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That the Ordinance, entitled, "An ordinance, to alter and amend an ordinance, for the governing seamen within the city of Charleston," passed the 22d day of August, 1785, be and it is hereby repealed: and that from and after the passing of this ordinance, all fines inflicted on seamen taken up in Charleston after the ringing of the evening bell, and on negroes* taken up after ten o'clock in the evening, from the 20th day of March, to the 20th day of September, and after nine o'clock in the evening, from the 20th day of September, to the 20th day of March, till day-light the next morning, shall be applied in the following manner; that is to say—two-thirds of the said fine or fines shall be paid to the guard, watchman, constable, or any other person who apprehend them, and the remaining third to the constable or constables who shall attend at the guard-house, and carry them for examination, as by law directed.

Negroes taken up on Sundays for rioting to be carried to the guard house

II. *And be it further ordained by the authority aforesaid,* That all negroes taken up for rioting and misbehaving in Charleston on Sundays and Holidays, be carried to the guard-house; and the officer of the guard is hereby directed and commanded to receive and safely keep such negroes, until they shall be legally discharged by order of any one of the city magistrates.

Ratified in City Council, this 22d day of December, in the year of our Lord 1785.

A. VANDERHORST, *Intendant.*

* Note. The appropriation of the fine on *apprehending negroes,* is directed in the same manner as this act directs, by No. 54. § 4.

(No. 33.) AN ORDINANCE

To amend an Ordinance, entitled, an Ordinance for defining and ascertaining the duties of Harbour-Master, for the Port of Charleston.

Ratified the 22d of December, 1785.

Repealed by No. 60. Sect. 12.

AN

(No. 34.) AN ORDINANCE

For raising and paying into the City-Treasury, the Tax therein mentioned, for the Use and benefit of the City.

Ratified the 3d of April, 1786.

This Ordinance has had its operation, and is now obsolete.

(No. 35.) AN ORDINANCE

To prevent the landing of Naval Stores on any of the Wharves in Charleston, except such as are therein mentioned.

1. BE IT ORDAINED *by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That from and immediately after the passing of this ordinance, no person or persons shall land any naval stores on any wharf or wharves within the limits of the city, except such as are now the property of Christopher Gadsden, William Gibbes, and Edward Blake—which wharves are the safest for the reception of naval stores; any person or persons offending against this ordinance, shall on conviction thereof before the court of wardens, forfeit any sum not exceeding four shillings and eight-pence per barrel, which forfeiture shall be given to the person making information and prosecuting to conviction.

Naval stores shall not be landed, except at Gadsden's, Gibbes's, and Blake's wharves.

Penalty.

Ratified in City Council, this third day of May, 1786.

ARNOLDUS VANDERHORST, *Intendant.*

(No. 36.) AN ORDINANCE

For the publishing of small Bills of Credit.

Ratified the 12th of July, 1786.

Repealed by No. 63, last Section

(No. 37.) AN ORDINANCE

To amend an Ordinance, for the better ordering and governing of Negroes and other Slaves, and of free Negroes, Mulattoes, and Mustizoes, within the City of Charleston.

Ratified the 26th day of July, 1786.

Repealed by an Ordinance ratified on the 16th June, 1789, *being No.* 71.

AN

(No. 38.) AN ORDINANCE

For the regulating and governing of the Public Markets of the city of Charleston.

Five comm's to be chosen annually by the city council, to superintend & regulate the markets.

Penalty on refusal to act 10l

Proviso. No person bound to serve more than 1 year in seven.

I. WHEREAS it is necessary to establish certain regulations for the better ordering and governing of the markets of this city, *be it therefore ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That five commissioners shall be annually elected by ballot by the city council, to superintend the markets of this city, on the thirtieth day of the present month of October, and on the last Monday in every October of every succeeding year; and if no council should be made on that day, on the first ensuing day whereon the council shall be held, who shall have all the powers and authority vested in them by this ordinance, for the purpose of carrying the same effectually into execution; and every person so chosen who shall refuse to act, shall forfeit and pay the sum of ten pounds sterling for such refusal, to be recovered in the court of wardens for the use of the corporation. *Provided always,* That no person shall be obliged to serve more than one year in any term of seven years.

Markets shall be held every day in the week, except Sundays at specified places.

No butchers, &c. to sell the articles of their trades, &c. except at the public markets—

II. *And be it further ordained by the authority aforesaid,* That a public market shall be kept every day in the week, (Sundays excepted) at the following places, viz. at the place established and laid out for a market in the original plan of the city, and commonly known by the name of the Beef-market, and at the market established on the low water lot fronting Tradd-street, at which two markets all kinds of butchers meat, poultry, fruit, vegetables, and all other articles of provision shall and may be sold; and at the maket on the low water lot fronting on Queen-street, for all kinds of fish—at which places only the markets of this city are to be held.

On conviction the things shall be forfeited & a fine imposed on the person if free, & corporal punishment if a slave

Comm's may issue warrant & may order levy, &c.

Fines, &c. to be divided between the informer & the city.

These prohibitions not to extend longer than 9 o'clock.

III. *And be it further ordained by the authority aforesaid,* That if any person or persons following the trade or occupation of a butcher, poulterer, or fisherman, or any person or persons bringing or sending his butchers meat, poultry, fruit, vegetables, fish or other provisions to market (milk excepted) shall sell or expose the same for sale, at any other place within this city than the public markets before established, such person or persons shall on being convicted of the said offence before the commissioners aforesaid, or any two of them, by the oath or affirmation of one or more white persons, if the party offending be a white person, and by the testimony of one or more negroes, if a negro; and if the offender be a free person, he or she shall forfeit the meat, fish, poultry, fruit and vegetables, or other provisions so sold or exposed to sale, and also be fined at the discretion of the commissioners, or any two of them, not exceeding the sum of twenty shillings for every such offence, which fine and forfeiture shall be recovered by a warrant under the hands and seals of any two of the commissioners, directed to the head constable, or any lawful constable of the city, and be levied by distress and sale of the offenders goods; but if the person offending be a slave or slaves, besides forfeiting the articles sold or exposed to sale, shall receive such corporal punishment not exceeding thirty-nine lashes, or pay the sum of ten shillings, or be put into the public stocks of the city for any time not exceeding six hours, at the discretion of any two of the commissioners; the monies arising from the fines and sales of the forfeitures above-mentioned, shall be applied one half for the use of the informer, and the other half to be received by the commissioners, who shall account for the same with the treasurer of this city, at the periods of making up and settling their accounts:—*Provided,* That nothing in this clause shall be construed to extend so far as to prevent any person from carrying their articles of provision through the city for sale, after nine o'clock in the morning, they keeping no fix stand, but moving from place to place as the wants of the citizens or convenience may dictate.

No market or sale to commence till the ringing of the market bell at sun rise.

IV. *And be it further ordained by the authority aforesaid,* That if any person whatsoever, shall sell or offer for sale, any of the articles of provision before recited, in any of the markets of this city before the ringing of the market bells, which shall be at the rising of the sun every morning, the party so offending shall forfeit the articles so sold or offered for sale, and also be fined,* if a free person, a sum not exceeding forty shillings,

* Note. In as far as this ordinance impowers the commissioners to inflict fines, it is amended by No. 44. quod vide.

shillings, and if a slave, shall suffer such corporal punishment, *not exceeding* thirty-nine lashes, or not exceeding six hours confinement in the stocks, as any two of the commissioners shall direct. *Provided* nothing contained in this clause, shall be construed to extend to the Fish-market, the bell of which shall be rung at such hours as the commissioners, or a majority of them shall agree on, unto which time the regulations and penalties annexed to this clause, shall also extend to the fish-market.

Penalty.

Proviso.

V. *And be it further ordained by the authority aforesaid,* That if any person or persons whatsoever, shall buy or cause to be bought, or shall make any bargain, contract or promise, for the having and buying of any of the articles above recited, brought to, or intended to be brought to the public markets of this city, with the intent of selling such articles again, before the ringing of the bell, which shall be at nine o'clock in the morning, at the two flesh markets, and at such hour as the commissioners or a majority of them shall agree on for the fish market, such person or persons so offending, shall forfeit the articles so bought or contracted for; and the seller and the buyer, shall each be fined, if free persons, in a sum not exceeding forty shillings, and if a slave shall be guilty of this offence, he or she shall suffer such punishment at the discretion of the commissioners or any two of them as is directed in the foregoing clause.

Persons contracting for articles brou't to market, intending to sell the same before ringing of market bell, liable to penalty both buyer and seller.

VI. *And be it further ordained by the authority aforesaid,* That the standard for all weights and measures to be used in this city, shall be ascertained and fixed by the said commissioners, or a majority of them, agreeable to the general standard for weights and measures in the City-Hall; and any person selling any article below the said standards, or having in his possession, any unjust or false weights, scales, beams, or measures, shall forfeit and pay the sum of forty shillings for each and every offence: And the said commissioners are hereby authorised and required, once in every three months, or as much oftener as they shall choose to visit the wharves, stores and shops in this city, and try the weights and measures there used, and if they are found deficient of the standard above-mentioned, they shall seize and destroy the same; and from and after forty days of the passing this ordinance, no person whatever shall make use of any other than brass or iron weights, or of any other than weights of fifty pounds—twenty-five pounds—fourteen pounds—seven pounds—four pounds—two pounds—one pound—half a pound—quarter of a pound—two ounces—and one ounce downwards, under the penalty of seizure of all such weights, and ten shillings for each and every weight so found deficient, or of any other denomination than as aforesaid.—And every wharfinger, or manager of a wharf, or public scales, shall, before one or more of the commissioners aforesaid, take the following oath or affirmation, before he undertakes to weigh and transact the business of a weigher, at any such wharf and scales.

Standard of weights and measures fix'd by com'rs—Penalty in case false ones are desu.

Com'rs visit wharves &c. and destroy false weights and measures.

Brass & iron weights used only under penalty, & their denominations

Wharfingers to make oath before com'rs.

I A. B. of Charleston, owner, wharfinger or manager of a wharf or bridge, commonly known by the name of wharf, do solemnly swear or affirm, that I will, as soon as may be, adjust all the public scales and weights in use upon, the said wharf, and regulate the same, from time to time, by the city standard, according to law; and that I will at all times, do impartial justice between buyer and seller, in the weighing of rice, and all other commodities, upon the said wharf, while the said wharf shall be under my care and management. SO HELP ME GOD.

Their oath.

And the commissioners thereupon shall give a certificate to such person of his having taken the oath as aforesaid; and any such wharfinger, manager or weigher, refusing or neglecting to take such oath, before he undertakes such business, within twenty days after passing this ordinance, shall forfeit the sum of seventy pounds sterling for each and every offence.

VII. *And be it further ordained by the authority aforesaid,* That every weigher shall allow to the buyer of produce, for trett and waste of articles weighed at their respective scales, one per cent. for every hundred weight, under five hundred pounds.

Weighers allowance.

VIII. *And be it further ordained by the authority aforesaid,* That if any person or persons shall expose or offer for sale in the said markets, or any other place in this city, any poor carrion, blown, puffed up, or unwholsome meat, or any other unwholsome provisions, any two of the said commissioners are hereby empowered and authorised, on complaint being made to them, or by their own view, obtain the knowledge of the circumstance, to examine into the same, and if the fact is ascertained

Carrion meat, &c offered for sale, shall be seized by commissioners, & destroyed.

to their satisfaction, to cause the same to be taken away and burnt, or otherwise destroyed.

A slave offering any kind of provisions, &c. (fresh fish ex.) in any of the markets without a ticket, the articles liable to be seized.

IX. *And be it further ordained by the authority aforesaid*, That if any slave or slaves shall sell or offer for sale, any kind of provisions, or fruit, in any of the markets, or any other place in the city, (fresh fish excepted,) without a ticket from his or her master, mistress, overseer, or employer, particularly enumerating the articles so exposed to sale, it shall and may be lawful for any white person, to seize on all such articles as are not enumerated in their tickets, and to apprehend the said slave or slaves, and carry him, her, or them, before any one of the commissioners, who is hereby authorised and empowered to examine into the case, and to condemn all such articles not specified in the ticket, for the use of the informer.

Six stalls to be reserved for planters, in the market fronting Tradd-str. &c. &c.

X. *And be it further ordained by the authority aforesaid*, That six stalls shall be reserved in the market, fronting on Tradd-street, for the use of the planters, that bring or send their own stock to market; and the remaining stalls of that and the other public markets of this city, shall be let or hired out, at the discretion of the commissioners, who shall lay an account of all the monies received by them, under this ordinance, before the city council, once in every three months.

The comm's. or any three of them shall regulate the commissions that shall be demanded for selling butcher's meat, &c. Penalty,

XI. *And be it further ordained by the authority aforesaid*, That the commissioners, or any three of them, are hereby authorised and empowered to regulate the commissions that shall be demanded for selling any butcher's meat, or any other articles of provision, in any of the markets of this city; any person offending against this clause, shall be fined, not exceeding twenty shillings, at the discretion of any two of the commissioners.

They or any 3 of them may erect accommodations for the benefit of the markets. May appoint a clerk, affix his salary, & fees, &c. who shall have the powers of a city constable in the markets.

XII *And be it further ordained by the authority aforesaid*, That the commissioners, or any three of them, are empowered to erect and provide all such accommodations, or improvements, as may be necessary for the use, benefit, or advantage of the said markets; to appoint a clerk or clerks; to assign his or their duty: to affix his or their salary, and such fees as to them shall appear reasonable, with the approbation of the city council; and the said clerk or clerks are hereby vested, in the said markets, with the powers and authority of a city constable.

Punishment for those who oppose or insult the com's. or create any riot in the markets— If a butcher. If a slave. If done in the presence of any af the comm's. how to proceed.

XIII. *And be it further ordained by the authority aforesaid*, That if any person or persons shall oppose, obstruct or insult the said commissioners, or any of them, in the execution of their office, or shall make use of any opprobious language to him or them, or create any riot, such person or persons shall forfeit a sum not exceeding forty shillings; and if a butcher or butchers, he or they shall or may be deprived of their stall for such time as three or more of the commissioners shall think proper; but if the party offending be a slave, then any two of the commissioners may sentence such slave to be whipped publicly, at any of the markets, not exceeding thirty-nine lashes, or be confined in the stocks, not exceeding six hours; but if the offence is committed in the presence of or against any of the commissioners, the party offending, shall be summoned to appear before the board of commissioners, and upon the oaths of one or two of them, the remaining number shall have power to try and fine such offender in any sum not exceeding forty shillings; and if such person shall refuse or neglect to appear before the commissioners as aforesaid, he shall be fined in a further sum not exceeding twenty shillings.

There shall be an appeal from the comm's. to the court of wardens. Penalty on them that wilfully act contrary to this ordinance.

XIV. *And be it further ordained by the authority aforesaid*, That if any citizen or other person, thinks himself injured or aggrieved by any act of the commissioners, he, she, or they, may appeal to the court of wardens, who are hereby directed to examine and determine on the case; and if the commissioners should be convicted of acting wilfully, contrary to this ordinance, they shall be sentenced to make restitution, and also to pay out of their own monies all the costs that shall be incurred; but if the commissioners should be acquitted, the party complaining shall have the fine, and costs double.

Every species of fodder shall be sold by wt. & not otherwise, &c. Fees for weighing, &c. Penalty.

XV. *And be it further ordained by the athority aforesaid*, That all species of fodder sold within the city, shall be by weight, and not otherwise, and shall be weighed at the scales and weights, to be erected for that purpose, by the commissioners of the market, at such place or places they shall order and direct, and pay for weighing such fodder three-pence for every draft:—any person or persons offending against this ordinance, shall forfeit such fodder, or the value thereof, to any person giving information of such offence.

XVI.

XVI. *And be it further ordained by the authority aforesaid.* That all fines and forfeitures imposed or inflicted by this ordinance, shall be recovered by warrant, under the hands or seals of any three of the commissioners aforesaid, the one-half to the use of the corporation, and the other half to him or them who shall give such information, of any of the offences herein recited. to the commissioners, so that the fines and forfeitures may be imposed and levied with effect.

Appropriation of the fines incurred under this ordinance.

Ratified in City Council, this 11th day of October, 1786.

(No. 39.) AN ORDINANCE

For the regulation of the Work-House, in Charleston.

Ratified the 11th of October, 1786.

Repealed by No. 55. Sect. 21.

(No. 40.) AN ORDINANCE

For regulating the price and assize of Bread, and to repeal an Ordinance, passed the 28th day of April, one thousand seven hundred and eighty-five, for regulating the price and assize of Bread.

Ratified the 11th of October, 1786.

Repealed by No 59. *Sect.* 9.

(No. 41.) AN ORDINANCE

For the further publishing small Bills of Credit.

Ratified the 21st of October, 1786.

Repealed by No. 63, last Sect.

(No. 42.) AN ORDINANCE

To define certain Duties of Office, and to fix the Salaries of the several public Officers of the City of Charleston.

Ratified the 21st of October, 1786.

Repealed by No. 56. Sect. 8.

AN

(No. 43.) AN ORDINANCE

For establishing and regulating a nightly Guard and Watch in Charleston; and to repeal an ordinance, entitled, "An ordinance for establishing and regulating a nightly Guard and Watch;" ratified in City Council *the* 14*th day of* October, 1783; *and an ordinance, entitled, "An ordinance to alter and amend an ordinance for governing Seamen within the city of* Charleston;" *passed the* 22*d day of* August, 1785.

Ratified the 25*th of October,* 1786.

Repealed by No. 54. § 14.

STATE OF SOUTH-CAROLINA.

(No. 44.) AN ORDINANCE

Directing how the commissioners appointed by the city council, for different purposes, shall proceed, upon persons not paying the fines and forfeitures inflicted by the commissioners as aforesaid.

WHEREAS the several commissioners appointed by the city council, are not invested with an authority to commit to prison, persons who incur such forfeitures, as they are authorised to inflict by the several ordinances of the city;

I. *Be it therefore ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is ordained by the authority of the same,* That upon the refusal, neglect or inability of any person to satisfy such warrant as shall be issued against him or her, with all the legal charges thereon, by any commissioners appointed by the city council, and authorised so to do; and the constable or other officer making return to the commissioners, of the refusal, neglect or inability of such person, the commissioners thereupon shall transmit the said execution to the city clerk, who is hereby directed and required immediately to lay the same before the next ensuing court of wardens, who are hereby authorised and required to commit such offenders to gaol upon proof of such refusal, neglect or inability, for any term not exceeding thirty days, nor less than three, unless such fine shall be sooner paid.

On neglect, &c. to pay amount of warrant, &c.

Court of wardens to commit such person to prison for a limited time.

Ratified in City Council, this 27*th day of October,* 1786.

STATE OF SOUTH-CAROLINA.

(No. 45.) AN ORDINANCE

For appointing Commissioners for regulating the Pilotage of the Bar and Harbour of the Port of Charleston.

I. WHEREAS the appointing commissioners for the regulating of the pilotage, Bar and and harbour of the port of Charleston, will greatly promote the interest and commerce of this state, *Be it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the*

the same, That five commissioners shall be elected by the city council, on the thirtieth day of the present month of October, or if no council should be made on that day, on the first ensuing day whereon a council shall be held, and on the last Monday of every October in every subsequent year. And every person elected refusing to act, shall forfeit and pay the sum of ten pounds for such refusal, to be recovered in the court of wardens for the use of the corporation. *Provided* That no person shall be obliged to serve more than one year in any term of seven years.

Five comr's of pilotage to be elected in Oct. in every year.

Refusing to act, forfeit 10l

Proviso.

II. *And be it further ordained by the authority aforesaid*, That from and after the thirtieth day of the present month of October, no person whatsoever shall be permitted to act as a pilot of the bar and harbour of Charleston, those excepted who have licences already granted to them, without having first obtained a certificate from the commissioners, specifying that he is qualified to act as a pilot, with a whole or half branch as the case may be, whereupon the treasurer of the city shall deliver a licence to such pilot, upon his paying forty shillings for the use of the city, and which licence shall be signed by the Intendant for the time being, and continuing during the good behaviour of such pilot. And no person whatsoever shall be entitled to receive any fee, gratuity or reward, for the conducting or piloting any vessel inwards, to or outwards from the said port or harbour of Charleston, without such licence as aforesaid.

No person permitted to act as a pilot without a licene, for which to pay 40s.

No person entitled to receive pay for pilot'g any vessel, unless he has a licence.

III. *And be it further ordained by the authority aforesaid*, That each pilot licenced as aforesaid, shall give bond in the sum of one hundred pounds, with security to be approved of by the commissioners for the due execution of his office, and shall take and subscribe the following oath before the Intendant :—

To give bond in 100l for his good conduct.

I A. B. appointed one of the pilots for the port and harbour of Charleston, do solemnly and sincerely swear, that I will well and faithfully execute and discharge the business and duty of a pilot in the said port and harbour of Charleston, according to the best of my skill and knowledge, and that I will at all times (wind and weather and health permitting) use my best endeavors to repair on board all ships and vessels that I shall see and conceive to be bound for, coming into, or going out of the said port or harbour of Charleston, unless I am well assured that some other licenced pilot is then on board the same: And I do further swear, that I will from time to time, and at all times make the best dispatch in my power, to carry safely out or bring over the Bar of Charleston every ship or vessel committed to my care, and that I will from time to time and at all times truly observe, fulfil, and follow to the best of my skill, ability and knowledge, all such orders and directions as I shall receive from the commissioners appointed for that purpose, relating to all matters or things that may appertain to the duty of a pilot: And further, that I will not be co-partner with any more than one other pilot at the same time, in any affair incident or relative to the business, duty or office of a pilot. SO HELP ME GOD.

Oath of pilot.

IV. *And be it further ordained by the authority aforesaid*, That in case any dispute, complaint or difference, shall happen to arise or be made against or between any master or pilot, for of, or concerning the pilotage of any ship or vessel, or any other matter incident or relative to the business or care of a pilot in the said port or harbour of Charleston, all such disputes, complaints and differences shall be heard and determined by a majority of the commissioners; and if either of the said parties, master or pilot shall refuse to abide by, fulfil or perform the decree or order of the said commissioners, the party so refusing shall be subject to a fine of any sum not exceeding twenty pounds, to be recovered in the court of wardens for the use of the corporation, and in case of non-payment, shall be committed to gaol, there to remain any time not exceeding thirty days, unless the said fine shall be soonest paid.

Complaints & disputes by or between masters & pilots to be settled by the commr's.

Either party refusing to abide their decree to be fined 20l.

V. *And be it further ordained by the authority aforesaid*, That any person, master or commander, who shall bring any ship or vessel (coaster excepted) to the coast or bar of this harbour, and shall refuse to receive on board any licenced pilot, the said person, master or commander so refusing, and afterwards bringing in the said ship or vessel (not having any pilot on board) into the port of Charleston aforesaid, shall and is hereby made liable to pay to the pilot first offering to go on board such ship or vessel without the bar to take charge thereof, the same rates and fees as are herein after appointed and established and to be paid in the same manner as if the said pilot had actually piloted the said ship or vessel into the port aforesaid.

Any master refusing to take a pilot, & afterwards bring her over shall be liable to pay the pilotage, &c.

VI. *And be it further ordained by the authority aforeſaid*, That the maſter or commander of any ſhip or veſſel for the conſideration of the pilotage of the ſaid ſhip or veſſel, inwards to or outwards from the port of Charleſton, ſhall pay unto the licenced pilot who ſhall take charge of the ſame, the ſeveral ſums of money, rates and fees reſpectively, which in the following table are appointed and eſtabliſhed as full and ample ſatisfaction unto the ſaid pilot, for his care and charge in the bringing in or carrying out every ſuch ſhip or veſſel over the bar, to or from the harbour of Charleſton according to the draught of water of the ſaid veſſel at the time of ſuch pilotage.——For ſix feet water or under, twenty ſhillings—Seven ditto, one pound five ſhillings—Eight do. one pound ten ſhillings—Nine ditto, one pound fifteen ſhillings—Ten ditto, two pounds five ſhillings—Eleven ditto, two pounds eleven ſhillings—Twelve ditto, two pounds fifteen ſhillings—Twelve and a half ditto, three pounds—Thirteen do. three pounds five ſhillings—Thirteen and a half ditto, three pounds ten ſhillings—Fourteen ditto, four pounds—Fourteen and a half ditto, four pounds ten ſhillings—Fifteen ditto, five pounds—Fifteen and a half ditto, five pounds ten ſhillings—Sixteen ditto, ſix pounds—Sixteen and a half ditto, ſeven pounds—Seventeen ditto, eight pounds.

Every maſter or com'r ſhall pay according to the rates fixed, in full of all demands, &c. for pilotage.

VII. *And be it further ordained by the authority aforeſaid*, That all and every maſter or commander of any ſhip or other veſſel ſhall have liberty to chuſe any pilot he pleaſes to carry him out of this port and harbour, and ſhall apply to the Harbour-maſter for an order on ſuch pilot, agreeable to an ordinance paſſed the 22d day of December, 1785.

Every maſter to have what pilot he pleaſes to carry him out, &c.

VIII. *And be it further ordained by the authority aforeſaid*, That the perſon or perſons who ſhall be ſecurity for any ſhip or veſſel, ſhall be liable to pay the pilot the money due to him for the pilotage of ſuch ſhip or veſſel, and on refuſal, the ſame ſhall and may be recovered before the court of wardens.

The perſon who is ſecurity liable for the pilotage.

IX. And whereas, ſhips and veſſels falling to the northward or ſouthward of the Bar of Charleſton, are often in hazy weather at a loſs to know where they are; in order that perſons may be encouraged to repair to them for their inſtruction, upon ſignals made to them for that purpoſe; *Be it further ordained by the authority aforeſaid*, That when any maſter or commander of a veſſel bound to the port of Charleſton, receives on board, or takes inſtructions from any white perſon to the Bar of Charleſton, the maſter or commander of ſuch veſſel is hereby made liable to pay ſuch perſon the ſum of twenty ſhillings: And if ſuch inſtructor be deſired to continue on board ſuch ſhip or veſſel, to bring them to the Bar aforeſaid, he ſhall be allowed the like ſum for every day, not exceeding two days, and for each day thereafter that he ſhall ſtay on board of ſuch veſſel, he ſhall be paid the ſum of five ſhillings, to be recovered from the maſter or his ſecurity, in the ſame manner as the fees for pilotage; provided he apply for the ſame before the ſaid ſhip or veſſel departs the harbour, but not afterwards.

Perſons giving inſtructions to veſſels to get to the bar. entit'd to 20s & to 20 per diem for continuing on board 2 days, then 5s for every day after.

Security liable

Proviſo.

X. And whereas it will tend greatly to the advancement of commerce to encourage pilots to board veſſels at a greater diſtance from the coaſt than has hitherto been cuſtomary; and alſo to bear down to any ſhip or veſſel which may be to leeward of the Bar, as thereby the arrival of ſuch veſſel may be much expedited; *Be it alſo ordained by the authority aforeſaid*, That any pilot, who ſhall, after the paſſing of this ordinance, bear down to a veſſel which may be to leeward of the bar, or board or offer to take the charge of any veſſel ten leagues from land, ſhall be entitled to receive two dollars from the maſter or owner of ſuch veſſel, for every day ſuch pilot is on board, previous to her coming into port, over and above the fees of pilotage herein before eſtabliſhed, and to be recovered in the ſame manner as the fees aforeſaid.

Any pilot who takes charge of a veſſel to leeward of the bar or 10 leagues from land, be entitled to two dol's per day, over & above the pilotage, &c.

XI. *And be it further ordained by the authority aforeſaid*, That if any maſter or commander of any ſhip or other veſſel ſhall carry off any pilot belonging to the port of Charleſton, he ſhall allow him one dollar for each and every day during his abſence; and he ſhall be found in the ſame manner in proviſions and other neceſſaries, as the maſters of veſſels uſually are; and the ſecurity of ſuch veſſel ſhall be liable for the aforeſaid ſums; upon the non-payment thereof by the maſter or commander of ſuch veſſel, to be recovered in the ſame manner, in the court of wardens, as the fees for pilotage are above directed to be recovered: *Provided*, That no pilot who is carried

If any maſter cary off a pilot ſhall pay ſuch pilot 1 dollar per day, dur'g his abſence, &c.

Proviſo,

off as aforesaid, shall be entitled to any of the sums above-mentioned after the vessel shall have got over the Bar, and have laid to for the space of eight hours, for the purpose of putting the pilot on board the pilot-boat.

