

CITY CHARTER
CITY OF FORT WAYNE

O.S.

GEN

ALLEN COUNTY PUBLIC LIBRARY



3 1833 01794 4593

GENEALOGY
977.202
F77CITY

CITY CHARTER

CITY OF FORT WAYNE

Charter of the City of Fort Wayne

An act to incorporate the City of Fort Wayne
(Approved February 22^d 1810)

Sec 1

Be it enacted by the General Assembly of the State of Indiana That the district of Country included in the following described limits shall be forever known as the City of Fort Wayne & it is never to be enlarged as the City shall increase in population viz Beginning at a point where the west line of section two, township thirty north, Range twelve east, Second Meridian strikes the South side of the St Marys River at low water marks thence along the meanders of said river and the Maumee to a point where the half section line of section one in the township aforesaid touches the Maumee river at low water marks, thence South to a point eighty perches beyond the South line of section one aforesaid thence west to the St Marys River and thence down along the meanders of said river to the place of beginning;

Sec 2

The inhabitants of said City shall be shall be a corporation by the name and description of the City of Fort Wayne & by their corporate name shall be able & capable in law & equity to sue & be sued to plead & be impleaded to answer & be answered unto, defend & be defended in any & all courts of competent Jurisdiction & shall have power to make & use a Common seal and the same to break alter & amend at pleasure to take hold purchase & convey such real & personal estate as the purposes of the Corporation may require

Sec 3

Charter of the City of St. Mary

Sec 3. That Samuel Linnell, Luther E. Hanson, Madison Streets, John C. Hill, & Thomas Hamilton a majority of them shall be the inspectors of the first election held under this act which election shall be held at the Court House in the City of St. Mary on the first Monday in March A.D. 1840 at which election any person competent to vote at the general State elections & having resided six months last past within the limits of said City shall be entitled to vote thereat.

Sec 4. On the first Monday in March A.D. 1840 & annually thereafter there shall be chosen by ballot, one Mayor who shall hold his office for the term of three years, except in cases to fill vacancies & until a successor is elected & qualified.

Sec 5. On the first Monday in March 1840 & annually thereafter there shall be chosen by ballot six aldermen who after their first election shall reside in the ward for which they are elected & shall hold their offices for one year (excepting as aforesaid in Section four) & until their successors are elected and qualified.

Sec 6. The ballots shall be a paper ticket on which shall be written or printed the names of the persons for whom the elector intends to vote & shall designate the office to the person so named is intended by him to be chosen but no ballot shall contain a greater number of names as designated to any office as there are persons to be chosen to fill such office.

Sec 7. The poll of all elections held in pursuance of this act shall (as near as may be) opened at ten o'clock in the forenoon & continue open until four o'clock in the afternoon of the same day & no longer, poll lists shall be kept in such manner as nearly as may be, as is provided by law for keeping poll lists at the general elections.

Sec 8. Every person offering to vote at such elections shall be required by any person entitled to vote to present to him he is permitted to vote that the following oaths to be administered

Charter of the City of New Haven 29

by one of the inspectors of said election: "Can do swear (or affirm) that you are a citizen of the United States of the age of twenty one years that you have for the last six months been and now are a resident of the City of New Haven, have been assessed therein & paid a tax & have not voted at this election" Provided that nothing herein contained shall prevent the common council from directing & having the elections held in each of the wards in said City in such manner under such restrictions as they may think proper when they shall deem it necessary or expedient

Sec 9 After the poll of any election is closed the inspectors holding the same in the said City or in each of the wards therein as the case may be shall on the same or next day canvass & estimate the votes given at such election; this canvass shall be public & shall commence by a comparison of the poll list & a correction of any mistakes that may be found therein until they shall be found or made to agree, the ballots shall be counted on opened, except so far as to ascertain that each ballot is single, & if two or more ballots shall be found so folded as to prevent the appearance of a single ballot they shall be destroyed;

Sec 10 If the ballots shall be found to exceed in number the whole number of votes on the poll list, they shall be placed in the box & one of the inspectors shall publicly draw out & destroy as many ballots unopened as shall be equal to such excess; the ballots & poll list being found or made to agree, the inspectors holding such election, shall proceed to canvass & estimate the votes;

Sec 11 The canvass being completed, a statement of the result shall be drawn up in writing by the inspectors, which shall be correct & certified ^{in writing} by the same to the records of said City on the same or next day after the same shall have been completed. The certificate of the inspectors shall designate ^{by name} the persons who are the electors of (votes elected mayor or aldermen): Provided that the Common Council shall direct elections to be held in

