

ORDINANCES

OF THE

CORPORATION

OF THE

City of Richmond,

OF THE
STATE OF
CALIFORNIA

ACTS OF ASSEMBLY

RELATING THERETO

PUBLISHED BY AUTHORITY OF THE COMMON COUNCIL

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CHAP. IX.

An Ordinance fixing the Salary of the Commonwealth's Attorney, for the City of Richmond.

[Passed February 5, 1828.]

1. *BE it Ordained by the President and Common Council of the City of Richmond, in Common Hall assembled, and it is hereby Ordained by the authority of the same,* That the Commonwealth's Attorney for this City, shall be allowed an Annual Salary of six hundred dollars, payable quarter yearly; which said Salary shall be in lieu of all fees for services rendered by him as Commonwealth's Attorney for the said City; and that the Chamberlain be, and he is hereby authorised and required, to pay the same out of the Funds of the said City: any former usage or custom to the contrary, notwithstanding.

2. This Ordinance shall commence and be in force, from and after the passage thereof.

CHAP. X.*An Ordinance, for the Government of the Powder Magazine of this City, and for other purposes.*

[Passed February 12, 1828.]

1. *BE it Ordained by the President and Common Council of the City of Richmond in Common Hall assembled, and it is hereby Ordained by the authority of the same,* That the Common Hall aforesaid shall annually, at the February monthly Meeting of the Hall, or so soon thereafter as may be convenient, elect by ballot a Keeper of the Powder Magazine of this City, who shall continue in Office for one year and until a new election shall have been made, but may be removed at pleasure by a vote of two-thirds of the Members of the Hall present; and in case of such removal, or in case of the death or resignation of the Keeper, the Hall may proceed forthwith to the election of a successor.

2. *And be it further Ordained,* That the Keeper of the Magazine aforesaid, shall before he enters on his duties as Keeper, give

bond and security to be approved by the Hall, in the penalty of four thousand dollars payable to the Mayor, Aldermen and Commonalty of the City of Richmond for the time being, and their successors in Office, conditioned that he will well and truly, do and perform each and every duty required by this Ordinance; and make good any losses which may arise upon any Powder committed to his charge, accidents by fire, water, or house-breaking, and injuries by long keeping, only excepted. The said bond may be put in suit for the benefit and at the costs of the Corporation, or of any person injured by any breach of the condition thereof, and shall not be void upon the first recovery, but farther damages may be recovered thereon in like manner, for any other breach or breaches of the said condition, until the whole penalty shall have been recovered.

3. *And be it further Ordained*, That it shall be the duty of the said Keeper, to take care of and keep in a proper state and condition, the Magazine aforesaid. He shall keep a book, in which shall be carefully entered, all Powder by him received and delivered; by which book, the quantity and quality of the Powder which may at any time be stored in the said Magazine, and the persons to whom the same may belong, will fully and plainly appear. He, at all times, shall, between the rising and setting of the sun, every day (Sundays excepted,) be ready for the reception or delivery of all Powder which may be offered to him, for safe keeping in the Magazine, or called for therefrom. When required, he shall grant receipts for all Powder by him received. He shall turn every keg of Powder which may be in the Magazine, at least once in every three months. And he shall deliver on application, within the hours aforesaid, all Powder committed to his charge; accidents by fire, water, or house-breaking, or injuries by long keeping only excepted: *Provided*, That he shall not at any time, deliver Powder to a Slave, or Free Negro, or Mulatto, but in the presence of the owner of the Powder, or some white person, representing him; except upon the written order of the owner of the Powder.

4. *And be it further Ordained*, That the person or persons receiving Powder from the Magazine, shall be bound to pay twenty-five cents for every twenty-five pounds of Powder received, and which shall remain twelve months or less; and one cent per month, for every month, for every twenty-five pounds, which shall remain after the expiration of twelve months: and that the Keeper shall not deliver any Powder without the payment thereof, or satisfactory security for the same.

5. *And be it further Ordained*, That the said Keeper shall retain out of the monies received by him for the Storage of Powder, twenty cents per keg as compensation for his duties, attending the same: And that it shall be his duty to account, under oath, with, and pay over quarterly to the Chamberlain, the balance thereof as a part of the funds belonging to this City.

6. *Be it further Ordained*, That the Keeper, on receiving Powder if he suspects it to be damaged; or the proprietor on taking Powder out of the Magazine, if he suspects it to have sustained damage in the Magazine, may, on application to any Magistrate of this City, obtain his Warrant directed to any three respectable persons residing within this City, who shall on oath grant a certificate to the party praying the same, stating the condition of the Powder so received or taken out: *Provided*, That the adverse party, or his representative, shall receive notice in writing of such intended review; which notice shall be given at the time of receiving or of taking away such Powder, supposed to be damaged as aforesaid.

7. *And be it further Ordained*, That no person or persons within the City of Richmond, shall retain in his, her or their possession at any time, more than twenty-five pounds of Powder. And every person who shall retain more than the said quantity in his, her or their possession for the space of twelve hours, shall forfeit and pay for every twelve hours, the sum of twenty-four shillings, to be recovered and appropriated as other fines and penalties are. The Powder so retained, shall be kept in Tin Canisters and not otherwise. And every person who shall keep in his, her or their possession for the space of twelve hours, two pounds of powder or more, in any other manner than herein before directed, shall forfeit and pay for every such offence, the sum of ten shillings: and for every twenty-four hours that the said Powder shall remain after the expiration of the said twelve hours, the farther sum of ten shillings, to be recovered and appropriated as herein before directed.

8. *And be it further Ordained*, That it shall be the duty of the Keeper, to see that the Magazine and its enclosure are in a good state of repair at all times: and to that end, it is hereby declared to be his duty, to report to the President of the Common Hall in writing, any injury which may have occurred, and any repairs which may be necessary. And for any failure to do so, for one week after such in-

jury may have occurred, or repairs become necessary, he shall be responsible for any loss by robbery, or water, sustained by the want of such repairs. And the person or persons so injured, or the Corporation, shall have their remedy against him, by suit upon his official bond in like manner as other persons may, for any breach of the condition of said bond.

9. *And be it further Ordained*, That it shall be the duty of the said Keeper, and he is hereby required, to report once a year to the Chamberlain, the quantity of Powder remaining in the Magazine, with the names of the persons by whom it was deposited.

10. This Ordinance shall commence and be in force, from and after the passing thereof.

CHAP. XI.

An Ordinance, prescribing the Duties, and Regulating the Appointment of an Assessor and of a Collector for the City of Richmond.

[Passed February 16, 1828.]

1. *BE it Ordained, by the President and Members of the Common Council of the City of Richmond in Common Hall assembled, and it is hereby Ordained by the authority of the same*, That the Hall shall annually at the stated meeting in the month of January, or as soon thereafter as practicable, appoint a discreet and reputable person to be Assessor, for the purposes herein after mentioned, for the City of Richmond. The person so appointed shall, before entering on the duties of his office, take the following oath, before the Hustings Court for the City of Richmond: "I, A. B. do swear (or affirm) that as Assessor for the City of Richmond, I will, to the best of my skill and judgment, diligently and faithfully execute the duties of my said office, without favour, affection or partiality; and that I will do equal right and justice, according to the best of my knowledge, in every case in which I shall act as Assessor. So help me God." And shall moreover execute his Bond in the penalty of two thousand dollars, payable to the Mayor, Aldermen, and Commonalty of the City of Richmond, for the time being and their successors in office, with such security as shall be