XII. *And be it further ordained by the authority aforesaid,* That the harbour master and pilots shall obey all such orders and regulations as they may at any time receive from the commissioners, or a majority of them, who are hereby empowered to give the same: *Provided,* they are not repugnant to the Ordinance for defining and ascertaining the duties of a harbour-master for the port of Charleston, or the ordinance to amend the aforesaid ordinance, ratified in city council the 22d day of December, 1785, entitled, An ordinance, to amend an ordinance, entitled as ordinance, for defining the duties of harbour master for the port of Charleston.

The harbour-master & pilots to obey the orders of the commissioners

Proviso.

XIII. *And be it further ordained by the authority aforesaid.* That from and after the 30th day of October An ordinance for the better regulating the pilotage of the bar and harbour of Charleston; ratified the 26th day of November, 1783, be and the same is hereby repealed.

Former ordinance repeal'd

Ratified in City Council, this twenty-seventh day of October, 1786.

STATE OF SOUTH-CAROLINA.

(No. 46.) AN ORDINANCE

For preventing as much as may be, accidents which may happen by Fire in Charleston, for preserving the Fire-Engines in the said city, and for rendering the same as useful as may be in case of fire, and for other purposes therein mentioned.

I. WHEREAS the several ordinances now in force for the security of this city from fire, are found insufficient; BE *it therefore ordained by the honorable the Intendant and wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same.* That there shall be chosen by ballot, in the city council, immediately after the ratification of this ordinance, and on the last Monday of October in every subsequent year, if there should be a council, if not, then on the first council day thereafter, nine fire-masters, who shall have and execute all the powers and authorities herein mentioned, as also to make all such regulations respecting the management and direction of the fire-engines, as to them shall appear necessary, to be approved of by the city council, and to procure a sufficient number of fire-hooks and forks, buckets, house ladders, axes and ropes, and to have them branded or marked with the city mark C. C. T. which shall be deposited in the several markets, the exchange, the arches of Elliott's and Blake's buildings, Mr. William Holmes's, in King-street, and at all such other places, as the fire-masters, in their discretion, shall think proper; and if any person shall, after he is chosen a fire-master, refuse or neglect to take upon himself the said office, or having taken upon him the said office, shall neglect or refuse to comply with the duties required by this ordinance, every such person shall forfeit and pay for every such refusal and neglect, the sum of ten pounds.

Nine fire-masters to be chosen annually by the city council, who shall have all the powers hereby delegated, &c. to procure fire-hooks ladders, &c.

Any person refusing to act or neglect duty, to forfeit 10l.

II. *And be it further ordained by the authority aforesaid,* That it shall and may be lawful for each fire-master, and he is hereby empowered to appoint two assistants, whose business it shall be, under the direction of the fire-masters to attend at the public wells and pumps, with a sufficient number of persons to assist in conveying the water thence to the fire-engines, to form lanes, procure water, and take care that the inhabitants do properly and to the utmost of their power and abilities, aid and assist at the fires; and if any person so chosen as assistant, shall refuse or neglect to take upon himself the said office, or having taken the same upon himself, shall neglect the duties required by this ordinance, every such person shall forfeit and pay for every such neglect or refusal the sum of five pounds.

Each fire master may appoint two assistants to attend at the public wells & pumps, form lines, &c.

Persons refusing, &c. shall forfeit 5l.

An

Fire-masters may appoint managers of the engines, &c. who may enroll fit persons to attend them & do the duty necessary.

III. *And be it further ordained by the authority aforesaid,* That the fire-masters shall and may appoint managers to the several engines, also four careful and expert white men, who shall be distinguished by wearing a fire-cap, with a brass plate in front thereof, to have the care and management of the fire-hooks, ladders, axes and ropes, who shall have power to enroll under their command, a sufficient number of able bodied and expert white men or negroes, who shall be entitled to the same reward and wages, as the persons attending the engines, and shall have badges provided for them, by which they may be known, to attend them in the removing the engines, fire-hooks, ladders, axes and ropes, to any place for such purposes, as they may be directed from time to time by any of the fire-masters aforesaid.

IV. *And be it further ordained by the authority aforesaid,* That no person shall be obliged to serve more than one year in any term of seven years in any office herein appointed.

Fire-masters may enter the houses, &c. of owners & tenants when they see occasion, & direct things to be removed, on refusal to be removed by them at the expence of the owner, and fine him 7l. for the offence.

V. *And be it further ordained by the authority aforesaid,* That immediately after the passing this ordinance, it shall and may be lawful for the fire-masters to enter into the houses, out-houses, stables and yards, of every owner or tenant of the same, in Charleston, whenever they shall see occasion, and enquire, search and examine, if any quantities of gun-powder, hay, straw, fodder, pitch, tar, rosin, turpentine, hemp, oil, tallow, or other combustible matter, are lodged in any such place within the said city, which may be in danger of taking fire; and if the said fire-masters shall find 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 within twelve hours from such notice being given, the said fire-masters are hereby empowered and directed to cause the same to be removed and lodged in some more secure place, at the charge of such owner or tenant, and shall issue a warrant under the hands and seals of any three or more of them, and levy the expences of the same, and a fine of seven pounds for every such offence.

Fire-masters have power to examine fire-places, &c. & if dangerous to order them to be pull'd down in case of refusal, they cause it to be done at the expence of the owner, & fine him 40s.

Fine for chimney blaz'g. 5l.

VI. *And be it further ordained by the authority aforesaid,* That the said fire-masters, shall have power to examine into the situation of any chimney or other fire-places in Charleston; and if they, or any three of them, shall think the same dangerous to the neighbourhood, 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 remove, alter, or pull down the same, the fire-masters, or any three of them, shall cause the same to be removed, altered or pulled down, at the expence of such owner or tenant, and shall issue their warrant under the hands and seals of any three or more of them, and levy the expences of the same, and a fine of forty shillings for every such refusal or neglect: and any three or more of the fire-masters are hereby authorised and empowered to assess a fine on each and every owner or tenant of any house whose chimney shall take fire and blaze out at top, in any sum not exceeding five pounds.

Fire-masters to have the engi's played off every 3 months. Pay of persons enrolled for their services.

Reward of the first engine which is bro't to the fires.

VII. *And be it further ordained by the authority aforesaid,* That the fire-masters are hereby required, once in every three months, to have the several fire engines played off, and the persons enrolled to work the engines shall be paid the sum of three shillings each if a white man, and if a slave the sum of one shilling and six-pence each; and every time such engines are carried out to the public wells and played to keep them in order: and in time of fire, the said persons, if a white man, shall be paid the sum of three shillings, and if a slave one shilling and six-pence each, for every hour they shall be employed, in working the engines. And for the further encouragement of the persons enrolled under the managers of the fire-engines, to be active in carrying the said engines to extinguish fires, that over and above the aforesaid wages, allowed them for that service, a reward shall be given to the said persons so enrolled as aforesaid, who carry the first engine to the place where fire shall break out, of six shillings per head for every white or free person, and three shillings per head for every slave that shall assist in carrying the first engine as aforesaid, for the first hour; and in case any dispute shall arise concerning which engine was first carried to the place where the fire broke out, the same shall be determined by the fire-masters aforesaid, and his honor the Intendant is hereby directed, on the person or persons producing such certificate to him, to order the aforesaid sum or gratuity to be paid by the treasurer of the city.

An

VIII. *And be it further ordained by the authority aforesaid,* That the managers of the engines shall, after they have played off their engines as aforesaid, or after any fire shall be extinguished, shall secure and deposit their engines and buckets; and the persons appointed to have the care and management of the fire-hooks, ladders, axes and ropes, to secure and deposit the said several articles entrusted to their charge, in such places as shall be appointed by the fire-masters, under a penalty of being obliged to replace the article so lost or damaged, by their neglect, and a fine of twenty shillings. And if any person shall detain or secrete any buckets, ax, or other public articles, he, or she, shall forfeit and pay a fine of forty shillings for each bucket, ax, or other article, so detained or secreted.

After fires, &c the engines to be properly deposited, &c. also, buckets, ladders, &c.

Penalty.

Any person secreting &c any bucket, fined 40s.

IX. *And be it further ordained by the authority aforesaid.* That the fire-masters are hereby required and authorised; to have sunk such a number of deep and large wells, in the most public and necessary parts of the city, as they shall judge expedient, and to fill up such as they find insufficient and useless; *Provided,* that the same be approved of by the city council, and to examine the several pumps and public wells in the city, and to see that they are kept constantly in compleat repair.

Fire-masters to have wells sunk, &c.

X. *And be it further ordained by the authority aforesaid,* That in case a fire shall happen or break out in Charleston, in the night time, the commanding officer of the city guard, in Charleston, for the time being, shall cause the inhabitants of the city to be alarmed, and raised by beat of drum, ringing of bells, or otherwise; and the Intendant and wardens of the city shall assemble at the said fire with their staves, by which they may be distinguished, to be in readiness to give directions for the speedy removal of the goods of such of the inhabitants as may be endangered by such fire, to confer with the fire-masters, and to command that order and regularity, which is so essentially necessary in time of fire; and the fire-masters, and their assistants, shall likewise attend such fires, with the usual fire staves: and the constables of the city are hereby directed to assemble at said fire, to be ready to receive such orders and directions as they shall receive, from time to time, during the said fire, from the Intendant, or any of the wardens; and in case any of the constables of the city shall be absent from any fire within the said city, or shall come without his staff, and cannot shew a sufficient and reasonable excuse to the court of wardens, every constable, for every such offence, shall forfeit a sum, not exceeding forty shillings, to be recovered before the court of wardens,

Breaking out of fires, the officer of the guard to have drum beat, &c. Intend't & wardens to assemble.

For removal of goods, confer with fire-masters, &c.

Fire-masters to attend with their staves, &c.

XI. *And be it further ordained by the authority aforesaid,* That it shall and may be lawful for either or any of the said fire-masters or their assistants, or managers of fire-engines or their assistants, to command any person or persons whatsoever, when any fire breaks out, to aid and assist in conveying the engines and buckets to the place or places where the fire shall be; and in case any person or persons shall wilfully and obstinately refuse or neglect to give reasonable aid and assistance, when commanded by the said fire-masters or their assistants, or any of them; and any person or persons who shall abuse, oppose, molest, or make use of any opprobious language, or obstruct the said fire-masters, or their assistants, or any of them, or any other person or persons that shall be directed by them, or his honor the intendant, or any of the wardens, in the execution of their duty, or persons assisting in extinguishing the said fire, or in removing the goods and effects of the citizens endangered by the fire, to such places of safety as aforesaid; or who shall oppose the guard or fire-company, having charge of such goods and effects, he, she, or they, shall forfeit a sum, not exceeding five pounds, for each and every offence as aforesaid.

Fire-masters may order any person to aid & assist, &c.

Penalty on refusing 5l.

XII. *And be it further ordained by the authority aforesaid,* That a majority, or any three of the fire-masters, present at any fire, shall and may, and they are hereby authorised and empowered to give directions, and to command any person or persons to pull down, or blow up, any house, or houses, or other buildings, as may be judged necessary to be pulled down or blown up, for the stopping and preventing the further spreading of such fire.

Any 3 of the fire-masters may command houses to be pulled down, &c.

XIII. *And be it further ordained by the authority aforesaid,* That his honor the Intendant is hereby authorised to take the most speedy and effectual steps for the forming of fire companies, for the express purpose of removing the goods and effects, of the citizens which shall be endangered by the fire, to such places of safety as are here-

Fire companies to be formed to remove goods, &c.

in directed; and that they may be diſtinguiſhed and known in time of fire, each and every of the ſaid members, of the ſaid companies, ſhall wear ſome diſtinguiſhing mark, to be agreed on by themſelves; and as ſoon as the ſaid companies aforeſaid ſhall be formed, they ſhall immediately, upon the breaking out of fire in any part of the city, proceed to the ſame, in order to remove the goods and effects, of the citizens endangered, to the following places herein-after mentioned, which are hereby appointed and reſerved as a depoſit for the goods, and other effects, ſaved from the fire, viz. The ſeveral markets, the firſt floor of the exchange, the ſtate-houſe yard, and the ſeveral places of public worſhip, and their burial grounds; and the perſons having charge of the aforeſaid places, are requeſted to direct, on the alarm of fire, to have the gates of the ſaid burial grounds, and public places, immediately thrown open, for the reception of the ſaid goods and effects: and the perſons compoſing the aforeſaid fire companies, are hereby likewiſe required to obey ſuch further directions, as they ſhall, from time to time, receive from the Intendant, or any of the wardens.

And to obey Intendant and wardens.

A company to be formed to guard goods at fires.

XIV. *And be it further ordaind by the authority aforeſaid,* That the honorable the Intendant is hereby authoriſed and empowered to form one other company, for the expreſs purpoſe of guarding the property of the inhabitants, which ſhall have been depoſited as aforeſaid.

No perſon to erect ſtills, &c within the city

XV. *And be it further ordained by the authority aforeſaid,* That from and immediately after the paſſing of this ordinance, it ſhall not be lawful for any perſon or perſons within the limits of the city, to keep in his, her, or their houſe, or houſes, out-houſe, or out houſes, any ſtill, or ſtills, exceeding ten gallons, or erect any brew-houſe, or carry on any brewery, or any of the trades of ſoap-boiling, tallow chandlery, bread baking, gun-powder making, ſugar baking or refining, or the art of chymiſtry: *Provided,* That the ſoap-boilers and tallow chandlers, now actually exerciſing their trades within the city, ſhall be allowed ſix months*, from the paſſing of this ordinance, to remove out of the ſame, on pain that each and every perſon who ſhall offend in any of the above recited articles, ſhall for each and every offence, on information thereof, be proſecuted in the court of wardens, as for a nuiſance, and upon conviction thereof, forfeit and pay the ſum of one hundred pounds for each and every time he, ſhe, or they, ſhall be convicted as aforeſaid: *Provided nevertheleſs* That nothing contained in this ordinance, ſhall prevent the owners or proprietors of the diſtilleries known by the names reſpectively of Michael's, Luſhington and Company; Sarrazin's and Company, all in Haſell-ſtreet; Lawrence's, in Charles-ſtreet; Egan's, in Comyn's-ſtreet; Hornby's, in King-ſtreet; and Savage's, at the weſt end of Broad-ſtreet; or the owners or proprietors of the ſugar refining and baking houſes, known by the name of Geoghegan's and Company, in Church-ſtreet; Meyers, behind the State-Houſe; and Savage's, at the weſt end of Broad-ſtreet; or the owners or proprietors of the brew-houſes, known by the name of Gaborial's, in Mazyck ſtreet, and Egan's, in Comyn's-ſtreet; or their reſpective heirs, executors, adminiſtrators, or aſſigns, from carrying on the buſineſs of diſtilling, ſugar refining, or baking or brewing within the city: and, *Provided alſo,* That the buildings neceſſary for carrying on the aforeſaid reſpective trades, ſhall in future be erected with brick or ſtone, and covered with tile or ſlate; and that the aforeſaid trades be carried on in the above-mentioned places reſpectively, and no other whatſoever.

Proviſo's.

Penalty.

Proviſo.

Proviſo.

No more than five ſtills to be erected, &c.

XVI. *And be it further ordained by the authority aforeſaid,* That no more than five ſtills†, including the rectifier, ſhall be allowed to be made uſe of, or erected in any of the diſtilleries above-mentioned; and no more than two pans ſhall be allowed to any of the ſugar baking or refining houſes above-mentioned: and if any of the owners or proprietors of any of the aforeſaid diſtilleries, or ſugar baking or refining houſes, ſhall erect or employ any more than the aforeſaid number of ſtills or pans, reſpectively limited as aforeſaid, he, ſhe, or they, ſhall forfeit and pay the ſum of one hundred pounds for each and every information and conviction of having or keeping erected or employed each and every ſuch ſtill or pan: and it ſhall not be lawful for bakers of bread to carry on their trade within the city after the expiration of ſix

Penalty.

* Vide No. 51. § 1. which allows further time until the 14th of October. 1787.

† Vide No. 51. § 2. which allows the number of ſtills to be increaſed to ſix.

months from the passing of this ordinance,§ unless their bake-houses shall be built and paved with brick or stone, covered with tile or slate, or their situation should be so remote, and attended with such security to the adjacent buildings, as to be approved of by the fire-masters, or any three of them. Bakers to build of brick or stone, &c.

XVII. *And be it further ordained by the authority aforesaid*, That if any person or persons, shall boil any pitch, tar, rosin, or turpentine, within the city, on the wharves, or low water lots, from the south of the Governor's bridge, to the south of Roper's wharf, on board of any boat or vessel, which is not afloat at the time, he, she, or they, so offending, shall forfeit for every such offence, the sum of seven pounds. Persons boiling pitch, &c. Penalty.

XVIII. *And be it further ordained by the authority aforesaid*, That it shall not be lawful for any person or persons to carry gun-powder, without a secure and proper covering, in any waggon, cart, dray, or otherwise through any of the streets, lanes, alleys, or wharves, of this city; and any person or persons, so offending, shall forfeit and pay a sum not exceeding ten pounds. Gun-powder to be carried covered. Penalty, 10l.

XIX. *And be it further ordained by the authority aforesaid*, That all persons whomsoever, who shall do, or execute any matter or thing, for the preventing or extinguishing of fires, or in removing the goods and effects of the citizens, endangered thereby, to such places of safety as is herein directed, in obedience, or in pursuance of this ordinance, or the commands or directions of the said fire-masters, or their assistants, or his honor the Intendant, or any of the wardens, are hereby indemnified, and saved harmless, against all and every person or persons whatsoever. Persons doing acts in obedience to this ordinance, exempt from penalties.

XX. *And be it further ordained by the authority aforesaid*, That from and after the passing of this ordinance, all former ordinances of the city, for the security of Charleston from fire, are hereby repealed, and made null and void, any law to the contrary in any wise notwithstanding. Former ordinancer repealed, No. 7, and do. 26.

Ratified in City Council, this 8th day of January, 1787.

‡ Vide No. 51. § 1. which extends the time to bakers, for securing their bake-houses, as herein directed, until the 14th of October, 1787.

(No. 47.) AN ORDINANCE

For raising and paying into the City Treasury, the Tax therein mentioned, for the Use and Benefit of the City.

Ratified the 28th of February, 1787.

This Ordinance has had its operation, and is now obsolete.

STATE OF SOUTH-CAROLINA.

(No. 48.) AN ORDINANCE*

For the appointing Commissioners to superintend the Marine Hospital, established in this City.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same*, That Daniel Desaussure, Edward Penman, Robert Hazlehurst, Florian Charles Mey, Hary Grant, Daniel Jennings, William Crafts, Thomas Stewart, and Adam Tunno, Esquires, be, and they are hereby appointed commissioners of the Marine hospital, established in this Comm's Marine hospital appointed.

* This ordinance is amended by No. 49.

Refusing to act to pay 10l. Proviso.

this city. And if any person hereby appointed or elected, as is herein after directed, shall neglect or refuse to act, he shall forfeit and pay the sum of ten pounds: *Provided*, that no person appointed or elected a commissioner of the Marine hospital, shall be obliged to serve more than one year in any term of seven.

In case of vacancy, the city council to fill up by election

II. *And be it further ordained by the authority aforesaid*, That if any of the commissioners hereby appointed, or who shall hereafter be elected, shall neglect or refuse to act, or should die, resign, or absent himself from this state, for any longer term than twelve months, in every such case, the remaining commissioners, or a quorum of them, shall, within thirty days after such vacancy shall have happened, report the same to the city council, who shall, as soon thereafter as is convenient, fill up said vacancy by the election of another commissioner.

Five com's. to be a quorum, & empowered to build or rent a hospital, &c.

and make proper regulations

Proviso.

III. *And be it further ordained by the authority aforesaid*, That any five commissioners shall be a quorum, and they are hereby authorised and empowered to contract for the building of a hospital, or for the renting or purchasing any piece of land, or any house or rooms, for any term of years, for the purpose aforesaid, and to appoint, or elect by ballot, a steward to superintend the said hospital, a purveyor, a matron, nurses, and all such other officers and persons, (a surgeon excepted, who shall be elected by the city council) as they in their discretion shall think proper to employ, and to remove them at pleasure. And the commissioners shall allow to each of the said persons, so employed, such salaries as will be a sufficient compensation to them for their services: And they are hereby further authorised and empowered, to make such regulations for their own government, and for the interior police of the said hospital, and to do all such other matters and things, as they shall think expedient and necessary, for the benefit of the said establishment: *Provided nevertheless*,* That all contracts or agreements, to be made by the said commissioners, all appointments, elections or removals of officers, shall be laid before the city council, and approved of by them, before the same shall be carried into effect.

Surgeon to be under the direction of commissioners.

IV. *And be it further ordained by the authority aforesaid*, That the surgeon elected by the city council, to superintend the Marine hospital, shall likewise be under the direction of the commissioners of the Marine hospital.

Intendant to draw on the treasurer in favor of comm's

To lay their accounts before the city council.

V. *And be it further ordained by the authority aforesaid*, That the Intendant for the time being, be, and he is hereby authorised and required, to draw upon the treasurer of the city, in favour of the commissioners aforesaid, for such sum or sums of money as have been, or shall hereafter be received for the Marine hospital, and which have not as yet been disbursed, for the purposes for which the same was raised, whenever such sum or sums shall be called for by the commissioners, who are hereby required to lay before the city council the state of their accounts, whenever it shall be deemed necessary to examine the same, and to make up their accounts of monies received for the use of the Marine hospital, and the expenditures thereof to the first day of August, in every year, and lay the same before the city council, with the several vouchers, on the second Monday of August yearly, and in every year.

Recorder to sue for all fines &c.

VI. *And be it further ordained by the authority aforesaid*, That the recorder shall sue for all fines, in the court of wardens, inflicted by this ordinance, and when recovered, they shall be paid into the city treasury, for the use of the city.

Salary to the master & matron, 30l.

VII. *And be it further ordained by the authority aforesaid*, That immediately upon the removal of the Marine hospital, the salaries of thirty pounds each, allowed to the master and matron of the poor house, shall be paid by the corporation, out of the funds of the city.

Ratified in City Council, this 27th day of April, 1787

* This proviso is repealed by No. 49. § 1.

STATE

STATE OF SOUTH-CAROLINA.

(No. 49.) AN ORDINANCE

To amend an Ordinance, intitled, "An Ordinance for the appointing Commissioners to superintend the Marine Hospital, established in this City.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That the proviso, in the third clause of an ordinance, intitled, "An ordinance for the appointing commissioners, to superintend the Marine hospital, established in this city," passed the 27th day of April, 1787, be, and the same is hereby repealed. The proviso in sect. 3. of No. 48, repealed.

II. *Be it also ordained,* That the contracts which the said commissioners are, by the said third clause of the said ordinance, authorised and empowered, to make for the building of an hospital, or for renting or purchasing any piece of land, or any house or rooms, shall be laid before the city council, and approved of by them, before the same shall be carried into execution. Contracts, made by com's to be laid before the city council.

III. *Be it further ordained by the authority aforesaid,* That the contracts, agreements and expenditures, to be made by the said commissioners, shall never exceed the income of the fund granted by the legislature. Contracts to be made by com's

IV. *Be it further ordained by the authority aforesaid,* That the said hospital shall be subject to such further regulations, as the city council shall at any time judge proper to make. Hospital subject to such rules, &c.

Ratified in City Council, this 25th day of June, in the year of our Lord, 1787.

(No. 50.) AN ORDINANCE

For repealing the second Clause of an Ordinance, intitled, an Ordinance for repairing, cleansing, and keeping in good Order, the Streets of Charleston, and for other purposes therein mentioned.

Ratified the 16th of July, 1787.

Repealed by No. 55. *Sect.* 21.

STATE OF SOUTH-CAROLINA.

(No. 51.) AN ORDINANCE

To allow a further Time to Bread Bakers, Soap Boilers, and Tallow Chandlers, and to increase the number of Stills in each Distillery, and for other purposes therein mentioned,

I. WHEREAS the time allowed to bread bakers, to build with brick, and cover their houses with tile or slate, and to tallow chandlers and soap-boilers to remove from the city, appears to be too short; *Be it therefore ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby* Preamble.

Further time allowed to bakers, &c.

dained by the authority of the same, That the operation of the said ordinance, so far as it imposes a penalty on bread bakers, soap boilers, and tallow chandlers, for carrying on their business within the city, be, and it is hereby suspended, until the 14th day of October next.

Six stills may be used, &c.

II. *And whereas,* the council were informed, that five stills were the greatest number employed in any distillery, which information has been found erroneous; *Be it ordained,* That the number of stills in each distillery, including the rectifier, or rectifiers, may be increased to six.

Repeals the clause of a former ordinance in No. 21. sec 1.

III. *And be it further ordained by the authority aforesaid,* That so much of the clause as respects the colour, with which the number of the licence shall be painted, on carts, drays, &c. shall be repealed, and the said number may be painted thereon of any colour,

Ratified in City Council, this 16th day of July, in the year of our Lord, 1787.

(No. 52.) AN ORDINANCE

Authorising the Court of Wardens, to recover the Penalty therein mentioned, from Persons keeping Billiard Tables, Taverns, &c. or retailing Spiritous Liquors.

Ratified the 30th July, 1787

Repealed by No, 64. *Sect.* 5.

STATE OF SOUTH-CAROLINA.

(No. 53.) AN ORDINANCE

For regulating the Proceedings of the Court of Wardens, and for establishing the Office of City Sheriff.

Preamble.

I. WHEREAS the ordinance, entitled, " an ordinance for establishing and " regulating the proceedings, in the summary jurisdiction, in the court of wardens," is found insufficient for the good purposes, which it was intended to answer; *Be it therefore ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That the court of wardens, for hearing and determining all disputes or differences, which may arise, shall hereafter be held on the first Tuesday in every month, at the City-Hall, in Charleston; which said court, shall sit from day to day, or adjourn to any other time, as the business brought before them, shall or may require.

Court shall be held at the city hall.

Process shall commence by petiton, &c.

II. *And be it ordained by the authority aforesaid,* That all process in the said court, shall commence by petition, directed to the court of wardens, setting forth the sum, and nature of the demand, and for which process, and a copy thereof, the plaintiff shall pay to the city clerk, the sum of three shillings and six-pence, and where an order for bail is required, the sum of one shilling and six-pence, for such order, before the said petition shall be granted and issued:* Whereupon, the clerk of the court of Wardens, by order of any one of the wardens, shall affix the seal of the said court,

* This section is altered and new modelled, by sect. 1st. of No. 74.

to

to said petition and order, and having entered the title of the same, the cause of action, and date thereof, in a book to be kept for that purpose, shall send and lodge the said petition and a copy thereof, at the city sheriff's office, on the same day which it shall be issued by the clerk as aforesaid; and the sheriff shall immediately enter the same specially, and in the same manner, in a book to be kept for that purpose, and endorse the said process, as follows, "Entered in my office, this day of 178 sheriff of the city of Charleston."——And the sheriff thereupon shall issue the copy of the said petition, and the usual order for the defendant, to appear, and shew cause why judgment should not be given for the plaintiff, agreeable to the prayer thereof, with directions to the person executing the same, to serve it personally on the defendant, if possible, if bail is required; or to leave the same at the usual and notorious place of residence of the defendant, and return the said petition, and likewise all executions on such petitions, into the office of the clerk of the court of wardens, on the day preceding the first Tuesday in every month, endorsing the said petition, where no bail is required, or where bail is required, and the defendant is not to be found, as follows:—I sheriff of the city of Charleston, do hereby certify, that I have endeavored, by C. D. my lawful deputy, to find the within named defendant, but could not, I therefore, by my said deputy, left a true copy of this process, with a notice thereon endorsed, at his most usual and notorious place of residence; and where the process is personally served, and there is no order for bail thereon, the return shall be as follows—"I have, or by my lawful deputy, as the case may be, served the within named defendant, with a true copy of this process, with a notice thereon endorsed E. F. Sheriff, C. C. And where bail is required, and the person is found, the following shall be the return, —I do hereby certify, that I have taken the body of C. D. defendant in this case—and if such defendant gives bail, the sheriff shall add the names of the persons becoming bail, and sign the same—or any other special return, as the case may be; and on the execution—"not to be found," or, "no goods or chattels," as the case may be—and the person serving or executing the said process, or execution, shall swear to the truth of the return, before any one of the wardens, as follows, I A B. do swear, that I have served the within named defendants, with true copies of these processes, where I could find them, and where I could not, I have left true copies of the same, at the usual and most notorious places, of the defendant's residence, on the days thereon specified. And the sheriff, under, or deputy sheriff, shall make out a fair list of all the processes, to be sworn to as aforesaid, which the warden, before whom he shall take the aforesaid oath, shall subscribe as follows: Personally appeared before me, this day of 178 sheriff, under, or deputy sheriff, as the case may be, and made oath, that the above return is just and true—if proved warden. And the clerk of the court of wardens, shall also endorse on the said process, the following minute, if proved—"Proved," clerk of the court of wardens; and when returned, he shall endorse, "returned," into my office, this day of 178 clerk of the court of wardens.——And shall enter the said return in the record book, above-mentioned.*

The clerk—how he shall proceed, &c.