4
C. Charter of the City of

of the wards of said City, they may prescribe the mode of making returns of said elections, and also by whom and in what manner the Certificates of election for mayors and aldermen shall be given

Sec 12 After the first election held under this act the Common Council shall appoint three persons as inspectors of elections (and in case of ward elections three thousand inspectors in each ward) who shall give public notice in a newspaper printed in said City at least fifteen days previous to the day of election, of the place or places for holding the same

Sec 13 All officers elected under this act at any annual election shall enter on the duties of their respective offices on the Monday next following their election to said office. It shall be the duty of all officers elected or appointed in pursuance of this act before entering on the duties of such office, to appear before some proper officer authorized to administer oaths & take & subscribe the oaths prescribed by the 11 article of the Constitution of this State & file the same in the office of the Recorder of said City

Sec 14 Should the regular inspectors of any election fail to attend at the place designated by 13 Sec 13 A.M. of any day on which an election is to be held then & after that time it shall be lawful for the qualified electors present to appoint pro vice & by a plurality of voices inspectors for the occasion who shall be governed in all things by the same rules as the regular inspectors. If any inspector, judge, or clerk of any election having taken upon himself the performance of the duties herein required, shall neglect or refuse to discharge the same or shall be guilty of any fraud or corruption in doing such duties, he shall forfeit & pay any sum not exceeding one thousand dollars for every such wrongful act of commission or omission to be

recovered in the same & for the use of said City before any
Board of competent jurisdiction

Vacancies in the offices of Mayor & Aldermen caused
by the death, removal, or otherwise, may be filled up at
Special elections called & appointed by the Common
Council and conducted in the same manner as
an annual election, Vacancies in all other
offices shall be filled by appointment of the
Common Council.

Any person having been an officer in said
City who shall not within ten days after his resignation
or removal deliver to his successor in office all the
public papers & effects of every description in
his possession belonging to said City or apper-
taining to the office he held, he shall forfeit and
pay for the use of the City one hundred dollars
besides all damages caused by his neglect or
refusal so to deliver.

The Mayor & Aldermen elected & qualified in person
shall constitute the Common Council of the City but a
majority of the Aldermen shall at all times be necessary
to constitute a quorum for the transaction of
business, They shall be the Judges of the qualifications
of the members of the Council & shall determine the
validity of their own proceedings & they
a record thereof which shall be open to the
inspection & examination of every citizen who
is a qualified voter. The Mayor shall be the
president of said Council and preside at all
meetings when present, but shall vote only in case
of a tie in the Council, In the absence of both
any member of the Council may be elected in
his stead & shall possess all the powers
with the Mayor while acting in the stead of

Charter of the City of

Sec 18

The Common Council shall meet at such place as they may appoint on the second Monday in March annually and at such or any subsequent meeting by ballot appoint one recorder, one attorney in or more assessors, one treasurer, one or more street commissioners, one High Constable, one or more police constables, one clerk of the Market, one or more measurers of grain, lumber, wood, coal & lime a flour inspector, a ganger, a sealer of weights & measures, a measurer of hay, a scavenger, and a Common Crier or bellman ^{at all needs & expenses} that the said Common Council shall appoint such of the above officers only at the time above mentioned as in their opinion the interest & necessities of said City may require.

Sec 19

The treasurer, ^{Collector &} Street Commissioner, of said City shall severally before they enter on the duties of their respective offices execute a bond to the City of Fort Wayne in such sum and with such securities as the Common Council may approve conditioned that they shall faithfully execute the duties of their respective offices & account and pay over all moneys received by them respectively to the persons authorized to receive the same; which bond with the approval of the Common Council inasmuch as aforesaid in records shall be filed in the office of said Recorder.

