

DIGEST
OF THE
CHARTERS AND ORDINANCES
OF THE
CITY OF MEMPHIS,
FROM 1828 TO 1867, INCLUSIVE,
TOGETHER WITH
THE ACTS OF THE LEGISLATURE
RELATING TO THE CITY,
WITH AN APPENDIX.

COMPILED, REVISED AND CODIFIED,
BY WM. H. BRIDGES.

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CHAPTER XIV.

- AN ORDINANCE IN RELATION TO OFFENSES AFFECTING GOOD MORALS AND DECENCY, PUBLIC PEACE, QUIET, SAFETY AND PROPERTY, AND IN RELATION TO MISDEMEANORS AND NUISANCES GENERALLY.

ARTICLE I.

MISDEMEANORS—OFFENSES AFFECTING GOOD MORALS AND DECENCY.

Be it ordained by the Board of Mayor and Aldermen of the City of Memphis, as follows :

SECTION 1. It shall be deemed a misdemeanor to do, or cause to be done, any of the following acts; and any person convicted thereof shall be fined not less than twenty-five nor more than fifty dollars :

Gamblers. 1st. To keep a gambling saloon; or to keep or have in one's possession any table, cloth, box or other device for purposes of gaming.

2d. To play at any game of chance or hazard for money or other valuable thing, or in any way to aid, abet, countenance or encourage such game.

3d. To maintain one's self by gaming or other undue means, or travel about on steamboats or railroads, or remain at hotels, for the purpose of gaming.

4th. To witness any game of chance for money or other valuable thing without at once reporting the same to some officer of the law.

5th. To have in actual or constructive possession any instrument or thing used for the commission of burglary, or for picking locks or pockets, or any swindling device.

Houses of ill-fame. 6th. To keep a house of ill-fame or assignation house; or to permit any house owned by him, her or them, or under his, her or their control, to be kept for the purpose of prostitution.

Lewd books. 7th. To publish, circulate, give or sell, or cause to be published, circulated, given or sold, any book, writing, print, picture, newspaper, pamphlet or other work, of an obscene,

7th. To disturb or disquiet any congregation or assembly met for religious worship/by making any noise, or by rude or indecent behavior, or by boisterous or profane discourse within or near such place of worship. **To disturb any assembly.**

8th. To wilfully give or make a false alarm of fire. **False alarm of fire.**

9th. To be connected with or participate in any masked ball not authorized by the Mayor of the city. **Masked balls.**

10th. To interrupt any election pending under any law of this State or of the United States; or to make any disturbance for the purpose of interrupting such election; or to attempt to invalidate or prevent such election by breaking up or removing or seizing upon the ballot-box; or to prevent or deter any voters, by any means, from voting; or to change or destroy any ballot put in the ballot-box. **To interrupt any election.**

ARTICLE III.

OFFENSES AFFECTING PUBLIC SAFETY.

SECTION 1. It shall be deemed a misdemeanor to do, or cause to be done, any of the following acts; and any person convicted thereof shall be fined not less than five nor more than fifty dollars:

1st. To ride or drive with unnecessary or dangerous speed in the streets; or to ride or drive on any of the gutters or sidewalks of the city. **Riding or driving at unnecessary speed.**

2d. To leave teams, horses or mules, attached to any vehicle, standing unhitched on any of the streets or the public landing, without a competent person to take charge of the same. **To leave teams unattended.**

3d. To become intoxicated or go to sleep while driving or in charge of any vehicle on the streets or public landing of the city. **Driver to fall asleep.**

4th. To stop any vehicle or leave the same standing upon the crossings of the streets. **Not to stop teams on crossings.**

5th. To drive through the streets in so careless a manner as to endanger the vehicles and property of others. **Careless driving.**

6th. To fly kites, throw missiles, discharge fireworks, or do any act or make any noise likely to frighten horses or **Flying kites, etc.**

alarm and injure people, or impede the free passage of vehicles and footmen along the street.

**Discharging
firearms.**

7th. To discharge any firearm within the city, unless in self-defense or while executing some law.