How the sheriff shall proceed.

and his deputies.

How he shall make return—

Ditto where the sheriff takes bail—

And swear to the return.

Warden grants him a certificate.

Clerk shall endorse such process.

III. *And be it further ordained by the authority aforesaid*, That in all cases where the defendant intends to dispute or contest, or demand, or shall plead any discount, he shall, and he is hereby required to file such discount, or a state of his objections, to the demand, at least three days before trial, with the city clerk; which said discount or objections, the said clerk shall produce to the plaintiff, or his attorney, on demand, without any fee or reward whatsoever; and immediately upon such discount or objections, being lodged in the clerk's office, the said clerk shall endorse the same, as follows—"Filed in my office, this day of 178 clerk of the court of wardens: and if the defendant shall neglect or refuse to appear after service of the said process, at the time and place specified within the same, the court of wardens may proceed to judgment, and issue executions against the person and goods, or chattels of the defendant, for the debt or damages due or sustained by the plaintiff, with the costs that have accrued on the same.

Defendant file his defence 3 days before trial.

Neglect, judgment by default.

* This section is altered in some degree, by No. No. 74.

IV.

No person shall be held to bail for less than 7l 9s. except transient persons, &c. unless affidavit of the debt, &c.

IV. *And be it further ordained by the authority aforesaid*, That no persons (except transient persons) shall be held to bail for any sum less than seven pounds three shillings—nor be held to bail, on any writ of capias ad respondendum, for debt, unless an affidavit shall be made before, and attested by some one of the wardens or justice of peace, and endorsed on or annexed to the process, before the service thereof, of the sum really due: nor for any other cause, without an order from some one of the wardens (on probable cause of action shewn, by affidavit, to be endorsed on the said process) expressing the sum for which bail shall be given; and thereupon the sheriff shall take a bail bond, which shall be subject to the order of the court, and shall endorse such process before the return thereof, with the name or names of such person or persons as shall have become bail for the defendant: And if the sheriff shall take insufficient bail, he shall be responsible to the defendant for the same.

Clerk to issue all executions, &c.

V. *And be it further ordained by the authority aforesaid*, That the clerk of the court of wardens shall issue all executions, signed by any one of the wardens, ten days subsequent to that day, on which any judgments shall have been obtained, where the service was personal, and thirty days where a copy was left;* and shall mention in the body of such execution, the day on which such judgment was obtained, and shall seal the said execution with the seal of the court of wardens, and making the entry of the title of the suit, cause of action, and date of issuing such execution, lodge the same in the sheriff's office on the same day; and the sheriff shall indorse, on the said execution, the hour, the day of the month, and the year when the said execution was lodged in his office; and shall make an entry of the same, in a book to be kept for that purpose, and shall levy the said sums so awarded, and pay unto the respective plaintiffs the sums levied, under such executions, instanter, when demanded, taking a receipt for the same; and in default thereof, the said sheriff and his securities, may be proceeded against by motion, giving such sheriff ten days previous notice in writing; and if judgment shall be given against such sheriff upon trial, an execution for the same, with costs, shall issue against his body or effects, or those of his securities.

Lodge them in sheriff's office.

and make an entry in a book

Pay the money when applied for.

Manner of sale by the sheriff.

VI. *And be it further ordained by the authority aforesaid*, That in all cases where the sheriff shall have levied on the goods and chattels of the defendant, by virtue of an execution or writ of fieri facias, he shall advertise the same once in the city gazette, five days previous to such sale, and shall affix a written notice of such sale, on a board to be suspended for that purpose at the Exchange, under the City-Hall, and there be kept exposed to public view, during the five days as aforesaid, and all such sales shall in future be held at any notorious and public time and place, within the city: And the sheriff shall pay first the costs and charges of such suit, and then the amount of the debt to the plaintiff; and if any balance, shall pay the same to the defendant, within five days after such sale, and upon legal application made to him by the defendant, or his attorney, he shall render a fair, just, and true account sales of such goods and chattels so sold, together with the true debt and costs minutely stated, and certify the same under his hand, as likewise in all executions against the body or writ of capias ad satisfaciendum, he shall likewise keep a book, wherein he shall enter all such sales so made by him, by virtue thereof, stating the actions, together with his costs and charges thereon, so that any person interested therein, may have at all times free access thereto, and in case of refusal or neglect thereof, he shall, for every such offence, forfeit and pay to the party demanding the same, upon conviction thereof before the court of wardens, any sum not exceeding twenty pounds.

Sales at any public place. Costs, &c. to be first paid.

Keep a book of sales, &c.

Penalty.

Duty of the clerk, as to monies received on judgments.

VII. *And be it further ordained by the authority aforesaid*, That the clerk of the court of wardens, shall in like manner pay any monies, which he may have received, on judgments obtained in the court instanter, on demand of the persons entitled to the same, and shall be liable to be proceeded against in the same summary manner, as is directed above, against the sheriff, and as soon as any fine is imposed, on any person in the court of wardens, which is appropriated to the city or state, the clerk of the court of wardens shall certify the same to the city treasurer, who shall immediately thereupon open an account against such person so fined, and debit him for the amount thereof, to the state or corporation, as the case may be.

* A new regulation is made on the issue of executions, by the last sect. of No. 74.

VIII.

VIII. *And be it further ordained by the authority aforesaid,* That all summonses, warrants and subpœnas (as well as processes, and executions, as aforesaid) shall be sealed with the seal of the court of wardens, and be signed by any one of the wardens, and shall be endorsed and lodged in the sheriff's office, in the same manner as has been herein before directed, with respect to processes. And the sheriff shall serve or execute all summonses and subpœnas, upon the person so summoned or subpœnad, at least two days before the sitting of the court, at which such process is to be tried, and shall make an attested return thereof; on the day preceding the sitting of the court, wherein the same is to be tried, to the clerk of the court of wardens, in the following words, if such person is found:—I do certify, that by virtue of the within order or subpœna, to me directed, I have summoned, or served the persons therein named, with a true copy of the said order or subpœna, to be, and appear at the time and place therein mentioned, as by the within order or subpœna, I am commanded. E. F. Sheriff, C. C. And if such person is not found, he shall return, "not to be found," entering the same in a book to be kept for that purpose: And the clerk shall endorse the return of the same, on the said summons or subpœnas, and make also his entry thereof.

Summonses, warrants, &c. shall issue in the same manner as process, &c.

Form of the return.

& enter them.

IX. *And be it further ordained by the authority aforesaid,* That all warrants for any criminal offences, applied for to the clerk of the court of wardens, shall be granted, and sealed and signed as aforesaid, and lodged in the sheriff's office. And the sheriff thereupon, shall execute and return the same without delay, to the clerk of the court, who shall lodge the papers relative thereto, with the clerk of the peace, for the district of Charleston, any time before the next ensuing general sessions.

Warrants for criminal offences, shall issue, & be executed by the sheriff, &c.

X. *And be it further ordained by the authority aforesaid;* That none of the fees herein mentioned, shall be payable by any person whatsoever, until there shall be produced, or ready to be produced, unto the person owing, or chargeable with the same, an account in writing, containing the particulars of such fees, signed by the clerk of the court of wardens, or sheriff respectively, to whom such fees shall be due, or by whom the same shall be chargeable, in which said bill or account is, and shall be expressed in words at length, and in the same manner, as the fees are allowed by this ordinance, every fee or charge for which any money is, or shall be demanded.

No fees paid, till a proper account be made by sheriff or clerk, &c.

XI. *And be it further ordained by the authority aforesaid,* That the clerk of the court of wardens, and sheriff, shall cause to be set up, in the most conspicuous places, in their respective offices, and there constantly kept exposed to public view, a fair table of all the fees herein mentioned, on pain of forfeiting twenty shillings, for every day the same shall be missing through his neglect.

Table of fees to be kept in the clerk and sheriff's offices Penalty.

XII. *And be it further ordained by the authority aforesaid,* That the clerk of the court of wardens, shall cause a fair docket to be made out, against each and every court day, of all the causes at issue, and the wardens presiding, shall note thereon all such causes as they tried during each court, and sign the same respectively; and for preventing errors in entering the orders and judgments of the court, the wardens shall, before adjournment, cause the minutes of their proceedings to be publicly read by the city clerk, and corrected where necessary, and then subscribe the same with their respective names: And no proceeding or judgment shall be of force or valid, until the same be so read and signed as aforesaid; and no proceedings whatever shall be had in the court of wardens, upon any process or summons, which shall not have been issued, served and returned, in manner and form as is herein directed, and which shall not have been personally served, or left at the defendant's usual and notorious place of abode, by the sheriff, under or deputy sheriff for the city, ten days if a process, and two days if a summons, before the sitting of the said court.

Clerk shall make out a docket of causes ag't each court day, &c.

Proceedings to be publicly read before adjournment, &c

no proceeding &c. of force unless served 10, nor summons, unless 2 days before court.

XIII. *And be it further ordained by the authority aforesaid,* That the treasurer of the city shall issue and lodge in the city sheriff's office, all executions for taxes, signed by some one of the wardens, and sealed with the seal of the treasury; and the sheriff shall, if the party is not to be found, or has no goods or chattels, whereon the tax may be levied, make an attested return thereof to the treasurer.

How treasurer shall proceed, &c. Sheriff's duty,

XIV. *And be it further ordaind by the authority aforesaid,* That the clerk of the court of wardens, shall be elected by ballot, on the day appointed for the general election of

Clerk of the court to be

lected on gen. election day for officers, & to give bond, &c. in 500l. take the of allegiance, and the

the city officers, and shall give bond and security in the sum of five hundred pounds, for his just and faithful behaviour, whilst in office, and shall be commissioned by the Intendant during good behaviour: And the person so elected, shall take the oath of allegiance to the state, and the following oath, viz.

Oath of Office.

I do solemnly promise and swear (or affirm, as the case may be) that I will well and faithfully, do and perform, the several duties enjoined by law, as clerk, or deputy clerk, of the court of wardens of Charleston, according to the best of my knowledge, skill and ability; that I will make, and keep a true and perfect entry and record, of all orders and proceedings of the said court, and of all processes, summonses, executions, warrants, or other matters and things, which I may be enjoined by the laws of the state, or the ordinances of the city, to enter and record; and that I will not receive any greater or other fees, than such as are allowed to be legally demanded and taken; and that I will justly and faithfully, render a stated account of all monies received, on account of the corporation, or state, to the Intendant or city council, once a month, and pay the same into the treasury of the city. SO HELP ME GOD.

May appoint a deputy, &c.

Deputy take same oath as the clerk.

The clerk of the court of wardens shall have power and authority to appoint a deputy, to transact or perform the business of the said office, in his absence or indisposition, and shall be answerable for the conduct of such deputy: and the said deputy shall take the same oaths as are prescribed to be taken by the clerk as aforesaid, in the court of wardens, previous to his acting under such deputation; and upon producing a certificate, under the hand and seal of the clerk of the court of wardens, that he is appointed a deputy clerk to the said court.

Sheriff—elected on gen. election, to give bond, &c. in 1500l, &c.

Take the oath of allegiance, and also the

Oath of Office.

XV. *And be it further ordained by the authority aforesaid,* That the sheriff of the city shall be elected by ballot, on the day appointed for the general election of the city officers, and shall give bond and security in the sum of fifteen hundred pounds, for his just and faithful behaviour, whilst in office, and shall be commissioned by the Intendant, during good behaviour: and the person so elected, shall take the oath of allegiance to the state, and also the following oath:—" I do solemnly promise and swear, (or affirm) that I will well and faithfully serve the city of Charleston, in the office of sheriff, (under or deputy sheriff) according to the best of my skill and ability: That I will do equal right to all persons, high and low, rich and poor, without malice, favour or affection: That I will well and truly execute and return all process directed to me, according to this ordinance: That I will not take any fee, gift or gratuity, except such as may be allowed me by this ordinance, for any thing to be done by me in virtue of my said office; and that I will justly and faithfully render a stated account of all monies received on account of the state or corporation, to the Intendant or city council, once a month, and pay the same into the treasury of the city. SO HELP ME GOD.

Sheriff may appoint under sheriffs, &c. and shall take same oaths as the sheriff.

Their duties, powers & authorities.

Any person oppose them, to be fined 20l.

Deputies produce their deputation, &c.

The sheriff shall have power and authority to appoint an under sheriff, and deputy sheriffs, to transact or perform the business of the said office; and the sheriff shall be answerable for the behaviour of the person or persons whom he shall appoint, as under or deputy sheriffs: And the said under and deputy sheriffs shall take the same oaths, as are prescribed to be taken by the sheriff as aforesaid, in the court of wardens, previous to his or their acting under such deputation; and upon producing a certificate, under the hand and seal of the sheriff, that they are appointed under or deputy sheriffs. The sheriff shall make all proclamations, issued by order of the Intendant, which concern the interest of the city, without any fee or reward whatever. The sheriff, under, or deputy sheriff, shall be liable to all such other duties, and invested with all the powers and authorities within the jurisdiction or limits of the city, not herein specified, that sheriffs, under or deputy sheriffs, by the laws or customs of this state, have usually been liable to, or have exercised. And if any person shall resist, or oppose the sheriff, under or deputy sheriffs, in the lawful execution of the duties of their offices, every such person shall, upon conviction in the court of wardens, be liable to be fined in the discretion of the said court, in any sum not exceeding twenty pounds: and such under or deputy sheriff shall produce his deputation, whenever the same shall be lawfully demanded, by any person whatever.

XVI. *And be it further ordained by the authority aforesaid,* That the Intendant, upon the clerk of the court of wardens, or sheriff taking the aforesaid oaths in council, shall

endorse

endorse a certificate of the same upon their commission: And the wardens presiding at the court of wardens, before whom the deputy clerk, or under or deputy sheriffs, shall take the aforesaid oaths, shall certify that the deputy clerk, under or deputy sheriffs took the said oaths as hereby enjoined, upon the back of the certificates given by the said clerk to his deputy, or by the sheriff, to his under or deputy sheriffs; whereupon the clerk shall register his own commission, and that of the sheriff, and the certificates of his own deputy, and those of the under or deputy sheriffs, in the records of the court of wardens.

Intend't certify sheriff's taking the oath

Court, under sheriff and deputies.

Commissions to be register'd

XVII. *And be it further ordained by the authority aforesaid,* That the clerk of the court of wardens and sheriff, shall keep a book, wherein they shall enter all monies received by them, in the execution of their offices for the state or corporation, and shall at the expiration of every month, lay an attested state thereof before the city council, and pay the said monies into the treasury of the city, each and every month; and if the clerk of the court of wardens, or sheriff, shall neglect or refuse to perform the several duties enjoined by this ordinance, and in manner as above directed, they shall each respectively forfeit and pay the sum of ten pounds, for each and every offence, and be liable to be removed from office by the city council, and shall moreover be subject to an action at law, for damages to the injured party: And the clerk of the court of wardens and sheriff, shall carefully preserve all papers whatever, which may officially come into their possession, and file the same in their respective offices.

Clerk & sheriff's duty, as to keeping their accounts, &c.

Penalty.

Shall preserve all public papers that come to their hands.

XVIII. *And be it further ordained by the authority aforesaid,* That the clerk of the court of wardens, or his deputy, the sheriff of the city, under or deputy sheriff, shall not act as an attorney or counsel, in any causes to be tried in the court of wardens, nor shall any other person, but such as have been admitted to the bar of the courts of this state be admitted to plead, before the court of wardens. *Provided nevertheless,* That every person shall have a right to plead his own cause before the said court, without employing any counsel or attorney whatever.

Clerk or sheriff, &c. not to act as attorney, &c.

Proviso,

XIX *And be it further ordained by the authority aforesaid,* That if any person not duly qualified as aforesaid, shall issue any process from the court of wardens, or serve or execute any process whatever, although legally issuing from the court of wardens, or treasury office of this city, he shall on conviction, be fined in a sum not exceeding twenty pounds. And if the sheriff, under or deputy sheriff, shall neglect or refuse to serve, execute, or make due returns of any process whatever, as is herein directed, he shall forfeit, and pay on conviction, any sum not exceeding ten pounds, for each and every offence, and be subject to an action at law, for damages to the party injured.

Penalty for issuing process contrary to this ordinance.

Penalty on sheriff for neglecting to serve & return process.

XX. *And be it further ordained by the authority aforesaid,* That if the sheriff, under or deputy sheriff, or clerk of the court of wardens, or his deputy, shall demand, take or receive, any other or greater fees, than such as are allowed by the ordinances of the city, he shall, upon conviction in the court of wardens, be removed from office, and be rendered incapable of ever hereafter, serving the city council in any capacity whatever: and moreover, shall be liable to make such raparation to the party injured, as in the discretion of the court of wardens, shall seem just and proper.

Penalty for taking greater fees, &c.

TABLE OF FEES, to be received by the City Clerk, for the use of the City

For every exemplification, three pence per copy sheet—For every search, for any thing above one year standing, one shilling—For a petition and copy, three shillings and six-pence—For a summons and copy, one shilling and six-pence—For a warrant, one shilling and six-pence—For a subpœna, one shilling and six-pence—For order for bail, one shilling and six-pence—to be received by the sheriff for the use of the city—For attending and hearing the cause, seven shillings—Recording the proceedings, seven shillings—For an execution or process, three shillings and six-pence—For ditto, on summons, one shilling and six-pence. And if the defendant shall pay the sum for which judgment has been recovered against him, before execution issues, the clerk of the court of wardens shall receive the said fees, for hearing the cause, and recording the proceedings for the use of the city—To the recorder for his attendance, each cause, two shillings and six-pence, if he attends.

Fees to be taken by the city clerk.

FEES

FEES OF THE SHERIFF.

For an arreſt, bail bond and return, four ſhillings and eight-pence—For ſerving a proceſs, where no bail or copy left, three ſhillings and ſix-pence—For ſerving an attachment on the body, three ſhillings and ſix-pence—For ſerving a ſummons, or order of court, and making a return thereof, to be paid by ſuch perſon, three ſhillings and ſix-pence—For ſerving a ſcire facias and return, two ſhillings—For returning any proceſs not to be found, one ſhilling—For ſerving a ſubpœna on each witneſs, ſix-pence—For ſerving the warrant of a city magiſtrate, two ſhillings—For apprehending any perſon for contempt of court, and commitment to priſon, three ſhillings and ſix-pence—For levying an execution on the goods and chattels, three ſhillings—For commiſſions on the true debt and coſts, five per cent.—For ſerving an execution on the body, (arreſt) four ſhillings and eight-pence—For commiſſions on the true debt and coſts, five per cent.—For an aſſignment of bail bond, one ſhilling—For every ſearch, the party demanding the ſame, of above a year's ſtanding, one ſhilling—For every days attendance on a priſoner to find bail, three ſhillings and ſix-pence—For ſelling fugitive ſlaves, ten ſhillings for each ſlave—Advertiſing property for ſale in the Gazette under execution, & other neceſſary charges in conveying the ſame to ſale, & charge of maintenance of negroes, while in his cuſtody, to be allowed him out of the proceeds of ſales. The recorder ſhall attend either in perſon or by deputy (which he is hereby authoriſed to appoint, out of any of the attornies admitted to the bar of the courts of this ſtate, with the approbation of the city council) each and every monthly court, and at all other times when required by the court of wardens, and ſhall be allowed two ſhillings and ſix-pence for each and every cauſe, which he or his deputy ſhall ſo attend the hearing of.

Ditto by the ſheriff.

Recorder's duty and fees.

XXI. *And be it further ordained by the authority aforeſaid,* That all fines, penalties and forfeitures, inflicted by this ordinance, ſhall be recovered in the court of wardens, one moiety whereof ſhall be paid into the city treaſury, for the uſe and benefit of the city, and the other moiety to the perſon giving information of the offence, and proſecuting the ſame to conviction.

How fines, &c to be recover'd

XXII. *And be it further ordained by the authority aforeſaid,* That the ordinance, entitled, an ordinance for eſtabliſhing and regulating the proceedings in the ſummary juriſdiction of the court of wardens, paſſed the * 22d day of November, 1783, alſo another ordinance, entitled, an additional ordinance, to the ordinance for appointing conſtables in the ſeveral wards of the city of Charleſton, paſſed the 19th day of July, 1784, be, and the ſame are hereby repealed.

Repealing form'r ordinances, No. 14, and No. 19.

Ratified in City Council, this 15th day of October, in the year of our Lord, one thouſand ſeven hundred and eighty-ſeven, and in the twelfth year of the Independence of the United States of America.

* This was ratified on 6th May, 1784, and not at the time herein mentioned.

STATE OF SOUTH-CAROLINA.

(No. 54.) AN ORDINANCE

For eſtabliſhing a nightly Guard and watch, in Charleſton, and to repeal all other ordinances relative thereto, and alſo, " *an ordinance, entitled an ordinance, to alter and amend an ordinance, entitled, an ordinance, for governing ſeamen, within the city of Charleſton, paſſed the 22d of Auguſt,* 1785."

I. BE *it ordained by the honorable the Intendant and Wardens of Charleſton, in City Council aſſembled, and it is hereby ordained by the authority of the ſame,* That immediately after

after the twenty-ninth day of October, 1787, a company of men shall be raised to act as a nightly guard, and watch in Charleston, and shall consist of one captain, one lieutenant, six corporals, one drummer and fifty-two privates; which said captain and lieutenant, shall be elected by ballot in the city council, on the 29th day of the present month of October, but in case of no council on that day, then on the next council day thereafter, and after taking the oaths of allegiance and office, shall be commissioned by the Intendant, during good behaviour; whereupon the captain shall proceed to enroll six corporals, fifty-two men and a drummer, to act as a nightly guard and watch, as aforesaid, for not less than twelve months, and shall make a return of the names of the persons so by him enrolled, to the Intendant, whenever thereto required; and if the Intendant shall disapprove of any person so enrolled, he shall be dismissed, and another shall be enrolled in his stead.

A company to be raised, &c.

Capt. & lieut. to be elected by city council.

after qualify'g shall enroll the men, &c.

II. *And be it further ordained by the authority aforesaid*, That the said captain shall take care that the following regulations be strictly enforced, and shall make report to the Intendant every morning, in writing, setting forth the names of every man on duty, to mark the absentees; and all occurances during the night:—One officer, three corporals, twenty-six privates and the drummer, properly armed and accoutred, to mount guard every night, the roll to be called at one hour after sun-set, and at sun-rising, and at all such other times as the officer of the guard for the night may think proper. The officer of the guard to order two patroles properly armed, at least three times every night, one to go throgh the streets and wharves of Saint Philip's, and the other through the streets & wharves of Saint Michael's parish; one patrol to consist of one officer and three privates, the other of one corporal & three privates; both patroles to be out at the same time—the officer to take the patrol in each parish alternately, and in case of fire, or any other alarm, the captain shall cause the whole of the guard, those on duty as watchmen excepted, immediately to repair to the guard house, and there continue in readiness to execute any orders they may receive from the Intendant, or any three of the wardens, or until they are discharged by him or any one of the wardens: and the guard, whilst upon duty, shall be careful and vigilant in keeping peace & good order within the said city, and shall use their best endeavours to prevent fires, murders, robberies and other outrages, and disorders within the same; and to that end, they shall at all times when called upon, be aiding and assisting to the magistrates of the city, and shall apprehend and take into their custody, all suspected or disorderly persons,* who may be found wandering or misbehaving themselves, or in any manner disturbing the public peace by noise, tumult or riot, during the night; and shall confine the person or persons so apprehended, in the guard house till the next morning, and then deliver him or them to any city constable with the accusation, to be carried before one of the wardens of the said city to be examined; and if not charged with felony or any breach of the peace, the said warden shall discharge him or them, on payment of such sum as he shall in his discretion, think adequate to the offence, so as the sum does not exceed twenty shillings.

The captain's duty, &c.

and the

duty of

the guard

and watch.

III. *And be it further ordained by the authority aforesaid*, That the captain of the guard shall set the watch, at the hours hereafter mentioned (that is to say) from the 20th of March, to the 20th of September, from ten o'clock in the evening, until the beating of the reveille the next morning; and from the 20th of September, to the 20th of March, from nine o'clock in the evening, until the beating of the revielle the next morning; and the watchmen shall be provided with a watch coat, staff and bell, and they are hereby required and empowered, during the time of their keeping watch, to apprehend all vagabonds, or disorderly persons, who shall be found disturbing the public peace, or whom they shall have any just cause to suspect of any evil design, and to carry the person or persons so apprehended to the guard-house, there to be confined till morning, and then dealt with as is before directed: And the said watchmen shall go round and visit the different parts of their respective wards, and cry the time of the night, at least twice in every hour; and in case of any fire breaking out, or on any other emergency, shall ring their bells, and alarm each other, and the inhabitants

Guard to be set at 10 o'clock, from 20th Mar to 20th Sept. & from 20th September at 9 &c.

Watchmen to have a watch-coat, staff and bell.

Their duty—

* Vide No. 5. § 8. for the duty of the guard and watch, as to sailors found on shore after the evening bell.

in their respective wards; upon which they shall immediately repair to the assistance of each other, if necessary; but in cases of fire, they shall return to their respective stands, the better to discover any other fire that may happen, as well as to prevent any robberies, outrages or disorders, and to apprehend any suspected persons, who, in such times of confusion, may be feloniously carrying off the goods and effects of others.

Guard & watch shall take up negroes, being out without a lanthorn, &c. & confine them till morning, owners to pay 4/8 before release, &c. otherwise how to be dealt with

IV. *And be it further ordained by the authority aforesaid*, That in case any negroes or slaves, shall be found out of their masters or mistresses houses, or enclosures, after the watch is set, without a lanthorn and lighted candle therein, or without an open ticket, or some white person with them on a lawful errand, such negroes or slaves, may and shall be apprehended by any of the guard or watchmen aforesaid, or by any other person or persons whatsoever, and carried to the guard-house, where they shall be confined until the next morning, and then to be delivered over by the captain of the guard to any of the city constables, who shall give notice to the owners of the negroes so confined, and if the owner shall pay four shillings and eight-pence, the slave shall be released; two-thirds * of the said fine shall be paid to the person apprehending them, and the remaining one-third to the constable or constables, who shall attend at the guard-house for the purposes herein after mentioned; but if the owner refuses to redeem this servant, the constable shall carry the said slave before any one of the wardens, who may, and he is hereby authorised to sentence such negro or slave, to receive at any of the public whipping posts, any number of lashes not exceeding thirty-nine, whereupon the said slave shall be released, the owner paying two shillings and four-pence, one half to go to the person apprehending, the other half to the person correcting such slave; and upon the refusal of the owner of such slave, to pay the said two shillings and four-pence, the person correcting such slave, shall convey him or her to the work-house, the master whereof shall advance the said two shillings and four-pence, to the person bringing such slave, and there detain such slave, until the owner shall pay the said two shillings and four-pence, and the other usual fees of the said house; and in case any negro or slave shall be obstinate, or refuse to stand, when ordered by any of the watchmen or guard in the night time, it shall and may be lawful for the said watchman or guard, to use every means to take and secure such negro or slave; and if the said negro or slave should fly for it, and betake himself to any house for refuge, the owner or possessor of the said house, refusing to surrender the said negro or slave, shall, on conviction thereof in the court of wardens, be liable to be fined at the discretion of the said court, in any sum not exceeding five pounds; and if such negro or slave should make his escape, and be well and sufficiently known, the master or owner of said negro or slave, when taken, shall, on requisition by any one of the wardens of the said city, cause the said negro to be brought before such warden, or the court of wardens to be punished, according to the nature of the offence, at the discretion of the said court of wardens, as the case may be, and any master or owner neglecting or refusing to produce such negro or slave, when required so to do, shall for every such neglect or refusal, forfeit any sum not exceeding five pounds, to be recovered in the court of wardens.

Negro being obstinate, &c. the guard to use every means to secure him, & if he fly, & be harbor'd to pay a fine of 5l.

If he makes his escape, & his master refuse to give him up shall be fined 5l

Penalty for an assault on the guard, when on duty, &c.

V. *And be it further ordained by the authority aforesaid*, That in case any person or persons shall assault, strike, or in any other manner oppose any of the guard or watchmen, in the execution of their duty, every such person or persons, shall forfeit and pay a sum not exceeding twenty pounds, to be recovered in the court of wardens; and in case of non-payment, he or they shall be committed to the common gaol, there to remain in close confinement, for any time not exceeding ninety days, unless such fine and the legal fees due on such imprisonment, shall be sooner paid and discharged; and such offender or offenders, shall also be bound over to the peace, for such time as the court of wardens in their discretion shall direct.