Sec 20

Every person appointed to the office of High Constable or police constable in said City shall before he enters upon the duties of his office both the two franchises to be approved by the Common Council & execute in the presence of the Recorder of the City an instrument in writing, signed by such constable & his securities, shall jointly & severally agree to pay in accordance with the ordinance established by the City with such

sums of money as the said constables may be liable to pay
 by reason of an account of any unpaid amounts for
 distress returned which shall be delivered to them
 for collection, The Recorder of this city shall certify
 the approval of the Common Council on the said
 instrument & file the same in this office and a
 copy of such instrument certified by the Recorder
 under the Corporate Seal shall be prima facie
 evidence in all Courts of the validity thereof
 by such constables & his securities, All actions
 brought on any such instrument shall be pro-
 secuted within two years after the expiration of
 the year for which the Constable named therein
 shall have been appointed, and may be brought
 in his name or the name of persons indebted to the
 money to be collected in writing & such instrument

Sec 21

It shall be the duty of the Mayor to be vigilant
 and active at all times in causing the laws and
 ordinances of said City to be enforced & not hesitate
 to inspect the conduct of all subordinates of his
 and as far as in his power to cause all negligence
 carelessness & positive violation of duty to be
 prosecuted and promptly punished, He shall
 keep the public list of said City's signs all commissions
 licenses & permits which may be granted by
 under the authority of the Common Council,
 He shall keep an office in said Common Council
 in said City & shall have power to take and certify
 under the Seal of said City the proceeds of accounts
 of all dues for the conveyance in any
 form of real estate or other instrument of writing
 according to laws & the usages in such cases and
 a certified copy of the same shall be filed in
 under the Corporate Seal & shall be

Charter of the City of

Court & County in the State of ... & further authentication.

He shall perform such duties & exercise such powers as from time to time may be directed upon him by the ordinances of said City, and generally do and perform all such other duties & exercise such other powers as appertain to the office of Mayor. He shall also be a judicial officer and in his judicial capacity shall have exclusive original jurisdiction in all cases for the violation of the ordinances of said City, and from any judgment rendered for the violation of any by-law or ordinance the defendant may appeal at any time within thirty days thereafter to the Circuit Court of said County by giving bond to said City with at least one sufficient security acceptable to said Mayor in a reasonable penalty conditioned for the payment of the debt, damages or penalty & costs that shall be recovered against him in said Circuit Court which appeal when perfected by giving bond as aforesaid shall entitle the party appealing to the same in rights & privileges, subject to the same conditions restrictions & limitations as by law pertain to parties appealing from the judgment of justice of the peace to the Circuit Court. The Mayor of said City is hereby created a conservator of the public peace and a justice of the peace and shall exercise civil & criminal jurisdiction in all cases in the same manner to the same extent as justices of the peace in their respective townships and from his judgments an appeal may be taken to the Circuit Court in like manner & under like circumstances & conditions as from justices of the peace; he shall, within the jurisdiction of said corporation have power in cases of assault & battery, affray, or other breach of the peace to punish by fine not exceeding twenty dollars, & imprison in the City or County jail not exceeding thirty days, the defendant having a right to demand a jury & to appeal within thirty days as aforesaid. He shall give bond payable to the State of ... in like manner as justices of the peace are

at any time may be required to do in the penal town of
 five thousand dollars which bond shall be deposited
 in the office of the Chief of Police. It shall
 be a board in the same manner as justice of the peace
 & shall be entitled in all cases to the same fees for his services.

In case of absence he shall deposit his docket with some
 justice of the peace in said city, who during his absence
 in such manner shall be invested with all his judicial
 powers herein created, and shall act upon his docket
 as upon any other case that may arise under the authority
 of said city, as if he were present, and in case of presence
 in the office of Mayor by death resignation or otherwise
 it shall be lawful for the Common Council to order a
 docket of said Mayor to be placed in the hands of some
 justice of the peace in said city, and from the time said
 docket shall be placed in the hands of such justice of
 the peace he shall be invested with all his judicial powers.

The Mayor & may continue to serve until such successor
 is appointed. All constables shall be ministerial officers of the
 Mayor's Court in like manner as they are of justice's court
 & shall be bound in the same manner to execute his process

It shall be the duty of the High Constable to
 appoint a High Constable who shall be the chief
 officer of the Mayor's Court & as such invested with all the
 powers of a Sheriff & constable entitled to the same fees &
 subject to the same penalties & annuities. He shall
 ex officio possess all the powers, privileges & immunities of
 constables & shall execute & return all process directed to
 him by the Mayor or any justice of the peace, shall be
 governed in all respects by the laws now in force or
 hereafter be enacted regarding the duties & jurisdiction
 of justice, & the duties of constables, in said cities.
 It shall be his duty to suppress all riots, disturbances
 & breaches of the peace, to apprehend all rioters & other
 persons & disturbers of the public peace within the

and all persons in the act of committing any indictable offence against the laws of the State or fleeing from justice after having committed such offences, it shall be his duty to take them into custody & bring before the mayor for examination & in case of resistance may call to his aid & command the assistance of all bystanders & others in the vicinity. He shall perform such other duties as may from time to time be required of him by the Common Council, & may appoint one or more deputies & at pleasure dismiss or discharge them from office, being always responsible for the correct discharge of their duties.