**Concealed
weapons.**

8th. To carry concealed on or about the person any pistol, bowie-knife, dirk or other deadly weapon.

**Leaving open
cellar doors,
etc.**

9th. To leave open any cellar or vault door or grating on any sidewalk; or to suffer any sidewalk in front of one's premises to become or continue so broken as to endanger life or limb; or to permit any well, cistern or other excavation to remain open and uncovered to the danger of others.

**Walls of
buildings be-
ing danger-
ous.**

10th. To leave standing any wall or building owned by him, her or them, which shall be dangerous to passers-by, after twelve hours' notice to remove the same.

**Dangerous
animals not
to move at
large.**

11th. To permit any dangerous or mischievous animal to run at large.

12th. To violate any of the following provisions in relation to gunpowder and powder magazines:

**Powder—pro-
visions in
relation to.**

That no powder magazine shall be erected or kept within the corporate limits of the city without a special license from the Board of Aldermen, and then only upon such condition and in such place as the Board may direct.

**Of powder to
be kept.**

No merchant or other person shall keep on hand, or in store, or on his premises, within this city, more than twenty pounds of gunpowder at any one time, and this quantity shall be kept in a safe and secure box or canister completely closed.

**Transporting
powder.**

No vehicle employed to carry powder about the city for sale or distribution shall carry more than ten kegs at a time; and said vehicle shall be so arranged as effectually to cover up the kegs and to guard and protect the same from public view and from accidental fire.

**Boats deliver-
ing gun-
powder.**

No boat shall deliver at this port more than ten kegs of gunpowder at one time without the permission of the Wharf-master, and all gunpowder delivered from boats shall be delivered under the special superintendence of the said officer and according to his direction. And no person shall sell, or

be allowed to sell, any gunpowder on board of or from any flatboat at this landing.

No person shall send to or deliver in the city any powder concealed in any box or barrel, or in any other manner, purporting to be any other article, under penalty of confiscation of the whole package, in addition to the fines imposed for violations of this ordinance. Persons not allowed to send powder clandestinely.

Upon information given and sworn to before the Recorder, Chief of Police it is hereby made the duty of the Chief of Police to obtain a search warrant from the Recorder, and make examination of the premises named in the information, for powder, and if more gunpowder be found therein than is allowed by the ordinance to be kept, the said gunpowder shall be confiscated to the use of the city, and the offender shall be fined as herein directed. Chief of Police may search on suspicion.

No powder manufactory shall be allowed to be erected or carried on within this city, or within one mile of the same, all such establishments and manufactories being hereby declared nuisances. And if any such establishment shall be begun or carried on, or if any powder-house or magazine shall be erected and used without the special license aforesaid, on report and proof made to him, the Recorder shall order said nuisances to be abated immediately by the Chief of Police. No powder manufactory allowed within one mile of the city.

ARTICLE IV.

OFFENSES AFFECTING PUBLIC PROPERTY.

SECTION 1. It shall be deemed a misdemeanor to do, or cause to be done, any of the following acts; and any person convicted thereof shall be fined not less than five nor more than fifty dollars:

1st. To wilfully break down, destroy, injure or remove any tree not obnoxious to health or otherwise injurious, or any of the boxes enclosing the same, on any street, public square or open court. Not to injure shade trees, etc.

2d. To fasten or hitch any horse, or other animal, to any sign, lamp post, awning post, shade tree, or box enclosing such tree, or to any fence enclosing a public square. Not to hitch horses.

ORDINANCE RATIFYING CODE.

Be it ordained by the Board of Mayor and Aldermen of the City of Memphis :

That the Digest of City Ordinances for 1867, prepared by **WM. H. BRIDGES**, is the official Digest of the City Ordinances of Memphis, and is fully ratified and adopted by this Board ; and that the same be in full force and effect from and after date ; and that all ordinances, or parts of ordinances, conflicting with the same are hereby repealed.

Adopted by the Board of Aldermen July 10th, and approved July 11th, 1867.

WM. O. LOFLAND, Mayor.

Attest :

L. R. RICHARDS, Register.