Capt. to be accountable for the arms.

Penalty on any of the guard,

VI. *And be it further ordained by the authority aforesaid*, That the captain of the guard shall be accountable for the arms of the guard, and if any of the city guard and watch, enrolled as aforesaid, shall at any time be negligent, or refuse to perform any of the duties required by this ordinance, or to obey the lawful orders of their commanding officers, such commanding officers, or any of the wardens, may summon such person to appear before the court of wardens, and the said court is hereby authorised,

* Vide No. 32, sect. 1.

on conviction of such person, to impose a fine not exceeding five pounds, on such person, or to commit him to the common gaol, for any time not exceeding thirty days, for the first offence, and for the second offence be liable to pay a fine as aforesaid, and be discharged.

neglecting or refusing to do their duty.

VII. *And be it further ordained by the authority aforesaid,* That the captain of the city guard, established as aforesaid, shall be allowed five shillings and six-pence each day, counting twenty-four hours to each day—The lieutenant, four shillings and eight-pence each day—Each corporal, two shillings and three-pence—Each of the privates and the drummer, two shillings for every night when on actual duty, the paymens to be made at the end of every month.

Pay of officers, &c. at the end of every month

VIII. And whereas it is necessary that the greatest attention should be paid to the public buildings of the state, and the records thereof, as well as to the immediate interest of the inhabitants of the city.

Be it further ordained by the authority aforesaid, That the officers of the guard, shall each and every night throughout the year, remain on duty at the guard-house; except when otherwise directed by this ordinance, from sun-set till sun-rise next morning.

Time of officers to be on duty.

IX. *And be it further ordained by the authority aforesaid,* That the captain of the city guard, shall every night, at the sitting of the watch, send out two parties, one consisting of one corporal and six privates, the other of one corporal and seven privates: and the said corporals shall dispose and place one of them as aforesaid, in each ward of the city, to perform the duties of watchmen in that ward, in which such person shall be placed, until he shall be regularly relieved therefrom, as is herein directed. And the officer of the guard at one o'clock, shall send out one corporal and six privates, to relieve as many watchmen, & immediately upon their return to send out another corporal and seven privates, to relieve the remainder. The watchmen shall remain in their watch boxes, when they are not actually visiting their wards, or crying the time of the night; and if any of them should be missing therefrom, they shall be deemed negligent of their duty.

Times & manner of sending out patrols, & setting centinels, &c.

X. *And be it further ordained by the authority aforesaid,* That the captain of the city guard, shall make out and attest the pay-roll of the guard and watch, at the expiration of every month, noting therein the absence and presence of any of them, and how many nights they neglected their duty, in the course of the said month.

Capt. to make out pay-rolls, &c.

XI. *And be it further ordained by the authority aforesaid,* That the captain of the city guard shall have in charge the guard-house, and the different public offices therein contained, and shall keep the rooms appropriated for the guard and prisoners, in clean and wholesome order.

Capt. to have charge of the guard house&c

XII. *And be it further ordained by the authority aforesaid,* That the captain of the city guard, shall cause the arms, consisting of muskets and bayonets, to be kept clean and in good order, by the men under his command; and the persons composing the guard and watch, shall lodge every morning their arms, watch-coats, and all other articles, which shall be entrusted to them, in the room of the captain of the guard, who is hereby made accountable for the same. And the officer of the guard, upon making out the monthly pay-bill of the guard and watch, shall certify what condition the arms, and such other articles are in, as are entrusted to the persons composing the guard and watch; and the persons composing the guard and watch, who shall lose or injure any of the articles entrusted to them as aforesaid, shall be liable for the payment of the amount of the same.

Capt's. duty as to the arms, &c.

XIII. *And be it further ordained by the authority aforesaid,* That the drummer enrolled by the captain of the guard, shall be obliged to attend the city sheriff, whenever it shall be deemed necessary, to make any proclamation in the city, without any fee or reward.

Drummer to attend city sheriff, &c.

XIV. *And be it further ordained by the authority aforesaid,* That an ordinance, entitled, an ordinance for establishing and regulating a nightly guard and watch in Charleston, passed the 14th day of October, one thousand seven hundred and eighty-three, also an ordinance, entitled, an ordinance to alter and amend an ordinance, entitled, an ordinance for governing seamen, within the city of Charleston, passed the 22d day of

Repeals certain ordinanc's No's 8, 27, & 43.

August,

Auguſt, one thouſand ſeven hundred and eighty-five; and alſo, an ordinance, entitled, an ordinance for eſtabliſhing and regulating a nightly guard and watch in Charleſton, and to repeal an ordinance, entitled, an ordinance for eſtabliſhing and regulating a nightly guard and watch, ratified in city council, the 14th day of October, one thouſand ſeven hundred and eighty-three, and an ordinance, entitled, an ordinance to alter and amend an ordinance, for governing ſeamen within the city of Charleſton, paſſed the 22d day of Auguſt, one thouſand ſeven hundred and eighty-five,—be, and the ſame are hereby repealed.

Ratified in City Council, this twenty-ſixth day of October, one thouſand ſeven hundred and eighty ſeven.

STATE OF SOUTH-CAROLINA.

(No. 55.) AN ORDINANCE

For the regulation of the Work Houſe, and Scavengers Department, in the City of Charleſton.

Three comm's to be choſen by the city council for the government of the work houſe &c.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleſton, in City Council aſſembled, and it is hereby ordained by the authority of the ſame,* That the government and ſuperintendance of the work-houſe, in Charleſton, and of the ſcavengers department, ſhall hereafter be committed to three commiſſioners, who ſhall be elected by the city council, on the 29th day of the preſent month of October, or if no council ſhould be made on that day, on the firſt meeting of the council thereafter, and on the laſt Monday in October, every ſubſequent year, or if no council ſhould be made on that day, on the firſt meeting of the council thereafter: And any perſon, who being ſo elected, ſhall refuſe to act, ſhall forfeit and pay the ſum of ten pounds for ſuch refuſal to be recovered in the court of wardens, for the uſe of the corporation; Provided always, That no perſon ſhall be obliged to ſerve more than one year in any term of ſeven years.

Refuſing o ſerve, to be fined 10l. Proviſo.

Perſon to be choſen maſter of the work-houſe & ſcavenger of the city.

II. *And be it further ordained by the authority aforeſaid,* That a fit and proper perſon ſhall be elected by the city council, on the ſame day as the commiſſioners are above directed to be elected, as maſter and keeper of the ſaid work-houſe, and ſcavenger of the city, who ſhall take charge of the ſaid houſe, and of the perſons that from time to time ſhall be ſent and committed to his care; and the ſaid maſter ſhall do, and execute all ſuch orders and directions, relative to the ſaid work-houſe, and to the employment of the negroes confined therein, in any public works for the benefit of the city, as he ſhall from time to time receive from the commiſſioners aforeſaid, and ſhall pay into the city treaſury, for the uſe and benefit of the city, the ſum of one hundred and fifty pounds per annum, by quarterly payments, out of the fees and emoluments herein after allowed him.

to obey the orders of com's.

& to pay 150l to the city treaſurer.

Take no other fees than are allowed, under penalty of 20l

III. *And be it further ordained by the authority aforeſaid,* That the ſaid maſter of the work-houſe, and ſcavenger,* ſhall be entitled to receive ſuch fees and no other, for his ſervices, in the ſaid offices as are herein after eſtabliſhed; and if the ſaid maſter ſhall preſume to take any greater or other fees, than are hereby allowed, he ſhall, on conviction thereof in the court of wardens, forfeit and pay any ſum not exceeding twen-

* Every thing in this ordinance, relative to the ſcavengers department, is repealed by an ordinance, ratified on the 2d of April, 1789, being an ordinance for appointing commiſſioners of the ſtreets, and defining their powers, and for other purpoſes therein mentioned. Vid. 14. ſect. of No. 69.

ty

ty pounds, and shall also be liable, at the discretion of the city council, to be displaced from his said offices; and before entering into the execution of the said offices, the said master shall take the following oath, to be administered in council. viz. I, A. B. do swear, that I will well and faithfully execute the office of master of the work-house, and scavenger in Charleston, according to the orders and directions given to me for that purpose; and that I will keep a fair and true account of all sailors, slaves, or free coloured persons, committed to the work-house, noting the days of reception and dismission, and the expences attending the same; and also of all monies laid out by me, for the support and maintenance of the said sailors and other persons. SO HELP ME GOD.

He is to take the oath of office.

IV. *And be it further ordaind by the authority aforesaid*, That it shall and may be lawful, for any person or persons, having stubborn or obstinate negroes, or other slaves, to send them to the work-house aforesaid at their own expence, to be kept to hard labour, or otherwise, to be corrected (by whipping, not to exceed in any one day, thirty-nine lashes) in the discretion of the owner or master, the said owners or masters having the liberty (if they shall chuse) to employ their respective slaves during their said confinement, in such work as they shall furnish, and to receive the profits thereof to their own use.

Persons may send their slaves to the work-house, &c.

V. *And be it further ordained by the authority aforesaid*, That the said master do receive into his custody any fugitive slave who may be committed thereto, by any person who shall have apprehended the same; and the said master is hereby required, within three days after the delivery of any fugitive slave to him, to publish in the state and city Gazette, the best description he shall be able to give of such slave, first carefully viewing such slave naked to the waist, for any mark or brand, which he shall also publish, to the intent the owner, or other person having the care and charge of such slave, may come to the knowledge that such slave is in custody; and if such slave shall escape through the negligence of the said master, and cannot be taken within three months, the said master shall answer to the owner for the value of such slave, or the damage which the owner shall sustain by reason of such escape, as the case shall happen.

Master to receive fugitive slaves committed to him, &c and must advertise them, &c.

Slave escaping thro' negligence, master liable.

VI. *And be it further ordained by the authority aforesaid*, That the said master shall, at the charge of the owner of such slaves, provide sufficient food and drink, and the usual and necessary cloathing and covering, for every slave delivered into his custody, and shall keep them to moderate labour, or otherwise employ them, as is herein directed.

Necessaries to be supplied them, &c.

VII. *And be it further ordained by the authority aforesaid*, That the master of the work-house shall, in case of the sickness of any slave confined in the work-house, whose owner is known, and resides within the limits of Charleston, give notice thereof to such owner immediately; and in case of the sickness of any fugitive or other slaves, whose owner does not reside, or is not known to reside within the city, as aforesaid, the master of the work-house shall, if the necessity of the case require, employ the surgeon of the hospital & poor-house, to attend such slave in his sickness, & charge the expence of the same to the person who may prove his property, in such slave thereafter, or deduct such expences out of the amount sales of such slave.

In case of sickness, notice to be given to the owner, &c.

VIII. *And be it further ordained by the authority aforesaid*, That if any person take up any fugitive slave, and deliver such slave to the master of the work-house, the said person shall be entitled to receive from the said master, upon the delivery thereof, the sum of ten shillings as a reward for his apprehending such slave, and four-pence per mile for every mile such slave hath been brought, to be computed from such place where such slave was apprehended; and the said master is also required, to take an account of the name and place of abode, and the person delivering such slave, and also the time and place, when and where, such slave was apprehended, which account the said master shall enter down in a book to be kept for that purpose, and shall give a receipt for such slave delivered into his custody.

Person delivering a slave, to be paid 10s. &c.

Owner to pay the fees fixed to the master.

IX. *And be it further ordained by the authority aforesaid,* That the said master be empowered to demand and receive from the owner or other person, having the care and charge of such slave, such sums as he may have expended for the necessary cloathing and covering of such slave, and the amount of whatsoever he shall have paid the surgeon, in case of sickness, whose account and receipt the said master shall be obliged to produce to such owner, or other person, and also the several sums following, and no other, (that is to say) for apprehending such slave, paid to the person who delivered such slave into custody, ten shillings—For milage paid to the same person, four-pence per mile—For dieting such slave each day, eight-pence—For confining such slave, one shilling—For delivering such slave, one shilling—Also the charges for printing, and one shilling in the pound for poundage on money advanced—And the said master may lawfully detain any slave in custody, until the said fees and expences be fully paid and discharged: And in case the owner of such slave, or his overseer, agent, manager, attorney or trustee, shall neglect or refuse to pay, or satisfy the said expences and fees, for the space of thirty days, after the same shall be demanded by notice in writing, served on the owner of such slave, or (if the owner is absent from this state) upon his overseer, agent, manager, attorney or trustee, the said master may deliver the negro aforesaid to the city sheriff, who is hereby authorised to expose any such slave to sale, at public out-cry, and thereupon to proceed as is directed in the next ensuing clauses, with respect to negroes having no known owners, who shall be sold under this ordinance.

In case of refusal, the negro to be sold, &c.

Slave not claimed in 1 year, to be sold, &c

X. *And be it further ordained by the authority aforesaid,* That if the owner or owners of such fugitive slaves, shall not within the space of one year and one day, from the time of commitment, make his, her, or their claim, or it shall not otherwise be made known to the master within the time aforesaid, to whom such slave shall belong; the said master is hereby required to advertise for sale such slave, three times, once a week for three weeks alternately, in the state and city gazettes respectively, together with the reason of the sale of such slave.

Sheriff to make such sale, and money paid in to the hands of the city treasurer, &c.

XI. *And be it further ordained by the authority aforesaid,* That the city sheriff is hereby required to expose to sale, all such slaves at public out-cry, at the usual place of public auction, and the monies arising from such sale, to pay immediately into the hands of the city treasurer, who shall thereupon pay such city sheriff the sum of ten shillings, for each and every negro so sold, upon his payment of the money as aforesaid, into the city treasury; und the master of the work-house shall lay his account before the city council, for the expences and fees of such slave, to be audited and paid, if the proceeds of such sale will admit; provided the said master shall not be allowed, in the settlement of his account, for any negro who has remained the year and the day aforesaid, more than four hundred and eleven days subsistence for such slave: And the city treasurer is required to retain the balance of such monies, for the use of the owner or owners of such slave; provided the same be by him, her or them, claimed within one year and a day after such sale, or in default of such claim, within the time aforesaid, then the said city treasurer shall pay the same into the public treasury of this state, taking a receipt for the same, agreeable to the act of the general assembly, in such case made and provided.

Proviso.

Sheriff to give receipt, &c.

XII. *And be it further ordained by the authority aforesaid,* That the city sheriff is hereby empowered to give a receipt for the monies arising from the sale of each and every slave, specifying the reasons of the sale of such slave.

Master to keep a book, & enter the time of commitment, &c.

XIII. *And be it further ordained by the authority aforesaid,* That the said master do keep a fair and regular book, wherein he shall enter the time of each persons commitment to the work-house, abode there, and discharge therefrom, and keep an account of all the earnings and profits of such persons labour, or disbursements for such persons relief, and render a full and true account thereof, and of all his transactions relative thereto, to the commissioners aforesaid, once in every three months, or oftener if required.

XIV. *And be it further ordained by the authority aforesaid,* That the said master of the work-house, be entitled to have and receive the following fees, and no other, viz.—— For dieting a white or other free person, each day, allowing one pound of wholesome meat and one pound of good bread, one shilling—For confining each person, one shilling—For discharging each person, one shilling—For dieting a slave, each day, eight-pence—For correcting each person, one shilling and six-pence.

Fees allowed the master.

XV. *And be it further ordained by the authority aforesaid,* That if the captain of any vessel should quit this port, leaving any debt incurred by the commitment of any of his sailors, by the harbour-master to the work-house, the harbour-master shall, upon demand, assign over the securities which he shall have taken from the said captain, to the master of the work-house, who thereupon may proceed to recover such monies by action of debt, in the court of wardens from such security. And the master of the work-house is hereby enjoined and required, immediately upon the departure of any captain of a vessel from this port, who may leave any of his sailors confined in the work-house, to discharge such sailor therefrom, giving previous notice of such his intention, to the person or persons becoming security for such captain, if a resident in the city.

Sailor being left by his captain, harbour-master to assign the security, &c.

XVI. *And be it further ordained by the authority aforesaid,* &c. repealed by No. 69, section 14.

XVII. *And be it further ordained by the authority aforesaid,* &c. repealed by No. 69, section 14.

XVIII. *And be it further ordained by the authority aforesaid,* &c. repealed by No. 69, section 14.

XIX. *And be it further ordained by the authority aforesaid,* &c. repealed by No. 69, section 14.

XX. *And be it further ordained by the authority aforesaid,* That the said commissioners shall have power and authority to make, from time to time, such other rules, orders and regulations, for the better government of the said work-house, as they shall judge reasonable and necessary. an account whereof, together with the account so rendered to them, by the master aforesaid, the said commissioners are required to report to the city council, once in every three months.

Comm's. authorised to make rules & orders.

XXI. *And be it further ordained by the authority aforesaid,* That the first, second and last clauses of an ordinance, entitled, an ordinance for repairing, cleansing and keeping in good order the streets of Charleston, passed the 17th day of June, one thousand seven hundred and eighty-four; also, an ordinance, entitled, an ordinance, for the regulation of the work-house, in Charleston, ratified in city council, the 11th day of October, anno domini, one thousand seven hundred and eighty-six; likewise, an ordinance, entitled, an ordinance for repealing the second clause of an ordinance, entitled, an ordinance for repairing, cleaning, and keeping in good order the streets of Charleston, and for other purposes therein mentioned, passed the 16th day of July, 1787, be, and the same are hereby repealed.

Repealing several clauses & ordinances. No. 18, several clauses and ordinances.

Ratified in City Council, this thirtieth day of October, one thousand seven hundred and eighty-seven.

STATE

STATE OF SOUTH-CAROLINA.

(No. 56.) AN ORDINANCE

To define certain Duties of Office, and to fix the Salaries of the several public Officers of the City of Charleston, and to repeal an Ordinance, entitled, an Ordinance to define certain Duties of Office, and to fix the Salaries of the several public Officers of the City of Charleston, ratified in City Council, the 21st day of October, one thousand seven hundred and eighty-six.

Preamb e.

I. WHEREAS from the appointment of a city sheriff, and from other establishments in the duties of the public officers of this city, and the more distinctly to ascertain the funds whence they are to be paid, *Be it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That it shall be the duty of the city treasurer,* to demand, receive, and carefully secure all monies that are, or shall at any time be due to the corporation; and all and every other sum, or sums of money, which may come into his hands as treasurer as aforesaid, in virtue of any law or laws of the legislature of this state, or otherwise, and to pay the same in such manner as the city council shall, from time to time direct: And also, that he shall keep in due order and method, fair and correct books of all transactions relative to his said office, and lay the same, together with a general statement thereof, before the city council, once in every three months, (that is to say) at the first meetings of the council, in the months of November, February, May and August, in every year, or oftener if thereunto required. And he is hereby authorised and directed, to receive all taxes, rents and assessments, as shall from time to time be imposed and become due.

Duty of the city treasurer.

To keep fair books, &c. and lay a state of them before the city council every three months, &c.

Give bond and security.

II. *And be it further ordained by the authority aforesaid,* That every person hereafter to be elected, to the office of city treasurer, shall, before he enters upon the execution of his office, give bond with two securities, to be approved by the city council, in the sum of five thousand pounds, for the faithful discharge of his duty.

III. *And be it further ordained by the authority aforesaid,* That it shall be the duty of the clerk of the council, to keep the journals of council, and to copy the same fair, and make an index thereto, and engross for ratification, all ordinances to be passed, and shall furnish the several officers of the city, and all other persons, as he shall be directed by the city council, with transcrips of all such resolves and ordinances (or parts thereof) as may be necessary for their guidance or information: he shall attend all the meetings of council, and shall receive and deliver all petitions, memorials, informations, or applications that may be made; and publish the assize of bread,‡ once in every month.

Duty of the city clerk.

IV. *And be it further ordained by the authority aforesaid,* That it shall be the duty of the recorder,‖ to assist and advise the corporation in all matters of law, and shall prosecute

*Vide No, 53, section 13, the duty of the treasurer, in proceeding against defaulters in payment of tax.

‡ Vide No, 59, § 6.

‖ Vide No. 53, section 20, for the further duties of the recorder.

prosecute and defend all suits, in which the corporation shall, or may be in anywise concerned; and draw all contracts, leases, and other legal instruments of writing for the said city.

V. *And be it further ordained by the authority aforesaid,* That it shall be the duty of the surgeon of the hospital* and poor-house, to visit the sick at least once in every day, at such places where the commissioners of the hospital and poor-house, or commissioners of the Marine hospital shall direct, and give them all necessary, medical and chirurgical assistance: He shall also require their apartments, lodgings and cloathing, to be kept clean, and that they have comfortable and proper nourishment, with careful attendance: And if he shall observe any neglect of duty, in the persons attending them, he shall give information thereof to the commissioners aforesaid respectively. Duty of the surgeon.

VI. *And be it further ordained by the authority aforesaid,* That the following sums of money shall be fixed as the annual salaries of the city officers herein mentioned, in lieu of all fees or other compensation whatsoever, except the per centage herein allowed to the city treasurer, for the services to be by them performed, in their respective offices (that is to say) To the treasurer, one hundred and fifty pounds, & two & a half per cent. on all monies received for the city tax, and the taxes for the hospital fund, and the tonage for erecting a light-house; which said two and a half per cent. shall be paid out of the monies arising from the aforesaid funds respectively—Surgeon of the hospital and poor-house, one hundred and fifty pounds, seventy-five pounds of which, to be paid out of the hospital fund—Clerk of the council, fifty pounds—Of the court of wardens, one hundred and fifty pounds—Harbour master, one hundred and twenty pounds, to be paid out of the following funds, viz. The light-house fund, twenty-five pounds—Hospital fund, twenty-five pounds, and city fund, seventy pounds—Recorder, sixty pounds—Master of the poor house and purveyor of the hospital, thirty pounds, fifteen pounds whereof shall be paid him out of the hospital fund—Matron of ditto, thirty pounds, fifteen pounds of which is also to be paid out of the hospital fund—Messenger of the council, thirty pounds——And the aforesaid salaries shall be paid to the officers abovementioned respectively, by quarterly payments, once in every three months by the city treasurer, on the written order of the Intendant. Salaries of the city officers.

VII. *And be it further ordained by the authority aforesaid,* That the several officers of the city, shall be elected by ballot in the city council, on the 29th day of the present month of October, or if no council should be had on that day, on the first meeting of the council thereafter; and on the last Monday in October, in every subsequent year, excepting the offices of treasurer, and recorder, and harbour master, who shall, upon their election, be commissioned by the Intendant, during good behaviour. And in case of vacancy by death, resignation, or removal from office, it shall be filled up by a new election, as soon as the city council shall find convenient. Officers to be elected ann'ly. except treasu'r recorder & harbour master.

VIII. *And be it further ordained by the authority aforesaid,* That the ordinance, entitled, an ordinance to define certain duties of office, and to fix the salaries of the several public officers of the city of Charleston, ratified in city council, the 21st day of October, 1786, be, and the same is hereby repealed. Repeals No. 42.

Ratified in City Council, this thirtieth day of October, one thousand seven hundred and eighty-seven.

* Vide 48, sect. 4, the surgeon shall be under direction of the commissioners.

STATE OF SOUTH-CAROLINA.

(No. 57.) AN ORDINANCE

Appropriating all Fines, Penalties, and Forfeitures, imposed by the City Ordinances.

Gen. appropriation of all fines & forfeitures, &c.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That from and immediately after the passing of this ordinance, one half of all fines, penalties, and forfeitures, imposed by any ordinances already ratified, or by such other ordinances as may be hereafter ratified in city council, shall be to the use of the corporation of the city of Charleston; and the other half to the use of such person or persons as shall inform, and prosecute to effect, for the same, before the court of wardens; excepting nevertheless, such fines and forfeitures as are otherwise appropriated, by any law or ordinance now in force.

Ratified in City Council, this twelth day of November, in the year of our Lord, one thousand seven hundred and eighty-seven.

STATE OF SOUTH-CAROLINA.

(No. 58.) AN ORDINANCE

To prohibit the frequent beating of Drums, in the City of Charleston.

Beating drums forbidden,

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That from and immediately after the passing of this ordinance, it shall not be lawful for any person or persons whatsoever, to give notice by beat of drum in any of the streets, or other public parts of this city, of the loss of any articles, or of negroes who shall have run-away, or absented themselves without leave of their owners, nor on any other occasion whatsoever, under the penalty of twenty shillings for each offence: but all such notices shall in future be given by ringing a hand bell through the streets, and other public parts of this city. *Provided,* That the said prohibition shall not extend to the sheriffs of Charleston district, or of the city of Charleston, making public, by beat of drum, any proclamations issued by his excellency the Governor, his honor the Lieutenant-Governor, or his honor the Intendant, nor any of the drummers of the Charleston regiment of militia, or of the Charleston battalion of artillery, summoning the men of their respective corps or companies, to muster or exercise; or to the city drummer beating the reveille, tattoo, or to any person beating to arms, in case of fire or any other alarm.

except by sheriff, to make proclamations, &c.

Drummers to summon men to muster, &c.

Officer of the guard to give notice by ringing of bell.

II. And for the convenience of the inhabitants, *be it further ordained by the authority aforesaid,* That the officer of the city guard shall command one of the guard, to publish by ringing a bell as aforesaid, at the most notorious parts throughout the city, any notices which he may be required so to do, for which the person so applying, shall pay to the person giving notice as aforesaid, the sum of four shillings.

Ratified in City Council, this twelfth day of November, one thousand seven hundred and eighty-seven.

STATE

STATE OF SOUTH-CAROLINA.

(No. 59.) AN ORDINANCE

For regulating the Price and Assize of Bread.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, & it is hereby ordained by the authority of the same,* That after one month from the publication of this ordinance, every baker, or other person who shall make, or bake for sale, or sell, or expose to sale, any of the sorts of bread mentioned in the following table, shall fairly imprint or number, or cause to be fairly imprinted or numbered, on every loaf of each respective sort of bread, he, she, or they, shall make or bake, or sell, or expose to sale, the numbers herein after mentioned (that is to say) upon every loaf of bread; which shall be made, baked, sold, or exposed to sale, as white bread; made of flour of the first quality, the number *one*—upon every loaf of wheaten bread, the number *two*—and upon every loaf of houshold bread, the number *three*——And that every person who shall make or bake for sale, or shall sell, or expose to sale, any loaf of any of the sorts of bread, allowed to be made in pursuance of this ordinance, which shall not be numbered agreeable to the directions thereof, every such person or persons, for every time he, she or they, offend in the premises, and be thereof convicted, shall forfeit and pay a sum not exceeding forty shillings.

Bakers to stamp their bread, No. 1. 2. 3. according to its quality.

Penalty, 40s.

II. *And be it further ordained by the authority aforesaid;* That if any person or persons, who shall make, or bake any bread for sale, or sell, or expose to sale, any bread deficient in weight, according to the assize set from time to time, for any such bread to be sold, at in pursuance of this ordinance, he; she or they; so offending in the premises, and being thereof convicted; shall forfeit and pay a sum not exceeding forty shillings.

Deficiency in wt. forfeit 40s.

III. *And be it further ordained by the authority aforesaid,* That if any baker put into any bread, by him or her sold, or exposed to sale; any mixture of other grain, than that specified in the following table, or who shall in anywise, adulterate the purity of the flour, further than what is absolutely necessary to the well making or baking thereof, he, she or they shall, upon conviction, for every offence, forfeit all such bread, so fraudulently mixed, and also the sum of twenty shillings.

For adulterat. bread, forfeit the same, & 20s for ev'ry offence

IV. *And be it further ordained by the authority aforesaid,* That it shall and may be lawful at all times, during the course of the day, for any of the wardens of the city, or magistrates of the districts, to enter into any house, shop, stall, bake-house, ware-house, or out-house of, or belonging to any baker, or vender of bread, and there search for, view, weigh, and try all, or any part of the bread which shall there be found; and if any be found, either wanting in the goodness of the materials, whereof the same shall be made, or deficient in the baking, or wanting in the due weight, or not truly numbered, or fraudulently mixed, then, and in every such case, any of the wardens of the city, or magistrates of the district, may seize such bread so found, and send the same to the poor-house, for the use of the poor, or make such other charitable distribution thereof, as to him or them shall seem most expedient.

Wardens or magist's to enter houses of bakers, and weigh, &c. and if found deficient in wt &c. to be sent to the poor-house, &c.

V. *And be it further ordained by the authority aforesaid,* That if any baker, or vendor of bread, shall refuse such search and seizure to be made, or in anywise hinder or resist the same, he, she or they, shall for every such offence, forfeit the sum of five pounds.

Refusing the search, to forfeit 5l.