It shall be the duty of the Recorder to attend all meetings of the Common Council & keep a full & fair record of all their acts, doings, & proceedings, & the minutes of the proceedings of each meeting. Said records shall be read over by the recorder and if incorrect in any particular shall be rectified & when correct or corrected shall be signed by the mayor or other presiding officer of the meeting, & attested by the recorder; and at no future day after being so signed & attested shall said records, in any way be altered or amended.

He shall preserve all the records and other papers belonging to said City and hand them over ^{with all} matters pertaining to his office to his successor, whenever one shall be appointed, and do & perform such other duties as may be enjoined upon him, and transcripts from the records of the Common Council certified by the recorder under the Corporate Seal shall be evidence in all courts in like manner as if the original were produced, In the absence of the regular recorder, it shall be lawful for any alderman to act as recorder pro tempore.

The treasurer shall receive all monies belonging to the City & keep an accurate account of the

receipts & expenditures in such manner as the Common Council
 may direct. All moneys drawn from the Treasury, shall
 be in pursuance of an order of the Common Council,
 warrants signed by the Mayor, presiding officer for the
 year, of the Common Council, & countersigned by the Treasurer.
 Such warrants shall specify for what purpose the amount
 specified therein is to be paid, and the Treasurer shall keep
 an accurate account of all moneys drawn in the Treasury,
 in a book to be provided for that purpose. The Treasurer shall
 submit to the Common Council at least fifteen days before
 the annual election in each year a full account of
 receipts & expenditures, also the state of the Treasury,
 which account shall be filed in the office of the Recorder.

It shall be the duty of the Street Commissioner to superintend
 the making of all public improvements ordered by the Common
 Council, and make contracts for the same & materials which may be
 necessary for the same, & shall be the executive officer, to carry into
 effect the ordinances of the Common Council as regards the opening,
 paving & repairing any street, alley, lane, highway, road, or
 wharf in said City, and shall keep an accurate account of
 all moneys expended by him in the performance of any work
 together with the cause of expenditure & to render such account
 to the Common Council monthly.

It shall be the duty of the Common Council at least
 ten days before the annual election held under this act in
 each year to cause to be published in the newspapers of
 said City a full & correct statement in detail of the receipts
 & expenditures by said Common Council for contingents
 repairs, and a distinct statement of the whole amount
 of money assessed, received, & expended for matters
 repairing streets, lanes, alleys, roads or highways in
 said City for the year preceding the date of such publication,
 together with all information in their power they
 may be necessary to a full knowledge of
 the financial condition of said City.



The Common Council shall have power to fix the salaries of all officers appointed in pursuance of this act, the fees of the Mayor shall also be fixed by the Common Council when not specified in the act regulating the office of justice of the Peace, aldermen shall be entitled to receive for their services, six dollars per day for each & every day they may serve at the meetings of the said Common Council, provided that the sum to be paid to any one alderman shall not exceed the sum of twenty six dollars in any one year; provided further that no alderman elected in pursuance of this act within one year from the passage thereof, receive any compensation for his services as alderman as aforesaid.

The Common Council shall hold stated meetings at such time & place as they by resolution may determine upon and the Mayor & any two aldermen may call special meetings by notice to each of the members of said Council served personally or left at his usual place of abode of which meeting public notice shall be given by posting up notices in three of the most public places in said City at least one day before each meeting; If any alderman shall refuse or neglect to attend every meeting of the Common Council the Mayor may compel his attendance by a warrant signed by himself as Mayor & bearing the seal of the City, which warrant shall be served by any one of the officers of his Court, and for contempt of his warrant the Mayor shall have power to inflict a fine not exceeding five dollars in any person so offending to be collected as other fines imposed under said laws.

Petitions & remonstrances may be presented to the Common Council. The Common Council shall have the management & control of the finances & of all property and persons belonging to the Corporation & shall have power within said City to make, establish, publish, alter, amend & repeal ordinances, regulations & by laws

to the following purposes:

To restrain & prohibit all descriptions of gaming & every kind of
indulgent diversions & practices in said City.

To restrain & prohibit the selling or bartering of any spirits, by
or assist spirits to be drunk in this shop, store, grocery, out house,
or garden of the person selling the same unless licensed so to do by
the City authorities.