VI. *And be it further ordained by the authority aforesaid,* That the city clerk, or in case of his absence or sickness, his deputy, shall on the last Tuesday of every month, from the best information he can procure, make a return in writing (upon oath, if thereunto required) to the court of wardens, if they shall convene, or upon there being no court, to his honor the Intendant, for the time being, touching the average price per barrel, of one hundred and ninety-six pounds net; of the several qualities of flour sold within the city, for the then current month, to the intent that all bakers

Duty of the city clerk, to enquire price of flour, and report, &c.

bakers of bread may, if they shall think fit, attend the sitting of the said assize; which said average price shall be deemed and taken as the ordinary price of such flour, for the ensuing month, to which shall be added, the sum of seventeen shillings and six-pence, as a full compensation to the baker, admitting in all cases, that each barrel of flour, weighing as aforesaid, will produce two hundred and thirty-eight pounds of well baked bread: And the assize shall be ascertained, and appointed according to the same, which shall be notified in the city gazette, on the first publishing day of every month, for the information of all concerned, so that notwithstanding any advance or reduction that may happen in the price of flour, no alteration shall be made in the assize for the time being, either to raise the same higher, or sink the same lower.

Assize to be ascertained and published monthly, &c.

Form of return of the certificate of the price of flour.

VII. *And be it further ordained by the authority aforesaid,* That the form of the return of the certificate of the price of flour, shall, from time to time, be to the purport or effect, as followeth, (that is to say) The average price of flour per barrel, as sold within the city of Charleston, from the day of last, to the present day of instant: The best superfine quality The second quality The third quality To every of which returns the said city clerk, or in case of his absence or sickness, his deputy shall, from time to time, subscribe his name.—— And in case the said city clerk, or in his absence or sickness, his deputy, shall neglect or refuse to make the same, the person so offending, shall forfeit and pay a sum not exceeding five pounds.

Penalty for neglect of duty, by the clerk.

Prosecutions for offences committed to commence ten days after.

VIII. *And be it further ordained by the authority aforesaid,* That no person or persons shall be impeached, prosecuted or molested, for any offence before mentioned, in this ordinance, unless he, she or they be prosecuted for the same, within ten days after the offence is committed.

Repeal of former ordinance's No. 23, & 40.

IX. *And be it further ordained by the authority aforesaid,* That an ordinance, entitled; an ordinance for regulating the price and assize of bread, ratified in city council, the 28th day of April, 1785: also, an ordinance, entitled, an ordinance for regulating the price and assize of bread, and to repeal an ordinance, passed the 28th day of April, 1785, for regulating the price and assize of bread, be, and the same are hereby repealed.

TABLE OF ASSIZE.

Price of flour at Charleston, by the barrel, of 196lb. net, in dollars.	Profit to the Baker.	8d Loaf.			4d Loaf.		
		lb.	oz.	dwt	lb.	oz.	dwt
12 Dollars.	17/6	2	3	0	1	1	0
11 1-2	17/6	2	4	0	1	2	0
11	17/6	2	5	0	1	2	0
10 1-2	17/6	2	6	0	1	3	0
10	17/6	2	8	0	1	4	0
9 1-2	17/6	2	9	0	1	5	0
9	17/6	2	11	0	1	5	0
8 1-2	17/6	2	12	0	1	6	0
8	17/6	2	14	0	1	7	0
7 1-2	17/6	3	0	0	1	8	0
7	17/6	3	3	0	1	9	0
6 1-2	17/6	3	5	0	1	11	0
6	17/6	3	8	0	1	12	0
5 1-2	17/6	3	11	0	1	13	0
5	17/6	3	14	0	1	15	0
4 1-2	17/6	4	2	0	2	1	0
4	17/6	4	6	0	2	3	0
3 1-2	17/6	4	11	0	2	6	0
3	17/6	5	1	0	2	8	0

Ratified in City Council, this 17th day of December, in the year of our Lord, 1787.

STATE

STATE OF SOUTH-CAROLINA.

(No. 60.) AN ORDINANCE

*To define and ascertain the Duties of a Harbour-Master, for the Port of Charleston.**

I. BE *it ordained by the honorable the Intendant and Wardens, of Charleston. in City Council assembled, and it is hereby ordained by the authority of the same,* That the harbour-master of the port, shall keep an office at some convenient place. to be appointed by the city council, to which all persons having business with him, in the line of his duty, may at any time repair; and the said harbour-master shall have full power and authority, and he is hereby required, to order and direct the anchoring and mooring of all vessels coming into port, as also to fix their proper births; & upon application to order any such vessels to shift their births, & give place to others, as to him shall appear reasonable, taking care that no vessel be permitted to remain at anchor in the river, within the distance of fifty fathoms from the outermost vessel lying at any of the wharves; and that all vessels in ballast, light, or such as are taking in cargoes at any of the wharves, shall, if required, slack their fasts, and give an inside birth to a loaded vessel; provided the said loaded vessel, be not allowed a longer time than twelve days for the discharging of her cargo.

Harbour master to keep his office at a convenient place, &c

His duty, &c.

Rule of proximity to the wharf.

II. *And be it further ordained by the authority aforesaid,* That every master or commander of any ship or vessel, shall, within forty-eight hours after his arrival in the port of Charleston, repair to the harbour-master's office, and make report on oath or affirmation (as the case may be) of the date of arrival of his vessel from whence she came, of what description and name, with his own, mates and seamens names; also the the number & names of all passengers. or emigrants; all which the said harbour-master shall register in distinct columns, in a book to be kept for that purpose, & give a certified copy of his mates and seamens names to the said master or commander, who shall present the same to the city-treasurer, and pay the hospital fees, and the city and light-house tonnage (if ascertained) arising thereon. And every master or commander, refusing or neglecting to comply therewith, shall, on conviction thereof in the court of wardens, be liable to a fine, in any sum not exceeding ten pounds.

Duty of every capt. to repair to the har. mas. and make report, &c.

Penalty on capt for neglect 101

III. *And be it further ordained by the authority aforesaid,* That the said harbour-master shall, within ten days after the arrival of any ship or vessel in this port, go on board the same, and take an actual measurement of the tonage thereof; which measurement shall be made in the following manner (that is to say) every single decked ship or vessel, shall be measured by the length of the keel, taken within board so much as she treads upon the ground; and the breadth to be taken within board by the midship beam, from plank to plank; and the depth of the hold, from the plank below the kelson to the under part of the deck plank; then multiply the length by the breadth, and the product thereof by the depth, and divide the whole by ninety-five, and the quotient shall give the true contents of the tonnage of such single decked vessel; and for two decked ships, which carry goods between decks, every such two decked ships or vessels, shall be measured in the manner herein after directed (that is to say) the breadth to be taken within board, by the midship beam from plank to plank, multiplied by the length of the keel, to be measured as herein after directed, and the product thereof multiplied by one half of the breadth, on the midship beam as aforesaid,

Har. mas. to make measurement of every vessel, within 10 days after entry.

Rule for ascertaining the tonnage.

* Note. For the harbour-masters salary, vide No. 56. which also provides, that he be commissioned during good behaviour-

the

the whole divided by ninety-five, the quotient shall be, and is hereby declared to be the contents of the tonnage, of every such two decked ship or vessel. And in order to find the length of the keel, the length of every such two decked ship or vessel shall be taken on the gun-deck, from the forepart of the stern, to the after part of the stern-post, then deducting four inches from every foot of the height of the stern-post, for the rake thereof, and three-fifths of the breadth of the beam, for the rake of the stem, the remainder shall be the length of the keel strait rabbit; according to which method and rule, all ships and vessels shall be measured, and the several duties of tonnage thereby computed and collected accordingly; any law, custom, practice or usage, to the contrary notwithstanding. And the said harbour-master shall deliver two certificates of the tonnage, when so ascertained, to the master of such vessel, the one directed to the collector of the port, and the other to the city treasurer; which certificates, the said master or commander shall immediately present to the city treasurer, and pay the tonnage thereon; whereupon the city treasurer shall countersign the one directed to the collector, and return the same to the said master, and shall file and record the other in his office; and every master or commander, refusing or neglecting to present the said certificates, and pay the tonnage thereon, as before directed, shall, on conviction thereof before the court of wardens, forfeit and pay a sum not exceeding ten pounds.

Har. mas. to give 2 certificates, one for trea'r. & the other to collect'r

Refusing to present such certificates forfeit 10l.

IV. *And be it further ordained by the authority aforesaid*, That every master or owner of every decked schooner, sloop or other vessel, do register the same respectively in the harbour-master's office, within one month after such vessel or vessels have entered the coasting trade, a certificate whereof the said harbour-master shall give to the master or owner of such vessel, specifying that such vessel hath been registered as aforesaid; and thereupon the said master or owner shall produce such certificate to the city treasurer, and pay the tonnage of one shilling per ton thereon, which shall be in full for one year's tax of such coasting vessel, which said sum of one shilling per ton, shall continue to be paid annually, on or before the first day of January, in every year thereafter, and for so long a time as she shall continue in the coasting trade as aforesaid. And the said city treasurer shall endorse his receipt for the same, on the back of the certificate given by the said harbour-master.

Coasting vess'ls to be register'd & 1s per ton paid for tonnage for 1 year & from year to year.

Trea'r endorse his certificate.

V. *And be it further ordained by the authority aforesaid*, That the docks and channels in the harbour, shall be under the direction of the said harbour master, who is hereby authorised and required, to prevent any ballast or rubbish being thrown therein, and to take all such measures as to him shall appear necessary, to keep the same open and free from obstruction.

Har. mas. has superintend'e over docks and channels.

VI. *And be it further ordained by the authority aforesaid*, That on information upon oath, lodged with the said harbour-master, by any master or owner of any vessel, that he hath reason to believe any of his seamen, who had signed articles, and had not previously obtained a regular discharge, are employed or concealed on board any other vessel, the said harbour-master, by himself, or in case of sickness, by an assistant, to be approved of by the Intendant, shall make diligent search on board any vessel, where it is suspected any such seaman may be employed or concealed; and on apprehending any such seaman, shall return him or them to their proper vessel; and for every seaman so apprehended and returned as aforesaid, the harbour-master shall be entitled to receive from the master or owner, the sum of ten shillings. And in case the harbour-master shall, at the request of any master or owner, commit any seaman to the work-house, such master or owner, shall give security to the said harbour-master, for payment of the work-house fees; which security he shall assign over to the master of the work-house, as an indemnification for the charges thereby to be incurred; and upon his neglecting to render such security as aforesaid, he shall become answerable for the payment of fees. And the master of the work-house, immediately after the departure from the port, of the vessel to which such seaman belonged, shall give notice in writing to the security, or to the harbour-master, in case no such security shall have been assigned, and discharge such seaman from his custody.

How har. mas. to act, on complaint of the desertion, &c. of a seaman.

A seaman being committed at request of the master, security to be given. If left by vessel, security liable, and seaman discharg'd

VII.

VII. *And be it further ordained by the authority aforesaid,* That the harbour-master shall have a bell rung at the expiration of one hour after sun-set, every evening throughout the year, for the purpose of giving notice to all seamen, to repair on board their respective vessels.

A bell to be rung every evening.

VIII. *And be it further ordained by the authority aforesaid* That the said harbour-master shall, and may take all lawful ways and means, to prevent negroes, or other slaves being clandestinely or illegally carried away, in any ship or vessel from this port, and to secure them in the work-house, for the use of the owner, who shall pay a reward of twenty shillings sterling to the harbour-master, for every negro or other slave so secured as aforesaid. And the said harbour-master may call into his aid, the city constables or other peace officers, who are hereby required to assist them, in carrying into full execution, all the purposes intended by this ordinance.

Har. mas. to prevent negroes being carried off, &c. To receive 20s for every one he secures, &c.

IX. *And be it further ordained by the authority aforesaid,* That if any person or persons, shall molest, or attempt to obstruct the said harbour-master, in the execution of the duties of his office, all and every such person and persons shall, upon conviction in the court of wardens, be liable to be fined at the discretion of the said court, in any sum not exceeding ten pounds: and on non-payment thereof, shall be committed to the common gaol, there be confined for any space of time, not exceeding thirty days,

Person obstructing har. mas. in his duty forfeit 10l. &c.

X. *And be it further ordained by the authority aforesaid,* That the said harbour-master shall be amenable for all such losses, as shall arise through his neglect of duty; and upon his omitting to perform the respective duties, assigned him by this, or any other ordinance now in force, or hereafter to be ordained, he shall forfeit and pay for the use of this city, any sum not exceeding ten pounds, for each and every such offence.

Har. mas. amenable for all losses, sustain'd thro' his negligence. & forfeit 10l.

XI. *And be it further ordained by the authority aforesaid,* That the harbour-master shall take the following oath of office, and thereupon be commissioned by the Intendant, for the time being, during good behaviour—I, A. B. do solemnly swear or affirm, (as the case may be) that I will well and faithfully execute the office of harbour-master, for the port of Charleston, agreeable to the present, or any future ordinance for the regulation of the same, according to the best of my skill and ability.——SO HELP ME GOD.

Oath of office.

XII. *And be it ordained by the authority aforesaid,* That an ordinance, entitled, an ordinance for defining and ascertaining the duties of a harbour-master, for the port of Charleston, ratified in city council, the 1st day of October, 1783; also an ordinance, entitled, an ordinance, to amend an ordinance, entitled, an ordinance for defining and ascertaining the duties of harbour-master, for the port of Charleston, ratified in city council the 22d day of December, in the year of our Lord, 1785, be, and the same are hereby repealed.

Former ordinances repealed, vide No. 4. & 38.

Ratified in City Council, this 17th day of December, in the year of our Lord, 1787.

STATE OF SOUTH-CAROLINA.

(No. 61.) *AN ORDINANCE*

For raising and paying into the City Treasury, the Tax therein mentioned for the use and benefit of the City.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That every owner of any

Owner of lots &c. to pay 5s. for every 100l &c. and ½ per cent. on stock in trade.

any house or building, lot, wharf or other land, within the limits of Charleston, shall be, and they are hereby assessed, and made liable to pay to the city treasurer, five shillings for every hundred pounds, rateably and proportionably, according to the valuation made of such property, by the assessors and collectors of the general tax, for the year 1787, and one half per cent. on stock and trade, rateably in like manner; and if any owner of property as aforesaid, shall neglect or refuse to pay the assessments made as aforesaid, to the city treasurer, on or before the first Monday in May next, a warrant of distress shall be issued against any goods or chattels that may be found on the premises, and the same shall be seized and publicly sold, and so much deducted from the amount sales, as will be necessary to pay the assessment aforesaid, and also the costs and charges of such seizure and sale, paying the overplus to the person whose goods and chattels have been so seized; and if no goods or chattels can be found on the premises, then the city council may order such house, wharf, lot or other land, to be sold on a lease, for any term not exceeding five years, for the purpose of defraying the assessment and charges aforesaid.

If not paid, a warrant of distress may be issued, &c.

Tenant or occupant pays the tax, to deduct out of the rent

II. *And be it further ordained by the authority aforesaid,* That if any tenant or other occupant, of any house, lot, wharf, or other land. pay the assessment aforesaid. or shall have his goods, chattels or effects, seized and sold, for the payment of such assessment, such tenant or occupant may deduct the same from the rent, which shall or may become due thereon.

Tax of 2/4 on every negro & carriages.

Free coloured, to pay 2/4

on refusal, execution to issue.

III. *And be it further ordained by the authority aforesaid,* That every inhabitant within the limits of Charleston, shall, on or before the first Monday in May next, pay into the city treasury, the sum of two shillings and four-pence on each negro or other slave, within the city, and also two-shillings and four-pence, on every wheel of every riding carriage, except drays, carts and waggons. Also the sum of two shillings and four-pence on every free coloured person, who pay no other part of this tax, which have been returned by them. either in their own right, or in the right of any other person, to the collectors and assessors of the general tax, for the year 1787; and upon neglect or refusal thereof. an execution for the recovery of the same shall issue, against the goods and chattels, of the person or persons so neglecting or refusing.

Ratified in City Council, this thirteenth day of March, one thousand seven hundred and eighty-eight.

STATE OF SOUTH-CAROLINA.

(No. 62.) AN ORDINANCE

For appointing Commissioners for continuing and compleating East-bay street to Ashley river, and for securing the east part of White-point from the sea, and to authorize them to make a new assessment, for compleating the same; and to repeal an ordinance, entitled, an ordinance for continuing East-bay street to the southward of the city, and for the securing the east part of White-point from the sea, ratified in City Council, the 6th day of May, 1785.

Preamble,

I. WHEREAS the commissioners heretofore appointed by the city council, to make an assessment for compleating East-bay street, and for defraying the

expences

expences incident to the same, have not effected the purposes for which they were appointed; *Be it therefore ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That a street of the same width of the southern part of East-bay street, shall be continued through Granville's bastion, and from the present termination of the said street in a direction of south, seventeen degrees thirty minutes west, until it intersects with and terminates at the south east angle of the fort, late Wilkin's; and that a good and sufficient front of Palmetto and pine logs be made, for securing the said street from the sea, of the same width of that heretofore begun by the late commissioners, under the direction, inspection, and discretion of Richarge Savage, John Cox, Thomas Rivers, Hary Grant and William M'Kimmy, who are hereby declared to be commissioners for compleating the said work, and carrying the act of assembly relative to East-bay, and this ordinance into execution.

A street to be made from East bay street, thro' Granville's bastion to fort Wilkins, &c.

Comm's. appointed.

II. *And be it further ordained by the authority aforesaid,* That the said commissioners shall have full power, and they are hereby authorised and empowered, to contract and agree with proper persons for delivering on the spot, all such materials as may be necessary to complete the said work, and to contract and engage workmen and labourers, for finishing the same without delay.

Who may contract for materials, &c.

III. *And be it further ordained by the authority aforesaid,* That the said commissioners shall have power, and they are hereby authorised and required, to make out an assessment within six months from the passing of the act of assembly, passed the 29th day of February, 1788, for defraying the expences already incurred, and to be incurred by the making and compleating the said East-bay street, which assessment shall be made on the several owners and proprietors of lands hereafter mentioned, according to the width of their respective lots, at the following rates, in four different classes, viz. First class to consist of the owners of lands, from the wall of Mr. Sommers lot, at the corner of East-bay street, in a line to Ashley river—Second class, the owners of lots on Stoll's alley, that front on the canal or water street, leading from the flood gate that join the canal, or are washed by the tide—Third class, the owners of lots on the east side of Church street continued from Young's bridge, to the end of Broughton's battery, including those in Lynche's lane, who do not join the canal—Fourth class, the owners of lots on the west-side of Church-street continued, from Mr. Young's house, to the end of Broughton's battery, both inclusive, and that the rate of assessment be as follows, viz. The first class to pay at the rate of twenty shilings per foot—Second class, at the rate of twelve shillings per foot——Third class, at the rate of five shillings per foot—Fourth class, at the rate of four shillings per foot, and so in proportion, more or less, as the expences of completing the said work may require; which said assessments shall be paid into the hands of the city treasurer, in six months after the passing of this ordinance, for the sole purpose of defraying the expences incurred, and to be incurred by the compleating the said street. And the said commissioners are hereby required to lay before the city council, for their approbation, all contracts which they shall find necessary for them to enter into for compleating the same, and also all accounts for materials, workmen or labourers, contracted for, or employed for that purpose, audited and signed by the said commissioners, which accounts so audited, shall be paid by the city treasurer, out of the monies collected from the several persons assessed as aforesaid.

Comm's may make assessments, &c.

Classes fixed.

Assessments to be paid to city treasurer, &c.

Com's to lay their contracts before the city council, &c.

IV. *And be it further ordained by the authority aforesaid,* That the treasurer of the city shall retain in his hands, the sum of one hundred pounds, or such part thereof, as may appear to be due, which was advanced by the city council, on the first day of September, 1786 for the purpose of securing the barrier which was then nearly finished, out of the first monies which shall be paid into the treasury, upon such assessment; and that the treasurer do pay out of the monies coming into the treasury, from the assessment herein directed to be laid, to such persons as have paid any monies under the former assessments, and who are now exempted by the act of assembly lately passed, from paying any such assessment; also to repay to such persons as have paid

Money advanced by city council, to be retained by city treasurer.

and to pay such persons as have paid improperly, &c.

under any former assessmnets, more than the amount of their assessment under the last act of assembly, such surplusage as may appear to be due to them; provided such persons require the same.

Repeal of former ordinance No. 24.

V. *And be it further ordained by the authority aforesaid,* That an ordinance, entitled, an ordinance for continuing East-bay street to the southward of the city, and for securing the east part of White-point from the sea, ratified in city council, the 6th day of May, 1785, be, and the same is hereby repealed.

Ratified in City Council, this 14th day of April, in the year of our Lord, one thousand seven hundred and eighty-eight.

(No. 63.) AN ORDINANCE

For calling in the small Bills of Credit, emitted by the City Council, and for securing by Loan, such sum or sums of the Paper Medium, as may remain in the Hands of the City Treasurer unexchanged.

Preamble.

I. WHEREAS the present deposit of paper medium, is in great danger of being lost by accidents of fire, and also by other casualties, when the intention of such deposit would not only totally be frustrated, by having the fundamental secutity of the small bills of credit, emitted by the city council thus destroyed, but would be the means of charging the redemption of so capital a sum upon the citizens of Charleston: And it would be prudent in the council to provide against the possibility of such an event, and obtain a better security than the present precarious situation of the monies so deposited, by loaning out the same on a mortgage of landed property, and by registering the securities of the obligors to the city, for the repayment of the monies so loaned, but as the faith and credit of the city has been solemnly pledged, by the ordinances under which the small bills of credit were emitted, that the loan-office bills of the state, which were exchanged for the said small bills emitted by the city, should be held as a sacred deposit for the redemption of the said bills: for the preserving therefore of the faith of the city, *Be it therefore ordained by the honorable the Intendant & Wardens of Charleston, in City Council assembled, & it is hereby ordained by the authority of the same,* That the treasurer of the city shall, upon the application of any of the holders of the said small bills of credit, emitted by the city council, exchange the same for the paper medium, until the sixteenth day of August next ensuing, inclusive: And all persons possessed of any of the said small bills of credit, are thereby required to bring in the same, on or before the said sixteenth day of August to be exchanged as aforesaid.

Persons to bring in their small bills to be exchang'd.

and to be received in payment of duties &c.

II. *And be it further ordained by the authority aforesaid,* That the small bills of credit, which have been emitted by the city council, and which shall not have been brought in before the said sixteenth day of August, shall ever hereafter be received agreeable to the tenor thereof, in all debts, duties, taxes or rents, which are now due, or shall hereafter grow due to the city: And the city treasurer is hereby empowered and required, whenever he shall be called upon, to exchange any of the small bills of credit, for loan-office bills of this state, to exchange the same immediately, for the said loan office bills, whether the said small bills are mutilated or not. *Provided nevertheless,* That the treasurer shall exchange all the torn and mutilated bills, or parts of bills, according to the proportion and value thereof only.

To exchange them for loan-office bills, &c.

III.

III. *And be it further ordained by the authority aforesaid,* That the commissioners, with whom are now deposited the said loan-office bills, shall, immediately after the passing of this ordinance, pay to the city treasurer the monies deposited in their hands, in such sum or sums as he may require; and the receipts of the said treasurer shall be a full indemnification and release, to the commissioners heretofore appointed, to carry into effect an ordinance, entitled, an ordinance for the publishing of small bills of credit, ratified in city council, the 12th day of July, 1786; also, an ordinance, entitled, an ordinance for the further publishing of small bills of credit, ratified in city council, the 21st day of October, 1786.

Com's to pay the monies deposited in their hands, to the city treasurer, &c.

IV. *And be it further ordained by the authority aforesaid,* That the treasurer of the city shall, after having exchanged all such small bills of credit as shall be brought into him, on or before the 16th day of August next ensuing, reserve the further sum of one thousand pounds, to exchange any other small bills which may be hereafter brought in, on or before the 16th day of August, 1789, and shall then lend out the remaining sum or sums on a credit of five years, bearing interest from the date; and which he shall have received from the commissioners as aforesaid, to such person or persons as shall produce a certificate from the recorder, of his or her having given the securities required by this ordinance—which security shall be a mortgage of lands of three times the real value of such land, in which valuation the buildings on the land shall make no part. No person shall be permitted to take up any other sum than of the following denominations, viz. Two hundred pounds—one hundred and fifty pounds—one hundred pounds—or fifty pounds: and before such loan shall be made, every applicant shall take the following oath, before some one magistrate of this state, of which he shall produce a certificate to the commissioners, to be appointed as is herein after directed—I, A. B. do solemnly swear (or affirm, according to the form of my profession) in the presence of Almighty God, that the money now applied for by me on loan, is taken for my own particular use and behoof, and that I do not borrow this money for the use of any other person or persons whatsoever; and that the lands I now offer to mortgage, are bona fide my own, and that they have not been transferred or conveyed to me with any collusive intent whatsoever; and this I declare, without any equivocation or mental reservation. SO HELP ME GOD.

Treasurer to reserve 1000l to exchange small bills, to 16th August, 1789. and shall loan out the remainder to persons applying for the same, they producing a certificate from the recorder, &c.

Oath of the party applying

V. *And be it further ordained by the authority aforesaid,* That the capital sum so borrowed, shall be paid to the treasurer of the city, on the 18th day of August, which will be in the year of our Lord, 1793, and the interest thereon annually to the city treasurer; also on the 18th day of August, in each and every year, during the said term of five years: *Provided nevertheless,* That if the interest in arrear shall not be paid annually, and in every year, within three days after the day on which the same shall respectively become due, that the treasurer of the city, under the penalty of five hundred pounds, shall, on the subsequent day after the said three days of grace, lodge the bond of such defaulter with the recorder, who is hereby strictly enjoined and required to put the same into suit without delay, under the penalty of five hundred pounds, and proceed to recover such capital sum and the interest thereon, as speedily as possible.

Capital loaned to be paid in 5 years, & the interest annually

Proviso.

VI. *And be it further ordained by the authority aforesaid,* That the principal so recovered, shall be considered as part of the unloaned capital, and shall be lent out again on interest, for the remaining part of the said term of five years, by such persons as the city council shall appoint for that purpose: *Provided nevertheless,* that no person making default in payment of his interest as aforesaid, shall be permitted to borrow again any of the monies so directed to be reloaned.

Monies so recover'd to be reloaned, &c

VII. *And be it further ordained by the authority aforesaid,* That three commissioners to be appointed by the city council, or a majority of them, shall approve of the valuation of the property offered to be mortgaged, by the person applying for the loan of such

Com's to be appointed to judge of the security offered.

monies,

mode of judging in some measure pointed out.

monies, which shall be ascertained to the satisfaction of the commissioners; and in order more effectually to secure them from impositions, any person who shall apply to them for an examination of their titles, and for their approbation of the valuation of their land, shall produce a just and true account of the property proposed to be mortgaged, and a valuation of said property on oath, by three disinterested freeholders, and any other certificates which the said commissioners shall think proper to demand; and where the commissioners shall have reason to believe that the valuation of the land, made in the manner and form prescribed above, hath been improperly or untruly made and certified, the said commissioners shall have power to refuse the security, or to take the land for such valueonly as they may think the real & intrinsic value thereof: *Provided*, That the commissioners shall take no land as security, which is without the limits of the city, and they shall give a certificate of the following tenor, to the person applying for such monies——City of Charleston—This is to certify, that Mr. has produced titles to a certain lot of land, measuring feet in front, and feet in depth, and situate in street (or lane, as the case may be) and which appears to us to be free of all incumbrances whatsoever: and we estimate the valuation of the said land, at pounds.

No land taken that is without the limits of the city.

Form of certificate to be given.

To the Recorder of the city of Charleston. A. B. C. D. } Comm's.

Recorder to draw the bonds mortgages, &c & lodge them to be recorded and to give a certificate, &c.

And the recorder shall, immediately on the receipt of the certificate above recited, fill up the bonds, mortgages, and renunciations of dower, or inheritance, and lodge the said mortgages, as soon as executed, with the secretary of state, and deliver the said renunciations to the mortgagor of the property, to have the same executed as soon as possible; which renunciations on being returned to the recorder, shall be lodged immediately in the office of the clerk of common pleas: And the recorder shall deliver each person his bond and a certificate, of his having given the security required by this ordinance, which bond and certificate, and such other documents as shall be thought necessary for the person applying for the money, to produce to the treasurer, shall be sufficient vouchers for him to pay the said applicants the amount of the conditional sum of such bond. The commissioners to be appointed as aforesaid, shall, immediately on their appointment, enter into a bond jointly and severally, in the penal sum of one thousand five hundred pounds, and made payable to the city council of Charleston, for the use of the city: And the condition of the above obligation shall be as follows——The condition of the above obligation is such, that if the above bound, A. B—B. C.—C. D. appointed commissioners for examining into the validity of the titles of such persons, as shall make application to borrow the monies to be loaned out by the city council, and to make an estimate of the value of the lands offered to be mortgaged for said monies, shall well and truly execute the trust reposed in them, by virtue of, and according to the direction of an ordinance, entitled, an ordinance for calling in the small bills of credit, emitted by the city council, and for securing by loan such sum or sums of the paper medium, as may remain in the hands of the city treasurer unexchanged, passed the 21st day of July, 1788 then this obligation to be void, else to remain in full force and virtue: And the said commissioners shall be entitled to receive the sum of fifty pounds each, for their services therein.