To restrain & prohibit the selling giving away or bartering of any such
spirits or intoxicating liquors to any person already drunk & known to be
in the habit of intoxication, or to any child, apprentice, or servant, without
the consent of his or her father, guardian, master, or mistress, or supervisor.

To regulate & prohibit all exhibitions of vulgar & indecent curiosities
with all shows, exhibitions & amusements whatsoever, which in the opinion
of said Council are demoralizing to society, or calculated to detract
from the peace & good order of said City.

To prevent riot, noise, disturbance, & disorderly assemblies.

To suppress & restrain disorderly houses & groceries, houses of
ill fame, billiard tables, wine or tea fire alleys or tables &
ball alleys.

To compel the owner or occupant of any piece of
ground, grocery, cellar, tallow chandler's shop, soap factory,
laundry, barn, privy, sewer or other place, to cleanse the same
from time to time, as often as it may be deemed necessary
for the health, comfort & convenience of said City, and to
remove or abate or otherwise destroy the cause which
renders such houses unhealthy or uncomfortable.

To direct the location of all powder houses,
slaughter houses, tallow chandler's shops, soap factories and other
houses that may be an annoyance to the health & comfort
or safety of said City, and if thought necessary to prohibit the
erection or continuance altogether of such establishments
within the limits of said City.

To regulate the stacking & conveying of gun powder
& other combustible & dangerous materials to the care of
candlestick makers in houses & stables.

13
Charter of the City

- 10^o To prevent horse racing & immoderate riding or driving in the Streets.
- 11^o To prevent the manning of the Streets, sidewalks, lanes, alleys or highways with carriages, carts, horses, lumber, timber, firewood, or any other substance or material whatsoever;
- 12^o To regulate & determine the times & places of bathing & swimming in the rivers & canals in or adjoining said City.
- 13^o To restrain, punish & regulate, mendicants, street beggars, habitual drunkards, and common prostitutes.
- 14^o To regulate & restrain the running at large of cattle, hogs, swine, sheep, goats, geese, or other animals, and to authorize the detaining, impounding, & sale of the same for the penalty incurred & costs of proceeding.
- 15^o To prevent the running at large of dogs & to authorize the destruction of the same when at large contrary to the ordinances.
- 16^o To prohibit any person from bringing or depositing or having within the limits of said City any dead carcass or other unwholesome substance, and to require the removal or destruction by any person who shall have the same upon or near his premises by his own act or consent, of any such substance or any putrid or unseasoned beef, pork, fish, fowls or skins of any kind, or other unseasoned or unwholesome substance whatsoever and in the default of such person to authorize the removal or destruction by the proper officer of said City.
- 17^o To prohibit the rolling of hoops, playing at ball or long bullets, using of fire crackers, or flying kites, or other instruments or practice having a tendency to annoy or endanger persons passing the Streets, or to frighten teams or horses within said City.
- 18^o To compel all persons to keep the lawns, ice, & dirt from the side walks, and to cleanse streets, ^{and} the gutters, & street in front of the premises by them owned or occupied.
- 19^o To prevent the disorderly ringing of bells, blowing of horns & bugles, & crying of goods & other things within the limits of said City to the disturbance of the Citizens.



of Fort Wayne Continued

- 10 To abate & remove nuisances, to declare what shall be deemed nuisances within said City, and abate the same or punish the party, and to punish the persons or persons causing, or continuing, the same, or both abate & punish at his election
- 11 To regulate & restrain humors, & carriers, for boats, & slugs
- 12 To license & regulate carts, waggon, drays, & carriages which may be kept inside City for hire
- 13 To survey mark & establish the boundaries of said City,
- 14 To regulate the burial of the dead, purchase & provide common burying grounds, houses, & other things necessary to burial, and to appoint one or more trustees and prescribe his duties,
- 15 To direct & keeping of bills of mortality & to impose penalties on physicians, sextons & others for any default in the premises,
- 16 To regulate gauging; the place & manner of selling, weighing, buying and of selling & measuring lumber, & woods, lime, grains and coal, the inspection of flour, salted meat, beef, butter & lard,
- 17 To regulate the quality of bread, and to provide for the seizure & forfeiture of bread baked contrary thereto,
- 18 To establish make & regulate the public pumps, wells, cisterns & reservoirs & to prevent the unnecessary waste of water
- 19 To provide for the watering of said City,
- 20 To establish & regulate public pounds,
- 21 To prevent the firing of guns & pistols and all other fire arms or fireworks within said City,
- 22 To prevent the erection of wooden buildings in such parts of said City as they may think proper
- 23 To erect market houses, a hospital, a council house and a city jail & to regulate & govern the same & erect & govern common schools,
- 24 To prevent & restrain from building & regrating,
- 25 To guard against & remove the fires, to organize &