On the certificate being produced, the treasurer to loan such money.

Com's to give bond, &c.

Com's to receive 50l. a piece.

2l per cent to be deducted from the money loan'd, &c

VIII. *And be it further ordained by the authority aforesaid*, That the treasurer of the city, shall take and deduct two per cent. from each and every hundred pounds, which he shall so pay on loan, which per centage shall be appropriated to the payment of the expences of the titles, and other charges attending the loaning out of the said monies.

Securities to be recorded in the proper offices, &c.

IX. *And be it further ordained by the authority aforesaid*, That a copy of the bonds and other securities so taken, for the monies loaned out, shall be lodged with the clerk of the city council, also a copy of the bonds with the secretary of state, and the mortgages with the register of mesne conveyance, for the district of Charleston, and renunciation of dower or inheritance, in the office of the clerk of common pleas; and that the original mortgages and renunciations of dower or inheritance, shall thereafter be lodged with the recorder, and the original bonds with the treasurer of the city.

X;

X. *And be it further ordained by the authority aforesaid*, That the commissioners shall and may call upon the recorder (who is hereby required to give them his assistance) for his advice, in any matter or thing relative to the validity of the titles, or with respect to what estates the mortgagors are respectively entitled to therein.

Recorder to give advice to the comm's.

XI. *And be it further ordained by the authority aforesaid*, That the interest which shall be due on the 18th day of August, 1789, shall be appropriated to the redeeming of the small bills of credit, which shall be brought in to the city treasurer, between the said 18th day of August, 1789, and the 18th day of August, 1790; and in like manner the interest which shall become due annually thereafter, shall be appropriated to the exchange of such small bills of credit, as shall be brought in to the treasurer of the city, within twelve months after the said interest shall respectively have become due as aforesaid.

Interest to be due on the 18th of Aug. 89, to redeem small bills, &c.

XII. *And be it further ordained by the authority aforesaid*, That if any of the commissioners to be appointed under this ordinance, for examining into the validity of the titles of persons applying for the money as aforesaid, and for approving of the valuation of the lands to be appraised as aforesaid, shall refuse or neglect to act, or shall die, or quit the city, before the 18th day of August, next ensuing, without having fulfilled what is required of them by this ordinance, that then, and in any such case, the city council shall immediately elect other commissioners to supply such vacancies, and fulfil the duties of such commission.

Com's refusing to act, &c. others to be chosen, &c.

XIII. *And be it further ordained by the authority aforesaid*, That the clerk of the city council shall, on the 24th instant, give notice in the several gazettes printed in the city, that the names of persons intending to apply for a loan of money, must be lodged with him on or before the 2d day of August next; and that on the 4th day of August, the commissioners to be appointed or elected, will proceed to draw out of a hat or box, each and every name of such persons as shall apply for a loan of the money; and the said commissioners shall, on Monday the 4th day of August, draw out of a hat or box as aforesaid, in the city hall, beginning at the hour of ten o'clock in the morning, and continuing until they draw the names of every applicant, out of the said hat or box; and the persons whose names shall be first drawn, shall be the persons to whom the monies shall be first loaned, provided they attend the commissioners in their turn, according to the number which they shall be drawn, on such day as the commissioners shall appoint to exhibit their titles, and the appraisement of their lands, and that such securities are approved of. *Provided also*, That if a sufficient number of persons shall not apply and give in their names, before the 2d day of August, as aforesaid, as borrowers of the said money, that then the commissioners shall examine the titles and certificates of any other person or persons who shall produce them, after the said 2d day of August, in the order for which they shall apply for the same, and give a certificate of their approbation of the appraisement of such land, as is above directed. And the monies so remaining shall be paid on loan, as far as the same will go to such applicants, after the second day of August next.

Com's give notice to those who intend to apply for loan.

To draw the names of applicants out of a box, &c.

Proviso.

XIV. *And be it further ordained by the authority aforesaid*. That no member of the city council, or any officer appointed by them, and who receives a salary from the city, shall be entitled to borrow any of the monies directed to be loaned out as aforesaid.

No member of council, &c. to borrow money now to be loaned.

XV. *And be it further ordained by the authority aforesaid*, That the ordinance, entitled, an ordinance for the publishing of small bills of credit, ratified the 12th day of July, one thousand seven hundred and eighty-six; and one other ordinance, entitled, an ordinance for the further publishing of small bills of credit, ratified the twenty-first day of October, one thousand seven hundred and eighty-six, be, and the same are hereby repealed.

Former ordinances repealed No. 36, & 41

Ratified in City Council, the twenty-first day of July, one thousand seven hundred and eighty-eight.

STATE OF SOUTH-CAROLINA.

(No. 64.) AN ORDINANCE

For granting Licences to Persons for keeping Billiard-Tables, Taverns, &c. or retailing any Spirituous Liquors, within the Parishes of St. Philip and St. Michael.

No person to keep tavern, &c. without licence, nor billiard table.

Penalty 50l.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That from and immediately after the passing of this ordinance, that if any person or persons within the limits of the city, not duly licenced agreeable to this ordinance, shall at any time presume to keep a billiard table, tavern, inn, ordinary, punch or ale-house, or retail any wine, brandy, rum, gin, beer, cyder, punch, or any spirituous liquor, or strong drink whatsoever, in any quantity less than three gallons, he, she or they, shall forfeit the sum of fifty pounds for every such offence, to be recovered in the court of wardens, by any person who shall sue for the same: one half whereof shall go to the person or persons so suing, and the other half to the use of the state.

Licences granted by the court of wardens.

II. *And be it further ordained by the authority aforesaid,* That all applications in future, for licences to keep billiard tables, or to retail spirituous liquors, and for keeping billiard tables within the parishes of St. Philip and St. Michael, shall be made to the court of wardens, who are hereby required and authorised to grant licences for keeping billiard tables, or retailing spirituous liquors, to persons applying therefor, and producing good recommendations of their character and behaviour, which licence shall remain in force for one year and no longer.

Persons obtaining licences to keep no more than 1 billiard table, tavern, &c.

III. *And be it further ordained by the authority aforesaid,* That no person who has obtained a licence, shall under the said licence keep more than one tavern, public house, billiard-table, or retail spirituous liquors in more places than one, under the penalty of fifty pounds, to be recovered before the court of wardens as aforesaid, nor in any other place than the one mentioned in such licence, without having given notice to the city treasurer of his or her removal, whereupon the city treasurer shall give the person applying another licence of the same tenor and date of the one which he last obtained, except with respect to the place where such applicant shall have removed to, and shall cancel and file the said licence so brought in to be exchanged.

Treasurer to attend the court of wardens, when they sit to grant licences, &c.

To make fair entries & lay them before the court of wardens &c.

IV. *And be it further ordained by the authority aforesaid,* That the treasurer do attend the court of wardens whenever they shall sit, for the purpose of granting of licences, and that he deliver licences signed by the members of the court, to persons applying for them, and who are approved of by the court of wardens, upon their respectively paying for a licence for a billiard table, twelve pounds ten shillings immediately, and giving three notes with security, which shall be approved of by the treasurer, for the balance payable in three, six, and nine months, from the day on which such licence shall be granted, and five pounds for a licence for retailing spirituous liquors as aforesaid, and giving a note with security, to be approved by the treasurer, payable in six months from the day on which such licence shall be granted; & the treasurer shall give a receipt for the same on the back of the licence, and make a fair and just entry in a book to be provided for that purpose, of the names of the persons to whom licences are granted and when, also of what sums and securities he shall have received for the licences so granted, and lay the same before the court of Wardens or city council, whenever required so to do. And the form of the said licence shall be as follows—

Form of licence

Treasurers Office, City of Charleston.

This is to certify, that A. B. hath given bond in this office for five hundred pounds with sufficient surety, for his due compliance with all the laws that now are, and

which

which shall be enacted, and be of force in this state, respecting taverns, punch-houses, and retailers of spirituous liquors and keeping of billiard-tables, as far as the same relate to the parishes of Saint Philip and Saint Michael; and also all the ordinances of the city relative to the same. Therefore the said A. B. is authorised to retail liquors, keep tavern or punch-house, in road, street or lane (as the case may be, and in no other place whatever) in Charleston—or keep a billiard-table, in street or lane, (as the case may be, and in no other place whatever) from this day of in the year of our Lord, one thousand seven hundred and eighty until the day of next ensuing.

Given under our hands, this day of Anno Domini

C. D.
E. F. } Wardens.
G. H.

V. *And be it further ordained by the authority aforesaid,* That an ordinance, entitled, an ordinance authorising the court of wardens to recover the penalty therein mentioned, from persons keeping billiard-tables, taverns, &c. or retailing spirituous liquors, ratified in city council, the 30th day of July, in the year of our Lord, 1787, be, and the same is hereby repealed. Former ordinance repealed, No. 52.

Ratified in City Council, the eighteenth day of August, one thousand seven hundred and eighty-eight.

STATE OF SOUTH-CAROLINA.

(No. 65.) AN ORDINANCE

For the preservation of the public Wells and Pumps, and also of the Trees in this City.

I WHEREAS a number of public wells and pumps, have been sunk and placed in this city, for the purpose of preventing and extinguishing fires, and divers persons have at considerable expence and trouble, planted a number of trees in front of their houses, ornamental to the city, and useful as a shade to the inhabitants thereof, but some ill-designed persons make a practice of injuring and destroying the same: for remedy whereof, *Be it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That if any person or persons shall hereafter wilfully break, injure or destroy any of the public pumps or wells, placed and sunk, or to be placed and sunk in this city, or destroy, injure or remove, any pump handle, pump box, or other geer belonging to any or either of the said pumps, or in anywise injure the said pumps or wells, or either of them, by throwing stones, filth or other rubbish into the same, he, she or they, for every such offence, shall forfeit and pay the sum of five pounds, to be recovered before the court of wardens; and in case any person or persons shall be convicted of the said offences, or either of them, and neglect or refuse to pay the penalty immediately, with costs, every such person shall be committed to the common gaol, there to remain until the said penalty and costs, and the charge of such detention, shall be fully paid and satisfied. And in case any slave shall commit any or either of the said offences, and be convicted thereof before any one of the wardens, he, she or they, shall suffer such corporal punishment not exceeding thirty nine lashes in one day, and repeated every day, not exceeding three times on the bare back, as the said

Preamble.

No person shall destroy the pumps or wells

Penalty 5l.

negroes offending, to be punished corporally.

warden

warden shall, in his discretion award, unless the owner of such slave shall redeem the punishment, by paying the said fine.

Persons destroying trees, &c. forfeit 3l.

II. *And be it also further ordained by the authority aforesaid,* That if any person or persons shall wilfully break down, destroy, injure or remove, any of the trees planted and growing, or which shall hereafter be planted and growing, on the edge of the pavement of the streets of the city, or any of the boxes encompassing the same, he, she or they, for every such offence, shall forfeit and pay the sum of three pounds, to be recovered before the court of Wardens in manner herein before directed; but in case it shall appear to the court of wardens, that the offender in any or either of the cases before mentioned, is not able, or in sufficient circumstances to raise and pay the fine hereby imposed, for the offence of which he shall be convicted, and costs, then and in such case the said offender shall suffer such imprisonment, as the court of wardens shall direct, not exceeding thirty days, and shall then be discharged on paying the fees due on such commitment, and the charges of imprisonment. And in case any slave shall commit any or either of the said last mentioned offences, and be convicted thereof before any one of the wardens, he or she, shall suffer such corporal punishment not exceeding thirty-nine lashes on the bare back, as the said warden shall in his discretion award, unless the owner of such slave shall redeem the punishment by paying the fine: the whole of all such fines so recovered, to be paid to the informer.

Insolvent offend to be confined 30 days.

negroes to be punished corporally.

Ratified in City Council, this twenty-eighth day of October, in the year of our Lord, one thousand seven hundred and eighty-eight.

STATE OF SOUTH-CAROLINA.

(No. 66.) AN ORDINANCE

For the more effectually preventing Goats and Swine from running at large in the City.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, & it is hereby ordained by the authority of the same,* That from and after the first day of December next, all goats and swine that shall thereafter be found running at large in the city, be, and they are hereby declared to be forfeited, and may be seized and secured, destroyed or killed, by any person or persons whatever, and applied to the use of such person or persons so seizing, securing, destroying, or killing the same, without any form of judicial proceeding, any law or ordinance to the contrary notwithstanding: Provided neve theless, that nothing in this ordinance contained, shall extend, or be construed to extend to persons, driving hogs or goats to market for sale.

Goats & swine going at large liable to forfeited, &c.

Proviso.

Ninth clause of a former ordinance repealed—No. 18.

II. *And be it further ordained by the authority aforesaid,* That the ninth clause of an ordinance,* entitled, an ordinance for repairing, cleansing, and keeping in good order the streets of Charleston, be, and the same is hereby repealed.

Ratified in City Council, this fourteenth day of November, one thousand seven hundred and eighty-eight.

* No. 18.

STATE

STATE OF SOUTH-CAROLINA.

(No. 67.) AN ORDINANCE

For raising and paying into the City Treasury, the Tax therein mentioned for the use and benefit of the City.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That every owner of any house or building, lot, wharf or other land, within the limits of Charleston, shall be, & they are hereby assessed, & made liable to pay to the city treasurer, five shillings for every hundred pounds, rateably and proportionably, according to the valuation made of such property, by the assessors and collectors of the general tax, for the year 1788, and one half per cent. on stock and trade, rateably in like manner; and if any owner of property as aforesaid, shall neglect or refuse to pay the assessments made as aforesaid, to the city treasurer, on or before the first Monday in May next, a warrant of distress shall be issued against any goods or chattels that may be found on the premises, and the same shall be seized and publicly sold, and so much deducted from the amount sales, as will be necessary to pay the assessment aforesaid, and also the costs and charges of such seizure and sale, paying the overplus to the person whose goods and chattels have been so seized; and if no goods or chattels can be found on the premises, then the city council may order such house, wharf, lot or other land, to be sold on a lease, for any term not exceeding five years, for the purpose of defraying the assessment and charges aforesaid.

Owner of lots &c to pay 5s. for every 100l &c. and ½ per cent. on stock in trade.

If not paid, a warrant of distress may be issued, &c.

II. *And be it further ordained by the authority aforesaid.* That if any tenant, or occupant, of any house, lot, wharf, or other land, pay the assessment aforesaid, or shall have his goods, chattels or effects, seized and sold, for the payment of such assessment, such tenant or occupant may deduct the same from the rent, which shall or may become due thereon.

Tenant or occupant pays the tax, to deduct out of the rent.

III. *And be it further ordained by the authority aforesaid,* That every inhabitant within the limits of Charleston, shall, on or before the first Monday in May next, pay into the city treasury, the sum of two shillings and four-pence on each negro or other slave, within the city, and also two-shillings and four-pence, on each wheel of every riding carriage, except drays, carts, and waggons, which have been returned by him, her, or them, either in his, her, or their own right, or in the right of any other person, to the collectors and assessors of the general tax, for the year 1788; and that each and every free coloured person inhabiting this city, and paying no other part of this tax, shall, on or before the first Monday in May next, pay a like tax of two shillings and four-pence into the city treasury: And upon neglect or refusal of any person or persons, to pay his, her, or their tax to the city treasurer, within the time prescribed by this ordinance, an execution shall be issued by the city treasurer, against the goods and chattels, of the person or persons so neglecting or refusing. And the same shall be seized and publicly sold, and so much deducted from the amount sales, as will be necessary to pay the tax due by such person or persons, and also the costs and charges of such seizure and sale, paying the overplus, if any, to the person or persons whose goods and chattels have been so seized.

Tax of 2/4 on every negro & each wheel of every riding carriage, &c.

Free coloured, to pay 2/4

On neglect or refusal, execution to issue.

IV. And whereas, there are a number of persons holding property in the city, who make returns of such property in the country; and others who return their personal property so indiscriminately to the general tax office, that it is impossible for the city treasurer to discover the property of such persons, so as to enable him to compel payment of the city tax, such persons are liable to pay. And there are many other per-

Preamble,

Inquirer & assessor to be appointed.

their duty.

sons who make no return to the general tax-office, and thereby entirely avoid payment of all taxes whatever; *be it therefore ordained by the authority aforesaid*, That an inquirer and assessor shall be appointed by the city council, whose office and duty it shall be, on or before the first day of March next, to enquire into and take an account on the oath of such persons, if residents in Charleston, of all the real estates, particularising the parts of the city wherein the lands are situated, and of the slaves and other taxable property of the inhabitants, and others of the aforesaid description, which they shall be possessed of, interested in, or intitled unto, in their own right, or in the right of any other person or persons whatsoever, liable to pay city tax. And the said inquirer and assessor is hereby directed and required to use all legal and proper methods of attaining a knowledge of the property of persons of the above descriptions, not resident in Charleston, liable to pay city tax; and after he has attained all the information he can expect, he shall make return of the property he has discovered liable to the payment of city tax, to the city treasurer, on or before the tenth day of March next, with an account of the value of the real estates he has so discovered. And thereupon the said inquirer and assessor, shall take the following oath before one of the wardens, to wit, " I, A. B. do swear, that the state or schedule I now render of the taxable property, of persons described in the fourth clause of the ordinance, entitled, an ordinance for raising and paying into the city treasury, the tax therein mentioned, for the use and benefit of the city, is just and true, according to the best of my skill and knowledge. SO HELP ME GOD.

Oath of inq'r and assessor. of performance

Oath of office.

V. *And be it further ordained by the authority aforesaid*, That the said inquirer and assessor, before he shall enter on the duties of his office, shall take the following oath, before one of the wardens, to wit, I, A. B. do solemnly swear, that I will to the best of my knowledge, skill and judgment, perform the duties of the office of inquirer and assessor for the city of Charleston, without any favor, partiality, interest, affection, malice or hatred whatever. SO HELP ME GOD.

A residence of 3 months as a house holder, liable to city tax, &c.

VI. And whereas, a difficulty may arise from the uncertainty of what residence in the city, makes personal property liable to payment of city tax; *be it ordained, and it is hereby ordained by the authority aforesaid*, That a residence of three months in a year in the city, as a housholder, shall be held and taken to be such a residence, as will constitute the person or persons so residing an inhabitant, and subject the personal property which such person or persons may have, hold, possess and enjoy in the city, for the said term of residence, to the payment of the tax imposed on like property by this ordinance, and the said inquirer and assessor shall govern himself accordingly in the execution of his office.

Property discovered, &c. liable to tax.

Powers vested in city officers

VII. *And be it further ordained by the authority aforesaid*, That the real and personal property, discovered by the said inquirer and assessor, shall be liable to a tax at the same rate, and in the same proportion, and subject to the same regulations and dispositions, as any property in the city, which has been regularly returned to the general tax-office. And the city officers are hereby vested with the same powers, and directed to pursue the same measures to secure the payment of the tax which may become due, for such property so discovered by the inquirer and assessor, as they are vested with, or directed to pursue in the securing and recovering of any other tax, under this ordinance.

On monies recovered, 10l. per cent.

VIII. *And be it further ordained by the authority aforesaid*, That the said inquirer and assessor, shall receive ten pounds per centum on all sums which shall be paid to the city treasurer, in consequence of any discoveries made or to be made, by the said inquirer and assessor, in the execution of his office, pursuant to this ordinance.

Ratified in City Council, this 22d day of January, one thousand seven hundred and eighty-nine.

STATE

STATE OF SOUTH-CAROLINA.

(*No.* 68.) *AN ORDINANCE*

To appoint and regulate Guagers of Liquors, Packers of Beef and Pork, Measurers of Fire-Wood and Lumber, and Weighers of Coal.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That the city council, within ten days after the passing of this ordinance, and in every subsequent year, when other officers are appointed by the council, shall appoint such and so many guagers of liquors, packers of beef and pork, measurers of fire-wood and lumber, and weighers of coal, within the said city as shall appear to be necessary, who shall in council, each take the following oath, according to their respective offices:—I. A. B. do swear, that I will well and truly serve in the office of and faithfully execute all the duties belonging to the same, without fear, favour, prejudice or partiality, according to the best of my skill and knowledge, and agreeable to law. SO HELP ME GOD.——And thereupon shall receive a licence from the Intendant, to act therein for one year, or until a new election take place, which licence is to be produced to any person demanding to see the same, under the penalty of forfeiting a sum not exceeding five pounds.

City council to appoint guagers, packers, &c.

Oath to be taken.

II. *And be it further ordained by the authority aforesaid,* That ten days after the publication of this ordinance, no person shall guage any liquors, pack any beef or pork, measure any fire-wood or lumber, or weigh any coal, except he be duly qualified as aforesaid, under the penalty of forfeiting a sum not exceeding ten pounds, for every such offence.

Persons not authorised to act, be fined 10l. for acting.

III. *And be it further ordained by the authority aforesaid,* That every licenced guager of liquors, shall plainly and distinctly mark with marking irons, on one of the heads of the cask by him guaged, the quantity such cask would contain in case the same were full, and the number or quantity of gallons out of, or deficient therein, at the time of guaging, together with the initials of the name of such licenced guager, on pain of forfeiting ten shillings for every neglect or omission therein.

Guager to mark on the head of every cask, &c.

IV. *And be it further ordained by the authority aforesaid,* That if any licenced guager, shall guage any liquor in any other manner than by Gunter's scale, or shall refuse or neglect to do such business when called upon, between sun-rising and sun-setting, or shall be guilty of any collusion or mal-practice, in order to deceive in the quantity, he shall on conviction, forfeit a sum not exceeding fifty pounds for every such offence.

To guage with Gunter's scale. Guager guilty of mal-practice, &c. be fin'd 50l

V. *And be it further ordained by the authority aforesaid,* That no casks of beef or pork shall be shipped from this port, but what shall have been re-packed by a packer appointed as aforesaid, and on which the said packer has put his brand, as fit for exportation, under the penalty of ten shillings for every cask so shipped.

Beef or pork to be repack'd before shipped, penalty 10s.

VI. *And be it further ordained by the authority aforesaid,* That no packer shall brand any cask of beef or pork, unless such cask do contain two hundred pounds weight of wholesome well cured meat, which shall be weighed by the packer, and well packed with salt and pickle: That the said meat shall not be cut or mangled, further than to take out kernals, or where the veins require it, and that there shall not be more than two heads in each cask of pork, but that no head or shank shall be packed in any bar-

Packer's duty; Cask to contain 200lb.

rel

Penalty.

rel of beef; and that every packer offending against this clause, shall forfeit the sum of one pound for every cask not packed as before directed.

Firewood to measure 4 feet in length.

To be corded & mea. by the measurer.

VII. *And be it further ordained by the authority aforesaid,* That each stick of fire-wood, which shall be landed for sale in Charleston, shall measure at least four feet in length, including half the scarf, and that all fire-wood so landed for sale, shall be closely and fairly corded up, before the same shall be sold and carried from the bridge, wharf, or other landing place; each cord to be eight feet in length, and four feet in breadth and height, and each half or quarter cord in proportion, the same to be measured and ascertained by a measurer appointed and licenced as aforesaid.

No crooked wood shall be put up, &c.

Penalty.

VIII. *And be it further ordained by the authority aforesaid,* That no crooked wood shall be stowed in or corded up with other wood, so as to prevent the measure herein established, to contain a full and just cord, but that all such crooked or other wood deficient in length as prescribed by this ordinance, may be sold as refuse or billet wood, the judgment of any one of the measurers in this case to be conclusive; and in case any person shall sell or cause to be sold, any fire-wood before the same shall have been corded up, viewed and approved of by a licenced measurer as aforesaid, he or she shall forfeit the full price of the wood so sold or carried off.

Coals to weigh 2240lbs to the ton.

Penalty.

IX. *And be it further ordained by the authority aforesaid.* That all coal imported for sale, be weighed by one of the said weighers, by standard scales and weights, to be provided and furnished by the seller before it is delivered to the purchaser, in the quantity of two thousand two hundred and forty pounds weight to a ton, under the penalty of forfeiting the full price thereof.

Boards & scantling to be measured, &c.

Penalty.

X. *And be it further ordained by the authority aforesaid,* That all scantling, boards, and other lumber, sold by measurement, landed in Charleston for sale or exportation, be measured by one or more of the said measurers, who shall mark the number or quantity of feet on each, and that no scantling, boards or other lumber, be sold or exported, except it be first measured and marked as aforesaid, under the penalty of forfeiting the same.

Fees allowed.

XI. *And be it further ordained by the authority aforesaid,* That the following fees shall be paid to the several officers hereby appointed, viz. To the guager, four-pence for each cask—To the packer, for packing and branding each cask of tar, four-pence, and each cask of turpentine and pitch, six-pence—For packing and weighing each cask of beef and pork, one shilling—To the measurer for each cord of wood, four-pence—For plank and boards, three shillings and six-pence per thousand—For scantling and ranging timber, measured side and edge, four shillings and eight-pence per thousand;—For mahogany, cedar, red-bay and cherry, superficial measure, four shillings and eight-pence per thousand; and live-oak timber, five shillings per hundred feet, solid measure—To the weigher for weighing each ton of coals, one shilling.

Fines, &c. for use of informer.

XII. *And be it further ordained by the authority aforesaid,* That all fines and forfeitures, imposed by this ordinance, shall be sued for and recovered in the court of wardens, and be applied to the use of the informer.

Repeals a former ordinance No. 31.

XIII. *And be it further ordained by the authority aforesaid,* That an ordinance, entitled, an ordinance to appoint and regulate guagers of liquors, packers of beef and pork, and measurers of fire-wood, coal and lumber, ratified the twenty-second day of December, in the year of our Lord, one thousand seven hundred and eighty-five, be, and the same is hereby repealed.

Ratified in City Council, this 24th day of February, in the year of our Lord, one thousand seven hundred and eighty-nine.

CITY

CITY OF CHARLESTON.

(No. 69.) AN ORDINANCE

For appointing Commissioners of the Streets, and defining their Powers, and for other Purposes therein mentioned.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, & it is hereby ordained by the authority of the same,* That nine commissioners of the streets (five of whom shall be a quorum) shall be elected by the city council, within three days after the passing of this ordinance, to continue in office till the last Monday in October next, on which day in every subsequent year, or if no council shall meet on that day, on the first meeting of the council thereafter, to continue in office for one year, which commissioners shall be obliged to meet at least the first Monday in every month, or oftener if necessary. And any person who being so elected, shall refuse to act, shall forfeit and pay the sum of ten pounds for such refusal, to be recovered in the court of wardens for the use of the corporation; provided no person shall be obliged to serve more than one year in seven.

Nine com's to be chosen annually by the city council.

Refusing to act forfeit 5l.

II. *And be it further ordained by the authority aforesaid,* That the said commissioners, or a majority of them, shall have full power and authority, and they are hereby authorised and empowered, to appoint a proper person to do and perform all the duties of a scavenger of the city, on such terms as they can agree for, and that the said scavenger shall be under the direction, power and authority of the said commissioners, who are hereby directed and required, to point out the duties of the said scavenger not herein particularly defined, and to give him such orders as may be necessary, to keep the streets, lanes and alleys in the city, in good, clean and sufficient order. And for the better and more fully carrying the intention of this ordinance into effect, the commissioners are hereby authorised & empowered, to call upon his honor the Intendant for the time being, quarterly, for any sum or sums that may be necessary, for defraying the expence of the scavenger's department, and he is hereby authorised to give such orders on the city treasurer, for that purpose, provided it does not exceed sixty-five pounds per quarter.

To contract with a person to do the duties of scavenger, &c.

And to call on the Intendant for monies, &c

III. *And be it further ordained by the authority aforesaid,* That the the said commissioners shall render their accounts to the city council annually, or oftener if required.

To render their accounts an'ly.

IV. *And be it further ordained by the authority aforesaid,* That &c. repealed by the last clause of No. 73.

V.* *And be it further ordained by the authority aforesaid,* That from and immediately after the passing of this ordinance, no person or persons shall lay or throw any filth, dirt or rubbish, in any street, lane, alley, common sewer, or public place within the city, but shall collect and keep the same in some convenient part of their respective houses or lots, in order to be removed by the scavenger; and if any person or persons shall lay or throw any dirt, filth or rubbish, in any street, lane, alley, common sewer, or public place aforesaid, he, she or they, so offending, on conviction before any one of the wardens, shall forfeit and pay the sum of ten shillings for every such offence, which fine shall go to the informer.

No person to throw any dirt, &c. in any of the streets, &c

Penalty 10s.

* So much of this 5th sect. as relates to the duty of scavenger, is repealed by the last clause of an ordinance, entitled, an ordinance, to amend an ordinance, for appointing commissioners of the streets, and defining their powers, and for other purposes therein mentioned, ratified the 27th of July, 1789, being No. 73.

The duty of the scavenger and his assistants, &c.

VI.* *And be it further ordained by the authority aforesaid,* That it shall be the duty of the scavenger, with proper and sufficient horses, carts, barrows and assistants, to go at least once in every week through every street, lane and alley, in each ward of the city, giving notice to the inhabitants, by ringing a bell in the streets, and knocking at every door or gate as he passes, and upon being required by any of the inhabitants, or their servants, shall take and carry away all such filth, dirt or rubbish so collected (except from necessary houses) together with all which shall be laid or thrown in the streets, lanes, alleys or public places, contrary to this ordinance, and deposit the same in any place the said commissioners shall direct. And if the scavenger shall refuse or neglect to perform his duty, as is herein before directed, he shall, on conviction thereof before the court of wardens, forfeit and pay the sum of forty shillings for every such offence: Provided that nothing in this ordinance contained, shall extend to persons building or repairing houses in the city, who shall have obtained permission from one of the wardens or commissioners of the streets, to inclose any adjacent place, and therein shall lodge the necessary materials, to remain for so long time as the warden or commissioner shall think necessary.

Penlty for neglect, 40s. for every offence.

Proviso.

Directions for persons building, &c.

VII. *And be it further ordained by the authority aforesaid,* That no owner or builder of any house in this city, shall be permitted to dig, or lay any foundation of any house or houses, or to erect any fence or wall, fronting upon any street, lane or alley, before he or they shall have called upon one of the commissioners, to view and see that such foundation, fence or wall, doth not encroach on the street, lane or alley, on which it fronts as aforesaid, and obtained his permission to proceed, who shall, if necessary, call in one or more of the commissioners to his aid, in determining the same. No person shall be permitted to advance the steps of any house, more than fifteen inches into the street, and no fixtures, annexations or projections of any kind, shall be made or erected to extend beyond the foundation of the houses on the streets, except stall boards, when store or shop windows are set open, to extend not more than fifteen inches; and except flat cellar doors, to extend not more than four feet, under a penalty of twenty pounds, for each and every such offence; and the commissioners are hereby authorised and directed to have the same removed, at the expence of the person or persons so offending.

No steps to be advanced more than 15 inches into the streets &c.

No drain to be kept above ground, in the streets. Penalty 10s.

VIII. *And be it further ordained by the authority aforesaid,* That no person or persons, shall hereafter be permitted to make, or keep up any drain or water course above ground, for conveying water from any house or lot into any of the streets, lanes or alleys of the city, under the penalty of ten shillings for every day the same shall continue, but it shall and may be lawful for the owner or proprietor of any lands, on any street, lane or alley, to make any private drain or water course under ground, from their houses or lands into any common drain or sewer, at their own expence.

Pavements to be repaired &c com's to contract for doing the same, &c.

IX. *And be it further ordained by the authority aforesaid,* That for the greater convenience and safety of foot passengers, wherever pavements have heretofore been made, and posts set up, or hereafter may be thought necessary by the city council, it shall and may be lawful for the commissioners, elected as aforesaid, to contract and agree with such person or persons as they may approve, for replacing or repairing such pavement, or for making such new pavement, and for setting up such posts as may be deemed expedient and necessary; and for defraying the expence of replacing, repairing or making such pavement, or setting up posts as aforesaid, the owners of lots, tenants, or other inhabitants, who shall be in possession of any lots or part of a lot, fronting any street, lane or alley, where such pavements shall be replaced, repaired or made, or posts set up, shall be, and they are hereby declared liable to pay such sum or sums of money, for such pavements and posts, as they shall be assessed by the city council, or the commissioners elected as aforesaid; and whenever the commissioners, with the approbation of the city council, shall deem it expedient and necessary to sink, clean or repair, any common sewer or drain, and shall give directions to the scavenger, or any

Owners of lots adjacent, &c to pay the expences, &c.

When necessary to sink, &c. any drain, the expences to be borne by the owners, &c.

* Vide sect. 3. of No. 73, wherein the duty of the scavenger is laid down—

other

other person for that purpose, the expences of the same shall be borne rateably and proportionably, by the owners or proprietors of lands benefited thereby, and the assessment shall be made by the commissioners, elected as aforesaid: And in case of any neglect or refusal, to pay the sum or sums, in either such case assessed as before directed, within one month after such assessment, and public notice given of the same, the court of wardens shall, and they are hereby required to issue a warrant or warrants of distress, for the sum or sums aforesaid—And thereupon seizure shall be made by the city sheriff, of any goods or chattels that may be found on the premises, and the same shall be publicly sold to the full amount of the assessment made as aforesaid, and also to defray the costs and charges attending such seizure and sale. And in case there shall be no goods or chattels to be found on the premisses, it shall and may be lawful for the city council, or the commissioners so elected as aforesaid, to order such premises to be sold on a lease, not exceeding five years, and from the amount of such sale to deduct the assessment or assessments respectively due, and the costs attending such seizure and sale, paying the overplus, if any should be, to the proprietor or proprietors of the premises so seized and sold as aforesaid. *Provided*, that nothing herein contained shall extend to any lands belonging to any religious society, in which case the expence of such pavements and posts, drains or sewers, shall be defrayed out of the city treasury.

In case of refusal to pay, how to proceed.

Proviso.

X. *And be it further ordained by the authority aforesaid*, That when any tenant or occupant of any lot, or part of a lot shall be assessed, and shall actually pay for the repairing, replacing or making any pavements, or setting up posts, or sinking any common drain or sewers as aforesaid, he, she or they, shall and may, and they or either of them are hereby authorised to deduct the same out of the rent, that shall or may become due for such land or lot, or part of a lot to the owner of the same, or to any person or persons whatsoever, from or under whom such tenant or occupant shall hold the same.

Where tenants pay the assessment, &c to deduct out of the rent.

XI. *And be it further ordained by the authority aforesaid*, That no person or persons shall fire any squibs, crackers or other fire-works, except at times of public rejoicing, and at such places as the Intendant for the time being, may permit by licence under his hand, nor burn any chips, shavings, or other combustible matter, in any of the streets, lanes, wharves, alleys or open lots in the city, nor fire any gun, pistol or other fire-arms, except on public occasions, within the limits of the city, under a penalty not exceeding forty shillings for every such offence.

No fire-works, &c. to be exhrted, except on public rejoicings.

Penalty 40s.

XII. *And be it further ordained by the authority aforesaid*, That if any person shall, after the publication hereof, lay any fire-wood, timber, bricks, or materials for building, goods, wares or merchandize, carriages, or any other matter or thing, for any longer space than two hours in the said streets, lanes or alleys, or extend their blinds or awnings beyond the pavement for foot passengers, so as to obstruct, hinder or prevent, the free and safe passage of any person or persons with any wheel carriage or otherwise, every person so offending, shall be subject to a fine of twenty shillings for every such offence, and also to a fine of ten shillings for every day such nuisance shall continue.

Timber, fire-wood, &c. not to lay a longer time than two hours in the street, &c.

Penalty.

XII. *And be it further ordained by the authority aforesaid*, That all the fines and penalties imposed by this ordinance, shall be sued for and recovered in the court of wardens, except where it is otherwise directed, and shall go and be disposed of, one half to the person or persons who shall sue for and prosecute the same to effect, and the other half to the use of the corporation; but if any offence for which a fine is hereby imposed, shall be committed by any negro or other slave, he, she or they, shall be whipped or punished at the discretion of the said court, according to the nature of the offence; unless the owner or proprietor of such slave shall pay the fine immediately.

How fines and penalties shall be sued for, and to whose use.

Negroes punished who shall transgress this ordinance.

XIV. *And be it further ordained by the authority aforesaid*, That an ordinance, entitled, an ordinance, for repairing, cleansing and keeping in good order the streets of

Repeals no. 18

Charleston,

Also sections 16, 17, 18, and 19, of No. 55

Charleston, ratified the seventeeth day of June, one thousand seven hundred and eighty-four. And the several clauses and things relative to the duty of the scavenger's department, which are contained in an ordinance, entitled, an ordinance for the regulating of the work-house and scavenger's department in the city —ratified the 30th day of October, one thousand seven hundred and eighty-seven, are, and the same are hereby repealed.

Ratified in City Council, this second day of April, in the year of our Lord, one thousand seven hundred and eighty-nine.

STATE OF SOUTH-CAROLINA.
CITY of CHARLESTON.

(No. 70.) AN ORDINANCE

To prevent the Danger from Dogs going at large within the City.

I. WHEREAS the going at large of mad dogs is dangerous to the citizens; and it is necessary to provide against such danger; *Be it therefore ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That from and immediately after the publication of this ordinance, all persons within the city shall keep their dogs confined within their yards or enclosures, and prevent their running at large; for and during seven months next after the passing this ordinance.

Persons to keep their dogs confined for seven months.

III. *And be it further ordained by the authority aforesaid,* That it shall and may be lawful for any person, to kill and destroy any dog or dogs, which shall or may be found going at large in any street, lane or alley, or other public or open place within the city, from and after the publication of this ordinance, for and during the term aforesaid; and all sheriffs, deputy and under sheriffs, city constables, and other city officers, are hereby required to enforce and put in execution this ordinance, and all persons who do any act in obedience and conformity thereto, shall be indemnified and saved harmless from the same.

Lawful to kill any dogs going at large.

Ratified in City Council, this twenty-fourth day of March, one thousand seven hundred and eighty-nine.

STATE OF SOUTH-CAROLINA.
CITY of CHARLESTON.

(No. 71.) AN ORDINANCE

For the better ordering and governing of Negroes and other Slaves, and of free Negroes, Mulattoes and Mustizoes, within the City of Charleston.

I.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That no negro or other slave (licenced fishermen excepted) shall presume on their own account, to buy, sell, trade, traffic, deal, barter, or use commerce for any goods, wares, provisions, grain or commodities, of any kind whatsoever, upon pain of forfeiting the same. *Provided always.* That if any goods which may be seized by virtue hereof, shall have come into possession of any slave by theft, finding or otherwise, without the knowledge, privity or consent of the person who has a property in, or the lawful custody of any such goods, all such goods shall be restored; such persons making oath to the effect, or in the words following viz. I, A. B. do solemnly swear, that I have a just and lawful right or title to certain goods seized and taken by C. D. out of the possession of a slave named E. and that I did not directly or indirectly, permit or suffer the said slave or any other slave whatsoever, to use, keep or employ the said goods, for the use, benefit or profit of any slave whatsoever, or to sell, barter or give away the same. SO HELP ME GOD.

Slaves (fishermen excepted) prohibited from dealing, buying, selling &c. on their own account.

Proviso.

II. *And be it further ordained by the authority aforesaid,* That no negro or other slave shall hereafter be permitted to sell any article or commodity whatsoever within this city, either on account of his or her owner, or on account of any other white person, without a written licence or ticket, particularly specifying the quality or kind of all such articles or commodities, as he, she or they shall be employed to sell, and signed by the owner or other white person, by whom he, she or they shall be employed; and every owner or other white person, who shall employ any negro or other slave, to sell any article or commodity whatsoever, without such a written ticket as aforesaid, shall forfeit all the articles or commodities so offered for sale.

Slaves prohibited from selling without licence, &c.

III. And whereas, the practice which has hitherto prevailed among negroes and others, employed in selling fruit and other articles, of taking seats and stations at the corners and in other parts of the streets of this city, as well from the space such persons occupy, as from the number of idle people they collect around them, does greatly impede and obstruct the free passage of the industrious citizen, *be it ordained by the authority aforesaid,* That no negro or other slave, or any person or persons whatsoever, shall hereafter take any seat or station, for the purpose of exposing to sale any article or commodity whatsoever, in any street, lane or alley, or in any public thorough fare, or on any of the wharves within this city, unless it shall be in open market, and under such regulations as are or shall be established by the commissioners of the markets for the time being, upon pain of forfeiting all such articles or commodities so exposed to sale: but nothing herein contained shall extend or be construed to extend to prevent the carrying any articles not prohibited by law, about the streets for sale.

Persons prohibited from taking stands in the streets, &c

IV. *And be it further ordained by the authority aforesaid,* That no slave shall be permitted to rent, hire or occupy any house, room, store or shop, within this city, on his or her own account; and any person who shall let or hire any house, room, store or shop, to any slave, every such person so offending, shall forfeit a sum not exceeding five pounds.

Slaves not permitted to rent or hire houses, &c.

V. *And be it further ordained by the authority aforesaid,* That no slave shall hereafter be permitted to own any boat or vessel whatsoever, except fishermen, who shall enter in the office of the commissioners of the markets, the dimensions of his or their boat or vessel, with the tackle appertaining thereto, the number of hands employed on board the same, with their names, and to whom belonging, upon which the commissioners shall give him a licence as a fisherman. And if any fisherman as aforesaid, shall presume to keep any boat or vessel, without first making the proper entry as aforesaid, on due information and proof thereof, he shall suffer such correction as the commissioners of the markets shall think proper to inflict, not exceeding thirty-nine lashes.

No slave to keep boats, fishermen excepted, and they to be entered in the office of the comm's of the markets, &c.

Slaves not permitted to work as mechanics in any shop, &c.

under penalty of 50l.

Proviso.

VI. *And be it further ordained by the authority aforesaid*, That no owner or other person, having the charge and government of negroes or other slaves, shall permit any such slave to carry on any mechanic or handicraft trade of themselves, in any shop or otherwise within this city, on pain of forfeiting five shillings for every day that any such slave shall carry on any such trade, nor shall any person whatsoever hereafter, put a negro or other slave apprentice, or otherwise to learn any mechanic or handicraft trade of another slave within this city, under the penalty of fifty pounds for every such offence. Provided nevertheless, That nothing herein contained shall extend, or be construed to extend, to hinder any mechanic or handicraft tradesman from teaching their own negroes or other slaves, the trades which they respectively exercise, upon condition that they have; and constantly employ one white apprentice or journeyman for every two negroes, or other slave they shall so teach and thenceforth employ.

No more than 7 slaves permitted to assemble together, except at funerals, &c.

Slaves so taken to be carried before two or more of the Wardens, &c.

VII. *And be it further ordained by the authority aforesaid*, That no male slaves, more than seven in number, shall at any time, except for the purpose of attending funerals, be permitted to assemble or meet together in the house of any free negro, mulatto or mustizoe, within the city, or in any of the streets, lanes, commons, or other public places thereof: And it shall and may be lawful for any of the city guard or watch, or any of the constables within this city, or for any one or more of the inhabitants thereof, to apprehend all or any such slaves who may be so assembled, exceeding seven in number, and for that purpose they are hereby empowered to enter into the house of any free negro, mulatto or mustizoe, where any such assembly may be held; and all and every slave or slaves so apprehended, shall be immediately carried before two or more of the city wardens, who are hereby authorised and empowered to inflict any punishment for the said offence, not extending to life or limb, as they shall in their discretion think proper; but if such slave or slaves shall be apprehended in the night time, he or they shall in that case be confined in the guard-house, until morning, and then delivered over to one of the city constables, to be dealt with as above directed.

Hours of mirth allowed, not later than 10 in summer and 9 in winter.

Persons who suffer it forfeit 40s.

VIII. *And be it further ordained by the authority aforesaid*, That no assemblies of negroes or other slaves, for the purpose of merriment or otherwise, in any house, out-house, or inclosure, of any person within this city, shall be permitted to continue later than ten o'clock at night, from the twentieth day of March to the twentieth day of September, or later than nine o'clock from the twentieth day of September to the twentieth day of March; and every owner or occupier of any house, out-house, or inclosure, within this city, who shall knowingly and wilfully suffer or permit any such assembly of negroes or other slaves as aforesaid, to continue later than the hours aforementioned, he, she, or they, shall, upon conviction thereof, for every such offence, forfeit the sum of forty shillings.

Owner, &c of any house suffering such assemblies later than aforesaid, &c. forfeit 10l

IX. *And be it further ordained by the authority aforesaid*, That if the owner or occupier of any house or inclosure, wherein such assembly of negroes or other slaves as aforesaid shall be continued later than the hours above-mentioned, shall, upon application from any of the wardens of the city, from the city-guard, or any of the watchmen or constables, refuse to disperse the same, or deny admittance to him or them, for the purpose of dispersing the same, he, she, or they, shall, upon conviction thereof, for every such offence, be subject to a fine not exceeding ten pounds.

Keepers of inns &c. not to sell to slaves without authority, under penalty of 20s for the first offence, & 40 for 2d &c.

X. *And be it further ordained by the authority aforesaid*, That if any keeper of a tavern or other house of entertainment, or any retailer of strong liquors, shall give, sell, utter or deliver to any slave, any beer, cyder, ale, rum, wine, brandy, or other strong liquors, or in any manner entertain the same without the licence or consent of the owner or other person who may have the care or government of such slave, every person so offending, shall forfeit the sum of twenty shillings for the first offence, and for the second offence forty shillings, and shall be bound in a recognizance in the sum of twenty pounds, with one or more sufficient sureties, not to offend in the like manner, and to be of good behaviour for one year, and for want of such sufficient

sureties,

sureties, shall be committed to the common gaol, without bail or mainprize, for any term not exceeding three months.

XI. *And be it further ordained by the authority aforesaid,* That no person or persons whatsoever, keeping a public or open shop in this city, for the purpose of vending goods, wares and merchandize, or retailing spirituous liquors, shall, on any pretence, employ or permit any negro or other slave to attend in such shop, for the purpose of disposing of any goods, wares, merchandize, or liquors, without some white person present; and every person offending or acting in violation thereof, shall, for every such offence, forfeit a sum not exceeding five pounds.

No negro to attend in any shop, to sell goods, without a white person being present, &c. Penalty.

XII. *And be it further ordained by the authority aforesaid,* That if any person shall turn away any aged, infirm, or lunatic slave under pretence of freedom, or shall enfranchise any such slave, who shall hereafter become a charge to the city, or shall die for want of relief, such offender shall be liable to the corporation for the expences which shall have accrued for the support, maintenance and cloathing of such infirm or lunatic person as aforesaid. And also for such monies as shall be expended on his or her burial, to be recovered by the commissioners of the poor before the court of wardens.

Persons turning away any slave, &c, and shall come on the city, such person chargeable for the same.

XIII. *And be it further ordained by the authority aforesaid,* That all fines and forfeitures, imposed or inflicted by this ordinance, shall be sued for and recovered in the court of wardens, the one half to the use of the corporation, and the other half to him or them who shall sue for and prosecute the same to effect.

How fines are to be disposed of.

XIV. *And be it further ordained by the authority aforesaid,* That an ordinance, entitled, an ordinance for the better ordering and governing of negroes and other slaves, and of free negroes, mulattoes and mustizoes, within the city of Charleston, ratified the 22d day of November, 1783; also an ordinance, entitled, an ordinance to amend an ordinance, for the better ordering and governing of negroes and other slaves, and of free negroes, mulattoes and mustizoes, within the city of Charleston, ratified the 26th day of July, 1786, be, and the same are hereby repealed. *Provided nevertheless,* That nothing herein contained shall extend or be construed to extend, to prevent the payment or recovery of monies due, and which may become due for badges, agreeably to the full intent and meaning of the said ordinances, until the 1st of January, in the year of our Lord, 1790.

Repealing clause repeals No. 12 & 37.

Provise.

Ratified in City Council, this 16th day of June, one thousand seven hundred and eighty-nine.

STATE

STATE OF SOUTH-CAROLINA.
CITY OF CHARLESTON.

(No. 72.) AN ORDINANCE

For appointing Commiſſioners, to Stamp or Print, and Sign the Sum of Four thouſand five hundred and twenty-five Pounds ſterling, in ſmall paper Bills of Credit, for facilitating the Exchange of ſuch of the paper Bills of credit, as were heretofore iſſued by the authority of the City Council, and are become obliterated and defaced.

Preamble.

WHEREAS the great inconveniencies and prejudice ariſing from the total want of ſmall money, to ſerve for change and marketing, and to accommodate the citizens in their mutual trade, traffic and intercourſe with each other, did heretofore induce the city council to emit, iſſue and publiſh, the ſum of ſeventeen thouſand pounds in paper bills of credit, adapted to the then preſſing emergencies. And whereas the far greater part of the bills ſo iſſued of the ſmaller and leſſer denominations, and part alſo of the larger and greater denominations, are ſo torn and worn, defaced and obliterated, as to be ſcarcely paſſable or diſtinguiſhable, and unleſs ſome remedy is ſoon applied, will prove greatly injurious and detrimental to the holders thereof, by ſtopping the circulation and currency of the ſame, and by that means deprive the inhabitants of this city of the great advantage and utility univerſally allowed to have accrued from the uſe and benefit of the ſaid ſmall paper bills of credit iſſued as aforeſaid. And whereas alſo, many of the inhabitants of the city, reſpectable as well for numbers as characters, have petitioned the honorable the Intendant and wardens in city council aſſembled, praying among other things to be relieved in the premiſes; therefore for effecting the good purpoſes prayed for, and for remedy of the evil complained of, and alſo for extending the benefits of a ſmall paper currency, by enlarging the proportion of the bills of the ſmaller denominations,

Nine comm's to be appointed to put this ordinance into effect.

I. *Be it ordained by the honorable the Intendant and Wardens in City Council aſſembled, and it is hereby ordained by the authority of the ſame,* That as ſoon as may be after the paſſing of this ordinance, nine perſons ſhall be elected by ballot in the city council, and which ſaid nine perſons having the greateſt number of votes, ſhall be, and they are hereby nominated, conſtituted and appointed commiſſioners, to put in execution and carry into effect, the ſeveral matters and things, powers and authorities herein after mentioned, appointed and required.

Comm's to ſtrike off 4525l in paper bills, &c.

II. *And be it further ordained by the authority aforeſaid,* That the ſaid commiſſioners, or any three or more of them, ſhall have power, and they are hereby authoriſed and required, to ſtamp or print, or ſtrike off the ſum of four thouſand five hundred and twenty-five pounds ſterling, in paper bills of credit, of ſuch paper and with ſuch devices, ſymbols, ſignatures, characters and marks of diſtinction, as they in their diſcretion and beſt judgement ſhall think moſt effectual to prevent and detect counterfeits, frauds and impoſitions, which ſaid bills ſhall be of the following denominations and numbers, that is to ſay, ſix thouſand bills of the denomination of two ſhillings and ſix-pence; ſix thouſand bills of the denominatiou of two ſhillings; ten thouſand bills of the denomination of one ſhilling and ſix-pence; ten thouſand bills of the denomination of one ſhilling and three-pence; twelve thouſand bills of the denomination of one ſhilling; twelve thouſand bills of the denomination of nine-pence; twelve

Denominations.

thouſand

thousand bills of the denomination of six-pence; twelve thousand bills of the denomination of four-pence; twelve thousand bills of the denomination of three-pence; and twelve thousand bills of the denomination of two-pence.

III. *And be it further ordained by the authority aforesaid,* That the bills, according to their respective denominations of one shilling and three-pence and upwards, shall be signed with the names, and in the hand writing of two of the said commissioners, and shall be of the form and tenor following, (that is to say) City of Charleston. No. shillings, "This bill shall be received in the city treasury in payment of all taxes, debts, duties, rents, and demands whatever due thereto, for the sum of exchangeable at the said treasury, agreeable to the city ordinances in that case made and provided, dated day of 1789 A. B.——C. D. And the bills under and of a less denomination than one shilling and three-pence, according to their respective denominations, shall be of the form and tenor following, and shall be signed with the name and in the hand writing of any one of the commissioners. City of Charleston—— No. pence—"This bill will be received in the city treasury, for in all payments whatever.— Dated the day of 1789. E. F.

Bills of 1/3 & upwards to be signed by two comm's.

Form of the bills.

Smaller denominations by 1 comm r.

Form.

IV. *And be it further ordained by the authority aforesaid,* That the said commissioners shall divide the work and duty herein required of them, in such equitable and just manner as they shall judge proper, so that two of them shall constantly attend the press at all times when any impressions of the said bills are making, and shall otherwise take all necessary precaution and care to prevent any impressions thereof being made in the absence of the said commissioners, or any other fraudulent, deceitful measures from being practised, that may have a tendency to encourage or assist the counterfeiting of any of the said bills, or encreasing the amount thereof beyond the sum limited and prescribed by this ordinance. And when the said commissioners have procured the full amount of the several denominations above mentioned, to be struck off and printed or stamped, then they shall, and are hereby required to destroy, derange, or otherwise obliterate the plates, press or instruments, by them used in and about the carrying on of the said work, in the doing of which five at the least of the said commissioners shall be present.

Comm's to divide the work, &c. and 2 of them to attend the press, &c.

Plates to be destroyed, when the full amo't. is struck off.

5 comm's to be present.

V. *And be it further ordained by the authority aforesaid,* That as a soon as a number of the said bills shall be perfected and completed, by being struck off, numbered and signed as by this ordinance is directed, that shall be equal to the sum or value of one hundred pounds, that then the said commissioners shall deposit such bills with the city treasurer for the time being, taking his receipt and discharge for the same. And the said commissioners shall continue that course and mode of proceeding until the whole amount of the bills hereby directed to be issued, shall be lodged in the city treasury: *Provided nevertheless,* That if it shall hereafter appear to the city council, that a less sum for the present will be sufficient to answer the purpose of exchanging the mutilated and defaced bills of credit, heretofore issued, and that there is no immediate occasion for emitting or issuing the whole amount of the sum, hereby directed to be struck off, that then and in such case, the city council may by their resolve, countermand the further signing and issuing of any more of the said paper bills by the commissioners, and limit and restrict them to any lesser sum or amount, according to the exigence of the case. And the said commissioners shall thereupon make up their accounts, and report a full state of their proceedings. And the bills which shall remain and be left in their hands, or the hands of any or either of them incomplete and unsigned, shall be produced in the city council, and an accurate account taken of the same, with the respective denominations thereof, and which said bills shall then be sealed up in parcels or packets, marked and numbered, and deposited in the hands of the Intendant for the time being, subject to the future directions of the city council, and to be perfected, completed and issued, for the purposes aforesaid, whenever occasions shall require the same, any thing herein contained to the contrary notwithstanding.

100l being compleated to be deposited with the city treasurer, &c.

Proviso.

City treaſurer to give notice of monies put into his hands & proceed to exchange the ſame, &c.

VI. *And be it further ordained by the authority aforeſaid*, That the city treaſurer ſhall, and he is hereby required and obliged, as often as any of the bills of credit iſſued in purſuance of this ordinance, ſhall be delivered into his hands by the commiſſioners as aforeſaid, to give public notice of the ſame, and forthwith to proceed to exchange the ſaid bills for ſuch of the old, torn, defaced and mutilated bills of the former emiſſions, as ſhall be brought into his office to be exchanged, and to and for no other purpoſe whatever, regard being had to the value thereof, according to the proportion and quantity ſuch bill or bills ſhall bear to the original and genuine form and denomination thereof. And the ſaid treaſurer ſhall mark in plain figures, eaſily to be perceived, the ſum or value allowed for each bill ſo exchanged as aforeſaid, to the intent that his accounts may the more readily be adjuſted by a committee, to be appointed for that purpoſe by the city council.

Bills ſo exch'd to be marked with figures the value thereof.

Committee of 3 to examine old bills exchang'd, & to have them burnt.

and to give the treaſurer receipts, &c.

VII. *And be it further ordained by the authority aforeſaid*, That once in every month, or oftener if neceſſary, a committee to be appointed for that purpoſe by the city council, ſhall count over and examine all the old, defaced, obliterated bills, that have been exchanged with the treaſurer, for the new bills iſſued in virtue hereof, and ſhall aſcertain with the ſaid treaſurer, from time to time, the value thereof, according to the ſeveral rates and allowances at which the ſame were exchanged, which being done, the ſaid committee, being not leſs than three in number, ſhall burn and conſume to aſhes all ſuch old, defaced, mutilated and worn paper bills ſo counted, examined and aſcertained; and ſhall give to the treaſurer a diſcharge for the amount thereof, under their hands, to the end that ſo much as the amount and value thereof, from time to time, may be ſet off and diſcounted from the receipts of the treaſurer, for the new paper bills put into his hands by the commiſſioners, in virtue of this ordinance.