Charter of the City of

Companies & regulate & govern the same & regulate the duties & conduct of the Citizens in relation thereto

To regulate the police of said City

To diminish or increase, or at any time diminish or increase the number & the limits of the wards of said City; but no such change in the wards of said City shall in the least affect the present Council or vacate the seat of any Alderman for his present term or authorize the election of an Alderman for any ward made ward until the next annual election

To borrow money for the use of said Corporation

To regulate auctions of horses & other domestic animals in the streets & appoint & license auctioneers

To levy & collect the revenue for the use of said City in the manner hereinafter described

To prevent injuries to the inhabitants of said City from thieves, robbers, burglars, and other persons violating the public peace

To establish a board of health for said City to invest it with such powers & to impose upon it such duties as shall be necessary to secure said City and its inhabitants thereof from the evils, distress, & calamities of contagious, malignant, or infectious diseases; provide for its proper organization and the election or appointment of its proper officers thereof, & make such by laws, rules & regulations for its government & support as shall be required for the prompt performance of its duties & the lawful exercise of its powers.

To establish a city, make definite its duties & prescribe its powers

To license and regulate all taverns, public houses, & all other places where spirituous liquors are sold by a less quantity than a quart, and all other houses of public entertainment within said City; all theatrical exhibitions of whatever name or nature, to which admission is obtained on the payment of money or other rewards

To regulate the construction of chimneys, fireplaces, hearths & stove pipes, so as to prevent damage from fire

Not. Wayne Continued

The Common Council shall have power to prescribe from time to time the duties of all officers & persons appointed by them to any office or place whatsoever subject to the provisions of this act & may remove all such officers & persons at pleasure.

The Common Council may make, publish, & amend or repeal all such ordinances, bylaws, & police regulations not contrary to the laws of this State, for the good government order of the City & the trade & commerce thereof, as may be necessary to carry into effect the powers given to said Council by this act & enforce observance of all rules or ordinances, bylaws & police regulations made in pursuance of this act by imposing penalties on any person violating the same, to be recovered with costs in any action of debt or on the case in any court having cognizance thereof. No such ordinance or bylaw imposing any penalty for a violation of its provisions shall after its passing, being published for three weeks in succession in a newspaper printed & published in said City to be designated by the Common Council for that purpose & proof of such publication by the affidavit of the printer or publisher of said newspaper tendered before any officer authorized to administer oaths & filed in the office of the Mayor of said City, shall be conclusive evidence of the legal publication of such ordinance or bylaw in all courts or places.

All actions brought to recover any penalty or forfeiture incurred under this act or the ordinances, bylaws, or police regulations made in pursuance of it shall be brought in the name of the Corporation and in such actions it shall be lawful to take generally in debt for such penalty or forfeiture stating the section of this act or bylaw or ordinance under which the same is recovered. The plaintiff shall give the usual evidence and the defendant may plead in general denial and give under said denial all matters in law or equity that proceed in any such action where it

Articles of the City of

a movement unless the defendant be a resident freeholder in the County of Middlesex in which case the process shall be a summons; and in the trial of the issue the land proceedings shall be had against the defendant and are more regulated in similar cases by the laws regulating the jurisdiction & duties of justices of the peace. All expenses incurred in prosecuting for the recovery of any penalty or forfeiture shall be defrayed by the Corporation; and all forfeitures & penalties which shall be paid to the Treasurer for the use of said City

sec 32

No person shall be an incompetent judge, juror, witness or juror by reason of being an inhabitant or citizen, or freeholder of said City, in any action or proceeding in which said City is a party, or interested

sec 33

Whenever the owners of lots on any street or section of street lane or alley shall be desirous of making any improvement on the same by grading, graveling, paving, macadamizing, curbing, or guttering, or any other improvement and the owners of lots on said street lane or alley or section thereof by themselves or agent representing five eighths of the whole number of feet on each side of said street lane or alley or section thereof petition the Common Council plainly and distinctly the improvements wanted or contemplated to be made, it shall be the duty of the Common Council to cause the same to be done in the best & most economical manner agreeable to the wishes of the inhabitants petitioners and the expenses thereof shall be assessed & levied on all the lots fronting on said street or section of street to a depth of five feet for the distance each improvement may be made