Funds, &c. appropriated by former ordinances, pledged to redeem the preſent bills

Torn bills exchanged for ſtate medium.

VIII. *And be it further ordained by the authority aforeſaid*, That all funds and ſecurities, appropriated by former ordinances, for diſcharging, redeeming and ſinking any of the paper bills of credit, heretofore iſſued by authority of the city council, are alſo hereby pledged, aſſured and made liable, and applicable to the redeeming, exchanging, cancelling and ſinking of the paper bills of credit, to be iſſued in purſuance of the preſent ordinance; and if any perſon or perſons, having any of the old, torn, mutilated or defaced bills, are deſirous to have exchanged in the paper medium of the ſtate, the city treaſurer is hereby directed to exchange the ſame accordingly, out of any monies that ſhall come into his hands, appropriated by authority of the city council, to that ſpecial end and purpoſe.

Com's & trea'r take an oath.

Oath.

IX. *And be it further ordained by the authority aforeſaid*, That the commiſſioners to be elected in purſuance to the directions hereof, and the city treaſurer for the time being, before they proceed on the execution of their office, ſhall reſpectively take the following oath before the Intendant:—I, A. B. do ſolemnly ſwear, or affirm, in the preſence of Almighty God, that I will faithfully, uprightly and conſcientiouſly, perform the ſeveral duties required of me, and to the beſt of my power will give due effect and operation to the ordinance paſſed the 6th day of July, one thouſand ſeven hundred and eighty-nine. SO HELP ME GOD.

New bills taken in debts, duties, &c.

X. *And be it further ordained by the authority aforeſaid*, That the city treaſurer ſhall, and he is hereby authoriſed and required, to receive in payment of all debts, duties, taxes, rents, and demands whatever, due to the city, the bills of credit to be iſſued in purſuance to this ordinance, agreeable to the tenor thereof.

In caſe of death &c. city council to fill up the vacancy.

XI. *And be it further ordained by the authority aforeſaid*, That if any of the commiſſioners to be elected in purſuance of this ordinance, ſhall die, refuſe to act, or depart this city, before he or they ſhall have performed the duties required of him or them by this ordinance, in every ſuch caſe the city council ſhall immediately proceed to the election of another commiſſioner or commiſſioners, in the room of him or them ſo dying, refuſing to act, or departing the city, who ſhall have the ſame powers and au-

thorities,

thorities, and be subject to the same regulations as is given to, and required from the commissioners first chosen and appointed, for carrying this ordinance and the several matters and things therein contained, into execution.

*Ratified in City Council, this sixth day of July, one thousand seven hundred and and eighty-nine.**

* A small sum having been issued under and by virtue of this ordinance, the city council entered into a resolve, that it was unnecessary and improper to issue any more, and they directed the plates to be destroyed.

STATE OF SOUTH-CAROLINA.
CITY OF CHARLESTON.

(No. 73.) AN ORDINANCE

To amend an Ordinance, for appointing Commissioners of the Streets, and defining their powers, and for other purposes therein mentioned.

No person to throw any filth &c. into the streets, &c.

I. BE *it ordained by the honorable the Intendant and Wardens of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That from and immediately after the passing of this ordinance, no person or persons shall lay or throw any filth dirt, or other rubbish, in any street, lane, alley, common sewer, or public place within the city, except at such time and place, and in such manner as shall be directed by the commissioners of the streets, to have it the readier removed by the scavenger; and if any person or persons shall lay, or throw out of any house or yard, any filth, dirt or other rubbish, at any time, or in any place, contrary to this ordinance, he, she or they, so offending, on conviction thereof before any one of the wardens, shall forfeit and pay the sum of ten shillings for every such offence, which fine shall go to the informer.

Penalty 10s.

Shavings, &c. to be removed as com's shall direct.

II. *And be it further ordained by the authority aforesaid,* That all shavings or other light chips, which shall be made during the day, in any work-shop or inclosure, or at, or near any houses or out-houses, that are building or repairing, shall on every evening before the work is quitted be carefully gathered up, and carried to such place or places as any one of the commissioners shall direct; and every owner, tenant or occupant, of any work-shop, inclosure, house or out-house, or any other place where shavings or light chips are made within the city, who shall suffer them to remain for the space of one night, or who shall remove them into any street, lane, alley, or open lot, contrary to the direction of this ordinance, shall for every such offence forfeit and pay forty shillings, upon conviction before any one of the wardens, to be paid to the informer.

Suffering remain one night in work shops, &c. forfeit 40s

Duty of scavenger.

III. *And be it further ordained by the authority aforesaid,* That it shall be the duty of the scavenger, and his assistants, to go at least once a week through every street, lane or alley, in each ward of the city, to carry away and remove the filth, dirt or other rubbish, to such place or places as the said commissioners shall direct. And if the said scavenger shall refuse or neglect to perform his duty, as is herein before directed, he shall, on conviction thereof before the court of wardens, forfeit and pay the sum of forty shillings for every such offence.

Repealing clause.

IV. *And be it further ordained by the authority aforesaid,* That the fourth ordaining clause, and so much of the fifth ordaining clause, as relates to the duty of scavenger, of

of an ordinance for appointing commiſſioners of the ſtreets, and defining their powers, and for other purpoſes therein mentioned, paſſed the* 23d day of June, 1789, be, and the ſame are hereby repealed.

Ratified in City Council, this twenty-ſeventh day of July, in the year of our Lord, one thouſand ſeven hundred and eighty-nine.

* This is a miſtake—there is no ſuch ordinance—The ordinance intended and referred to, was ratified on the 2d of April, 1789, and is the No. 69.

STATE OF SOUTH-CAROLINA.
CITY OF CHARLESTON.

(No. 74.) AN ORDINANCE

To alter and amend an Ordinance, entitled, an Ordinance for regulating the Proceedings of the Court of Wardens, and for eſtabliſhing the Office of City Sheriff, ratified in City Council, on the fifteenth day of October, in the Year of our Lord, one thouſand ſeven hundred and eighty-ſeven.

Preamble.

WHEREAS the above-mentioned ordinance provides, that the plaintiff in all caſes upon ſuing out proceſs from the court of wardens, ſhall previouſly to his obtaining the ſame, pay to the clerk of the ſaid court the fees therein mentioned, (which fees go the uſe and benefit of the city) whereby it hath often happened, that poor and moneyleſs perſons (who are equally entitled to juſtice with the rich) could not obtain proceſs againſt thoſe who injured them, or if they did it was through the courteſey of the clerk, who has thereby become reſponſible to the corporation for the amount of ſuch fees, though he hath never received them, and never expects to receive them himſelf—for remedy whereof,—

Duty of the city clerk, on application of any perſon for a proceſs, &c.

I. *Be it ordained by the honorable the Intendant and Wardens of Charleſton, in City Council aſſembled, and it is hereby ordained by the authority of the ſame,* That from and after the paſſing of this ordinance, it ſhall be the duty of the clerk of the court of wardens, and he is hereby authoriſed and required, upon the application of any perſon or perſons whatever, to ſeal and iſſue to the city ſheriff ſuch proceſs as may be proper in commencing any ſuit or ſuits, whether the fees be paid or not; and the ſaid clerk, in his account with the corporation, ſhall not be chargeable with, or reſponſible for any more or other fees than he, after uſing due diligence, ſhall be able to receive from the plaintiff or to recover from the defendant. *Provided,* That nothing herein contained ſhall extend, or be conſtrued to extend to tranſient perſons (not at the time reſident within the city of Charleſton) but that ſuch perſons ſhall ſtill be liable to pay to the ſaid clerk the ordinary fees, on ſuing out proceſs according to the afore-mentioned ordinance, and that the clerk for ſuch fees ſhall be reſponſible to the corporation, as uſual.

Proviſo. Not to extend to tranſient perſons.

II. *And be it further ordained by the authority aforeſaid,* That the clerk in regiſtering or docketing the ſuits, by him hereafter to be commenced, ſhall in his regiſter or

docket,

docket, carefully set down under the name of each plaintiff, whether he be a transient person or a resident, to the intent that it may always appear from the said register or docket, for what fees the clerk is to be positively chargeable.

Persons names to be register'd whether transient or resident

And whereas the city sheriff hath no salary or appointment from the city, but derives his emoluments from the fees, payable on the service of process issuing out of the city court——And whereas it is reasonable he should he should be paid for his services,

III. *Be it therefore ordained by the authority aforesaid,* That from and after the passing of this ordinance, whenever process issuing from said court of wardens, for any sum exceeding twenty pounds old currency, shall be lodged in the sheriff's office of the city and by him duly served, the person or persons at whose suit such process shall or may have been issued and served as aforesaid, shall pay or cause to be paid unto the said sheriff. his legal fee or fees for the service of such process, the amount of which fee or fees shall be refunded to the plaintiff by the said sheriff. on recovery by him of the sum or sums sued for with the costs, or by the clerk of the said court, in case the debt or damages, and costs shall be recovered by him, before the issue of execution to the said sheriff. And the said clerk shall, and he is hereby authorised and required, to refuse to docket such suit or suits, unless the plaintiff or his agent, shall produce to him an acknowledgment from the said sheriff, that his legal fees as aforesaid, have been fully paid and satisfied. And whereas the act of the general assembly, extending the bounds of the gaol to such debtors as should give security for their remaining within the same, hath imposed additional duties on the sheriff, for which the law hath not provided any fee or reward adequate to the trouble, expence and loss of time, such additional duties have brought, and do continue to bring on the sheriff,—

Process issuing from court to be lodged with the city sheriff and by him served, &c. Fees to be paid on serving.

Clerk to be certain the fees are paid, &c.

Additional duties on the sheriff.

IV. *Be it therefore ordained by the authority aforesaid,* That from and after the passing of this ordinance, the sheriff of the city shall be allowed to receive and take, and he is hereby authorised to demand, receive, and take as a fee for drawing up the bond necessary to be taken on giving the gaol bounds to any debtor as aforesaid, and for performing the additional duties which the said act hath imposed on him as aforesaid, the sum of seven shillings and six-pence sterling, for each and every such bond, in lieu of all demands for said services.——And whereas it hath been customary for the clerk of the court of wardens, agreeably to the letter of the aforementioned ordinance, to issue executions as soon as the time prescribed by said ordinance had expired, without consulting the plaintiffs, or without their orders, whereby many honest debtors have been distressed, without the intention of their creditors to press the rigor of the law immediately to its extremity—*Be it therefore ordained by the authority aforesaid,* That from and after the passing of this ordinance, it shall and may be lawful for the clerk of the court of wardens, to stay the issue of all executions upon judgment obtained in said court, until demanded by the plaintiff or plaintiffs, his or their agent or agents, unless directed by him or them at the time of commencing suit, to issue the same without further notice.

Fee for the same.

Clerk to stay executions, &c

Ratified in City Council, this third day of August, one thousand seven hundred and eighty-nine.

STATE OF SOUTH-CAROLINA.
CITY OF CHARLESTON.

(No. 75.) AN ORDINANCE

More effectually to prevent the keeping of Billiard-Tables, within the Parishes of Saint Philip and Saint Michael, Charleston, without a Licence.

I. BE *it ordained by the honorable the Intendant and Wardens, of Charleston, in City Council assembled, and it is hereby ordained by the authority of the same,* That from

No person to keep a billiard table without a licence.

Liable to a fine

and immediately after the passing of this ordinance, if any person or persons shall set up, or keep set up, any billiard table or tables, within his, her or their house, out-house, apartments or places whatsoever, within the parishes of Saint Philip or Saint Michael, without having first obtained a licence so to do, every such billiard table or tables so kept, together with all the balls, maces and ques thereto belonging, are hereby declared to be forfeited; and the person or persons to whom the same shall belong, shall be liable also to pay the fine imposed on him, her or them, as directed by the law, respecting the keeping of billiard-tables, notwithstanding the said seizure.

Suspected places liable to searched, &c.

Penalty.

II. *And be it further ordained by the authority aforesaid,* That whenever the wardens of the city, or any one of them, shall have good reason to believe that there are any billiard table or tables, kept in manner as above-mentioned, within the said parishes, they, or any three of them, are hereby empowered and required to take with them the city sheriff, or any one of his deputies, and proceed to all such suspected places, and if they shall find or see any billiard table or tables as aforesaid, and the person or persons, with whom such shall be found, shall not immediately produce a a legal licence for the same, then the said wardens shall direct the said sheriff or his deputy, to take into his possession all such table or tables, together with all the maces, balls and ques, thereto belonging, and them safely keep, until they shall be disposed of in manner as is herein after directed.

Sheriff when required by wardens, to go and seize, &c.

And to advertise and sell the same.

III. *And be it further ordained by the authority aforesaid,* That the city sheriff, or his deputy, whenever required, shall go with the wardens aforesaid, and shall seize and take away in his possession all such billiard-tables, as he shall be by the said wardens directed, and immediately after the seizure shall advertise the same for sale in the city gazette, specifying the cause of such seizure and sale, and within ten days thereafter shall sell the same at public out-cry, and after deducting all such costs and charges as shall be approved of by the wardens, he shall pay the overplus, if any, into the city treasury, for the use of the corporation.

Any person opposing such search, & convicted, forfeit 50l. &c.

IV. *And be it further ordained by the authority aforesaid,* That if any person or persons shall refuse or oppose such search, by the wardens aforesaid, or shall oppose the sheriff or any person acting under him, in seizing and carrying away the above mentioned table or tables, and other appurtenances directed to be seized, every such person or persons shall, for every such offence on conviction thereof in the court of wardens, forfeit the sum of fifty pounds, together with the costs of suit; and if the same is not paid within ten days after judgment, every such person or persons so convicted, shall be committed to the common gaol, there to be confined for three months, or until such fine and costs shall be paid, which fine or fines shall be paid into the city treasury for the use of the corporation.

Ratified in City Council, this thirteenth day of August, one thousand seven hundred and eighty-nine.

REGULATIONS

ESTABLISHED BY THE

CITY COUNCIL,

FOR THE GOOD GOVERNMENT OF THE POOR-HOUSE OF CHARLESTON,

AND THE PERSONS RESIDING THEREIN.

REGULATION I.

THE Commiſſioners of the poor for the time being, ſhall be veſted with the power of admitting perſons into the poor houſe, ſubject always to the controul of the city council.

II.

A married man and his wife, of fair characters, ſhall be appointed by the city council to reſide in the poor houſe, and have the immediate charge and government thereof, who ſhall be called and known by the name of the Warden and Matron of the poor houſe, and ſhall execute all ſuch directions reſpecting the poor under their care, as they may from time to time receive from the city council or commiſſioners of the poor, and ſhall be allowed a ſalary of ſixty pounds per annum, for the faithful diſcharge of their duty.

III.

The victuals ſhall be cooked in the kitchen of the poor-houſe, and ſerved up on one common table in the hall, at which they ſhall all eat together, in preſence of the warden or matron of the houſe; one of whom ſhall always attend for the purpoſe of maintaining order.

IV.

Proper care ſhall be taken of the ſick or infirm, who cannot come to the family table: they ſhall be nurſed and attended in their own room, by ſome one of the community within the houſe, to be appointed by the warden for that purpoſe.

V.

The commiſſioners of the poor, under the direction of the city council, ſhall provide a decent, uniform cloathing for the poor; and the warden and matron ſhall be careful that no part of it be at any time ſold or bartered away for liquor or other articles; and for every ſuch offence, the perſon offending ſhall be puniſhed by confinement, or in any other manner the commiſſioners may think proper to direct.

VI.

The diſtribution of the cloathing, and all other articles wherewith the poor ſhall at any time be ſupplied by the commiſſioners, or otherwiſe, ſhall be made in the poor houſe, and in no other place.

VII.

None but the warden and matron, with their children, and ſuch perſons as have been regularly admitted, ſhall at any time be permitted to remain in the poor houſe.

VIII.

The commiſſioners ſhall direct ſome daily work, in which the poor ſhall be employed together in one part of the houſe appropriated to that purpoſe, from which no one ſhall be exempted, except the ſick, and ſuch as ſhall be engaged in any neceſſary work of the family. The warden and matron ſhall ſuperintend the work, and execute ſuch orders relative thereto, as they may receive from the commiſſioners. If any perſon ſhall refuſe or neglect the work alloted them, or ſhall at any time abſent themſelves from the poor houſe, without the leave of the warden or matron, for every ſuch offence the perſon ſo offending ſhall be puniſhed by confinement, or in any other manner the commiſſioners may think proper to direct.

IX.

The profits ariſing from ſuch work, ſhall be applied by the commiſſioners towards defraying the expences of the poor, and regular accounts of the proceeds and expenditures thereof, ſhall be ſtated in their quarterly returns.

X.

A garden for the uſe of the poor, ſhall be maintained and cultivated by the family, and the warden and matron ſhall be very attentive to keep clean and in order the poor houſe and all its appendages.

XI.

On every Sabbath day, all who are in health and able to attend, ſhall be ordered to church, under the care of the warden or matron, or ſuch other diſcreet perſon as they may appoint, and to return immediately after the ſervice ſhall be over, and application ſhall be made by the warden or matron whenever deſired by any ſick perſon, for the aſſiſtance of a miniſter to attend them in the poor houſe.

XII.

A phyſician of character and reputation for humanity, ſhall be procured by the city council to attend and viſit the poor houſe and the poor, as often as occaſion ſhall require.

XIII.

The commiſſioners ſhall place the children, of both ſexes, under the tuition of ſome proper perſon, to be taught reading, writing, and common arithmetic; and, at proper ages ſhall bind them out to maſters and miſtreſſes of ſober and honeſt reputation, a ſufficient length of time to learn ſome uſeful trade or profeſſion.

XIV.

In order to carry the more ſtrictly and punctually into effect, the good intention of the benevolent and humane, who may be diſpoſed to contribute to the relief of the poor, by donation, legacy or otherwiſe, and to encourage and promote ſuch laudable and pious purpoſes, there ſhall be a ſeparate purſeor fund for the poor, diſtinct from the city treaſury, under the immediate direction of the council; and the treaſurer ſhall keep a ſeparate and exact account of all the receipts, and expenditures thereof.

TITLES

TITLES of the Ordinances ratified by the City Council, from the Incorporation of the City, to the ~~*twenty-fourth*~~ *Thirtieth day of* ~~*October*~~ *August*, 1789.

Whole number of Ordinances.	Number of Ordinances of force.	
No.	No	A N ordinance for impoſing a duty of three-pence per ton, on veſſels making entry at the Cuſtom-houſe of Charleſton, in the ſtate of South-Carolina.
1	1	
2	2	An ordinance to reſtrain the exhibition of theatrical entertainments, within the city of Charleſton.
3	3	An ordinance to prevent the killing of cattle, within the city of Charleſton.
4		An ordinance for defining and aſcertaining the duties of a Harbour-Maſter, for the port of Charleſton.
5	4	An ordinance for governing mariners and ſeamen, within the city of Charleſton.
6	5	An ordinance for appointing conſtables in the ſeveral wards of the city of Charleſton,
7		An ordinance to continue the preſent fire-maſters, commiſſioners of the ſtreets, and commiſſioners of the markets, and work-houſe, for the term therein mentioned.
8		An ordinance for eſtabliſhing and regulating a nightly guard and watch, in Charleſton.
9	6	An ordinance for the preſervation of the lamps of this city.
10	7	An ordinance to prohibit hawking and pedling within the city of Charleſton.
11	8	An ordinance for the better obſervance of the Lord's day, commonly called Sunday, and to prevent diſturbances at any place of public worſhip, within the city of Charleſton.
12		An ordinance for the better ordering and governing of negroes, and other ſlaves. and of free negroes, Mulattoes and Muſtizoes, within the city of Charleſton.
13		An ordinance for the better regulating the pilotage of the Bar and Harbour of Charleſton.
14		An ordinance for eſtabliſhing and regulating the proceedings in the ſummary juriſdiction of the court of wardens.
15	9	An ordinance for regulating the ſale of goods, wares and merchandize by public auction, in this city.
16	10	An ordinance for appointing commiſſioners of the poor in the city of Charleſton
17	11	An ordinance for regulating funerals, within the city of Charleſton.
18		An ordinance for repairing, cleanſing, and keeping in good order the ſtreets of Charleſton.
19		An additional ordinance, to the ordinance for appointing conſtables in the ſeveral wards, of the city of Charleſton.
20		An ordinance for raiſing and paying into the public treaſury, the tax therein mentioned, for the uſe and benefit of the city.
21	12	An ordinance for regulating carts, drays and waggons, within this city.
22	13	An ordinance to alter and amend an ordinance, entitled, " an ordinance for regulating carts, drays, and waggons, within this city," paſſed the twenty-ninth day of July in the preſent year.
23		An ordinance for regulating the price and aſſize of bread.
24		An ordinance for continuing Eaſt-bay ſtreet, to the ſouthward of the city, and for

No.	No.	
		for ſecuring the eaſt part of White-point from the ſea.
25		An ordinance for raiſing and paying into the city treaſury, the tax therein mentioned for the uſe and benefit of the city.
26		An ordinance for the better ſecurity of Charleſton, from the accident of fire.
27		An ordinance to alter and amend an ordinance, entitled, an ordinance for governing ſeamen within the city of Charleſton.
28	14	An ordinance to ſuppreſs E O tables, within the city of Charleſton.
29	15	An ordinance for removing & preventing nuiſances, within the city of Charleſton.
30	16	An ordinance for the more effectual preventing of perſons from galloping on horſe-back, or driving carriages improperly, through the ſtreets of Charleſton.
31		An ordinance to appoint and regulate guagers of liquors, packers of beef and pork, and meaſurers of fire-wood, coal and lumber.
32	17	An ordinance to repeal an ordinance, entitled, an ordinance to alter and amend an ordinance, for governing mariners and ſeamen within the city of Charleſton; and alſo, to alter and amend an ordinance for eſtabliſhing and regulating a nightly guard and watch, in Charleſton.
33		An ordinance to amend an ordinance, entitled, an ordinance for defining and aſcertaining the duties of harbour-maſter, for the port of Charleſton.
34		An ordinance for raiſing and paying into the city treaſury, the tax therein mentioned, for the uſe and benefit of the city.
35	18	An ordinance to prevent the landing of naval ſtores on any of the wharves in Charleſton, except ſuch as are therein mentioned.
36		An ordinance for the publiſhing of ſmall bills of credit.
37		An ordinance to amend an ordinance, for the better ordering and governing of negroes and other ſlaves, and of free negroes, Mulattoes and Muſtizoes, within the city of Charleſton.
38	19	An ordinance for the regulating and governing of the public markets of the city of Charleſton.
39		An ordinance for the regulation of the work-houſe in Charleſton.
40		An ordinance for regulating the price and aſſize of bread, and to repeal an ordinance, paſſed the 28th day of April, 1785, for regulating the price and aſſize of bread.
41		An ordinance for the further publiſhing of ſmall bills of credit.
42		An ordinance to define certain duties of office, and to fix the ſalaries of the ſeveral public officers of the city of Charleſton.
43		An ordinance for eſtabliſhing and regulating a nightly guard and watch, in Charleſton, and to repeal an ordinance, entitled, an ordinance for eſtabliſhing and regulating a nightly guard and watch, ratified in city council, the 14th day of October, 1783, and an ordinance, entitled, an ordinance to alter and amend an ordinance, for governing ſeamen, within the city of Charleſton, paſſed the 22d day of Auguſt, 1785.
44	20	An ordinance, directing how the commiſſioners, appointed by the city council for different purpoſes, ſhall proceed upon perſons not paying the fines and forfeitures, inflicted by the commiſſioners as aforeſaid.
45	21	An ordinance for appointing commiſſioners, for regulating the pilotage of the Bar and harbour of the port of Charleſton.
46	22	An ordinance for preventing as much as may be, accidents which may happen by fire in Charleſton, for preſerving the fire engines in the ſaid city, and for rendering the ſame as uſeful as may be, in caſe of fire, and for other purpoſes therein mentioned.
47		An ordinance for raiſing and paying into the city treaſury, the tax therein mentioned, for the uſe and benefit of the city.
48	23	An ordinance for the appointing commiſſioners to ſuperintend the Marine hoſpital, eſtabliſhed in this city.
49	24	An ordinance to amend an ordinance, entitled, an ordinance for the appointing commiſſioners to ſuperintend the Marine hoſpital eſtabliſhed in this city.
50		An ordinance for repealing the ſecond clauſe of an ordinance, entitled, an ordinance for repairing, cleanſing, and keeping in good order the ſtreets of Charleſton, and for other purpoſes therein mentioned.
51	25	An ordinance to allow a further time to bread-bakers, ſoap-boilers, and tallow chandlers, and to increaſe the number of ſtills in each diſtillery, and for other purpoſes therein mentioned.

No.

No.	No.	
52		An ordinance, authorifing the court of wardens to recover the penalty therein mentioned, from perfons keeping billiard-tables, taverns, &c. or retailing fpirituous liquors, &c.
53	26	An ordinance for regulating the proceedings of the court of wardens, and for eftablifhing the office of city fheriff.
54	27	An ordinance for eftablifhing a nightly guard and watch in Charlefton, and to repeal all other ordinances relative thereto, and alfo an ordinance, entitled, an ordinance, to alter and amend an ordinance, entitled an ordinance, for governing feamen within the city of Charlefton, paffed the 22d day of Auguft, 1785.
55	28	An ordinance for the regulation of the work-houfe and fcavenger's department, in the city of Charlefton.
56	29	An ordinance to define certain duties of office, and to fix the falaries of the feveral public officers of the city of Charlefton, and to repeal an ordinance, entitled, an ordinance to define certain duties of office, and to fix the falaries of the feveral public officers of the city of Charlefton, ratified in city council, the 21ft day of October, 1786.
57	30	An ardinance appropriating all fines, penalties and forfeitures, impofed by the city ordinances.
58	31	An ordinance to prohibit the frequent beating of drums, in the city of Charlefton,
59	32	An ordinance for regulating the price and affize of bread.
60	33	An ordinance to define and afcertain the duties of a harbour-mafter, for the port of Charlefton.
61	34	An ordinance for raifing and paying into the city treafury, the tax therein mentioned, for the ufe and benefit of the city.
62	35	An ordinance for appointing commiffioners for continuing and compleating Eaft-bay ftreet to Afhley river, and for fecuring the eaft part of White point from the fea, and to authorife them to make a new affeffment for compleating the fame, and to repeal an ordinance, entitled, an ordinance for continuing Eaft bay ftreet to the fouthward of the city, and for the fecuring the Eaft part of White-point from the fea, ratified in city council, the 6th day of May, 1785.
63	36	An ordinance for calling in the fmall bills of credit, emitted by the city council, and for fecuring by loan fuch fum or fums of the paper medium, as may remain in the hands of the city treafurer unexchanged.
64	37	An ordinance for granting licences to perfons for keeping billiard tables, taverns, &c. or retailing any fpirituous liquors within the parifhes of St. Philip and St. Michael.
65	38	An ordinance for the prefervation of the public wells and pumps, and alfo of the trees in this city.
66	39	An ordinance for the more effectually preventing goats and fwine from running at large in the city.
67	40	An ordinance for raifing and paying into the city treafury the tax therein mentioned, for the ufe and benefit of the city.
68	41	An ordinance to appoint and regulate guagers of liquors, packers of beef and pork, meafurers of fire-wood and lumber, and weighers of coal.
69	42	An ordinance for appointing commiffioners of the ftreets, and defining their powers, and for other purpofes therein mentioned.
70	43	An ordinance to prevent the danger from dogs going at large within the city.
71	44	An ordinance for the better ordering and governing of negroes and other flaves, and of free negroes, Mulattoes and Muftizoes within the city of Charlefton.
72	45	An ordinance for appointing commiffioners to ftamp or print, and fign the fum of four thoufand five hundred and twenty five pounds, in fmall paper bills of credit, for facilitating the exchange of fuch of the paper bills of credit, as were heretofore iffued by the authority of the city council, and are become obliterated and defaced.
73	46	An ordinance to amend an ordinance, for appointing commiffioners of the ftreets, and defining their powers, and for other purpofes therein mentioned.

An

No.	No	
74	47	An ordinance to alter and amend an ordinance, entitled, an ordinance for regulating the proceedings of the court of wardens, and for eſtabli hing the office of city ſheriff.
75	48	An ordinance more effectually to prevent the keeping of billiard-tables within the pariſhes of St. Philip and St. Michael, Charleſton, without a licence.

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No.	No.	
74	47	An ordinance to alter and amend an ordinance, entitled, an ordinance for regulating the proceedings of the court of wardens, and for eſtabliſhing the office of city ſheriff.
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