It shall be the duty of the Recorder to enter such petition on record with the petitioners names & the number of feet owned or represented by each so that it may appear at any time whether the requisite number of feet have been obtained. And the Common Council may

by general ordinance provide for the expenses collection of all
 expenses of all such improvements in case of non-payment
 for the sale of the lot or portion of lot on which such labor
 remains unpaid, such sale to be conducted in the same
 manner as hereinafter provided for the sale of lots & lands
 for non-payment of taxes, provided however that the
 Common Council shall have power if they deem it
 more just & equitable to assess the expenses of such imp-
 rovements on the lots fronting or said street or alley
 agreeably to the valuation thereof, And provided also
 that the Common Council may when in their opinion
 the ^{general} public good requires it, cause any such
 improvement to be made without petition &
 assess the expenses pro rata per square foot or
 agreeably to the valuation as aforesaid, that the
 concurrence of three fourths of the members of the
 Common Council shall be necessary to authorize
 any improvement without petition is to authorize
 the laying of sewers and waterways

No street lane or alley shall be discontinued without
 the consent of the owner or owners of the adjoining
 property to be given in writing & spread upon the
 records of the Corporation, nor shall any new street
 lane or alley be made through private property
 without first paying to the person or persons whose
 property shall be thus appropriated the full
 amount of that injury sustained thereby;
 such damages shall be assessed by a jury of
 five disinterested persons authorized by the
 Common Council for that purpose.

In the purpose of enabling such person to make
 demand for damages it shall be the duty of the Common
 Council to give five weeks public notice by ad-
 vertising in some public newspaper printed and sold in the
 corporation to make & establish such new street





Sec. 10. Assessing

an account of all such household furnishings as they may be directed by the Common Council, which shall be uniform throughout the City & of various values from which amount they shall deduct one hundred dollars if it shall amount to that the residue only to be taxed; all horses, carriages, clocks & watches in use, pleasure carriages & such other articles & things as the Common Council may by ordinance direct, the said assessors shall enquire before the setting of same in each year visit each house in their respective districts in person & ascertain from actual inspection & the best information they can get, the value of all real estate in their respective districts, & obtain from the inhabitants subject to taxation the amount of their personal estate; if the said assessors shall distrust or suspect that any person subject to taxation, secrets, or conceals any of his effects subject to taxation, said assessor shall have power to administer an oath or affirmation that the statements made by him of his property or effects is true; false swearing in the premises shall be a misdemeanor & punishable as such.

The said assessors shall meet successively at one place within said City as may be agreed upon by them, sometime between the 1st of June & the first of July in each year & compare their respective assessment rolls & equalize the same thereof as near as may be and enter them on one roll or book alphabetically with the values of real & personal estates of all the inhabitants of said City subject to taxation. No property belonging to the Corporation or property appropriated for religious purposes or school purposes shall be taxed under this section. In the assessment roll made under this act all questions in



Charles of the City of

would be liable to suit in the highways of any parish, in any other town of this State shall be remunerated or paid well although not laid, and the Common Council may lay such and so remunerated and expending one dollar to be laid and as the common Council shall direct, It shall be the duty of said assessor to make an account of all dogs in said City & buy return vouchers, said assessment roll when completed shall on or before the first Tuesday in July in each year be filed in the office of the Treasurer of said City; said Common Council shall cause an equalization of the taxes ordered as aforesaid to be made so that assessment rolls according to the valuation of the real & personal property then set down; make a fair copy thereof & deliver the same to the Collector on or before the 1st day of October in each year with a warrant attached thereto under the corporate seal directing said Collector to collect from each of the persons named on such tax list the several taxes set opposite their respective names and if not paid by the first day of November then most remaining, make the same of the goods & chattels by distress & sale giving the same notice as is required by law of constables to do on sale by execution from Justice Courts & to sell the same accordingly; It shall be the duty of the Collector to return the same tax list & money collected by him to the Treasurer of said City on or before the first Sunday in ^{November} each year. It shall be the duty of said Collector to call at the residence of each person named in his tax list at least once before attaching his or their goods & chattels if no goods can be found wherever to hang the Mayor may return said warrant within thirty days after receiving the same with the money if any is collected.



To redress grievances arising under the foregoing sections
the Mayor & any two aldermen of said City shall constitute
a board of appeals to hear & determine of all such
grievances as may be brought before them & after such
review for the purpose of the same as may seem
proper & necessary to effect the object; said board
shall hold their meetings at such place as they
may determine a few or before the first Monday
in August in each year of which meetings they
shall give at least ten days notice in the
Newspaper of said City.

All non-redemptible bonds & all other bonds in said
City, on which a tax is authorized by this act shall remain
unsold for six months after the time it ought to have
been paid, it shall be the duty of the treasurer to
give public notice thereof to the owners by publication
in the Corporation newspaper for at least eight
weeks, describing the bonds as near as practicable
& the amount of tax & stating that unless the owner
thereof shall within three months from the time of
giving such notice pay to the treasurer such tax
with the interest & costs of advertising, the same
will be leased to the person who will take it
for the least number of years & pay the tax interest
& costs; & for that purpose it shall be offered at
Auction, of which under the treasurer shall give
three weeks notice in the Corporation newspaper,
receiving the tax interest & cost, the said treasurer
shall give to the treasurer purchaser or purchasers a
certificate stating the amount of money paid &
describing the bond as near as practicable subject
to redemption for two years by the owner paying to
the treasurer or treasurer together with the interest
of twenty per centum per annum, which certificate
shall be countersigned by the Mayor.

Charter of the City of

Sec 39

If the owner or owners of land sold or leased for term of years shall refuse or neglect to redeem said lands by the space of two years, it shall then be lawful for the Mayor & he is thereby required to make out a lease, a new form to the person entitled thereto for the term specified in said certificate & to his heirs assigns which lease shall be signed by the Mayor and countersigned by the Recorder with the corporate seal attached which shall vest the title to the lessee & his heirs & assigns for the term therein specified and a building that may be put on said premises may be removed off before the termination of said lease.

Sec 40

All official bonds (the Mayor excepted) taken under this act shall be made payable to the City of Chicago.

Sec 41

Until a City Jail shall be erected said Corporation shall be allowed the use of the County Jail of Allen County, & the Sheriff of said County shall receive & discharge such persons as may be committed in & from said jail in such manner as may be prescribed by the ordinances of said City or otherwise by due Council law.

Sec 42

In the better regulation the peace & good government of said City the Common Council is hereby authorized to extend their jurisdiction not exceeding one mile in any direction beyond the limits of said City & to pass & adopt by laws or ordinances for the suppression of immorality, intoxication, rioting or what ever may detract from the peace & good order of society as well in said extended jurisdiction as within the limits of said City.

Sec 43

The Common Council when organized as provided by this act shall have full authority to demand, recover & receive all books, papers, monies & effects ~~in the hands of the officers of the government~~ ~~of the City of Chicago~~ ~~at the time of each re-organization of the existing Corporation of the~~



City of Sandusky, which books, papers, records, deeds, &c. & all books or papers belonging to the present or future Councils at the time of such organization of the Common Council shall exist in the City of Sandusky as if it were a corporate body, in and to the said City, of the President, or any other officer of the said City.

Corporation of the Town of Sandusky shall not within thirty days after notification of request deliver to the Common Council of said City all the property, papers, records, &c. of any description in his possession or belonging to the said Town or appertaining to the office in which he or he shall succeed & pay for the use of said City One hundred dollars besides all damages required by his neglect or refusal to do so, & the Common Council shall also have power to adjust & settle all claims & all demands in favor or against the Town Corporation.

All laws & parts of laws now in force conflicting in any manner with the provisions of this act as far as the said City of Sandusky is concerned & within the jurisdiction of the Corporation herein created be & the same are hereby repealed.

The Legislature hereby reserves to itself the power of altering, amending, or repealing the Charter, in whole or in part, at any time hereafter.

And in proof hereof the seal of the State of Ohio is hereunto affixed, this 10th day of January, 1848.

Attest, my hand and the seal of the State of Ohio, this 10th day of January, 1848.

Wm. Allen, Secy.



Ordinance of the City of Fort Wayne

the town of Fort Wayne, some persons
unlawfully, and in violation of the laws
existing within the limits of said Corporation
or within the proper chartered limits of said City
of Fort Wayne shall be entitled to vote at said
election & shall vote "Charter" or "no charter" said
Charter if adopted to be published as required
at the expense of said City & if not adopted
then at the expense of the Corporation of said
town of Fort Wayne

