

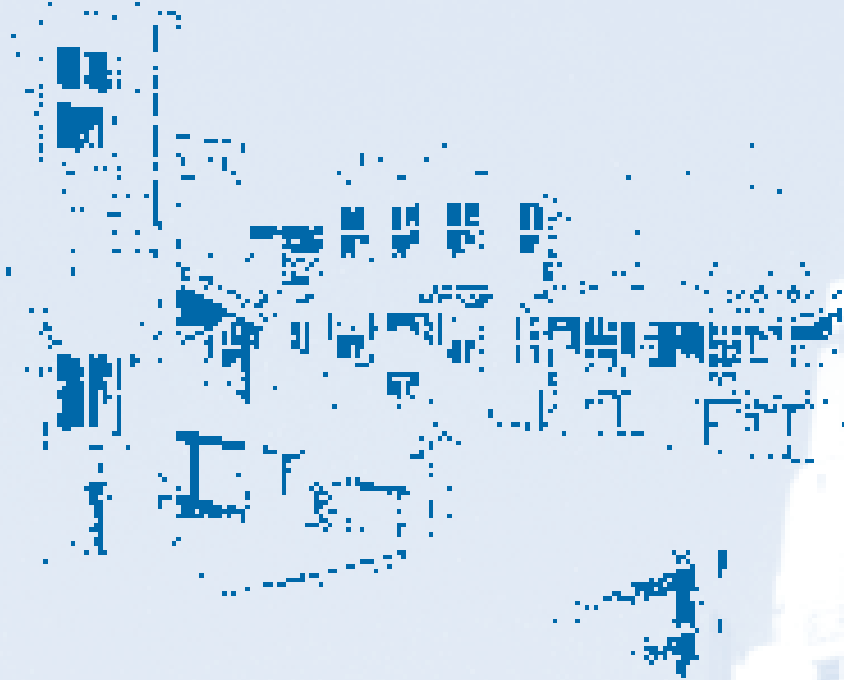
History Comes Alive!

by Hynda Rudd,
City Archivist (Retired),
and Club Member



Tales From the City Archives

LA Law in 1855: Part 2



■ Property tax of a quarter percent? Irrigation once a week? \$1 property cost per acre? Those were the days, as Hynda Rudd looks back in Part Two of her survey of early Los Angeles ordinances.

Once again we move back to the early era of the City of Los Angeles in the year 1855.

As seen in the first portion of the Revised Ordinances, Los Angeles was taking on an American form of government. The following is a continuation of this endeavor that continues up to today.

When I was the City Archivist in the early 1980s, I came across something very valu-

able: the original document of the Rules of Government for the Council in the City Archives, and found at the end of this article. I showed it to Charles Port, who represented the City Clerk at Council Meetings. After he read the 1855 document, he claimed not much had changed in running the Council since this original Ordinance.

I hope you find this as interesting as I did.

Article VI – Of Common Schools:

Sec. 1. The Common Council, on the first Monday of June of each year, shall appoint three suitable persons, to constitute a Board of Education, also a Superintendent and a Marshall of Common Schools for the City of Los Angeles, who shall each hold office for one year.

Sec. 2. The City Board of Education shall have power and duty to fix location and erect and repair all school houses. To employ and fix salaries of all Teachers and to certify to the Common Council each and every expense incurred by them. To report to the County Superintendent on the first day of November, annually, all expenditures from the previous year. Also, the Board of Education must report to the County Superintendent names of all Teachers employed; with their terms of service and salaries. Names of pupils taught, their average attendance, progress in school and other statistics required by law.

Sec. 3. The City Superintendent of Common Schools is required to examine all persons wishing to teach. To certify each year those well qualified, morally and intellectually to teach. To revoke certification for sufficient cause. To visit each school in the City once a month with suggestions for improvement as he thinks proper to both the teachers and students. To hold public examinations of each Common School in the City on all branches of study at least once a year. To report to the Common Council on all issues concerning Common Schools at least once a year.

Sec. 4. The Common School Marshal for the City in the month of October every year, take a specific census of all children within the City limits, between the years of four and eighteen years, giving their names, and those of the parents or guardians. A written report is given under oath to the County Superintendent and to the Board of Education by the tenth of November.

Sec. 5. There shall be levied by the Common Council for the present year, a tax of one quarter of one percent, upon the valuation of the Assessment Roll of the City Assessor. This will pay for new schoolhouses, salaries of teachers and contingent expenses for the Common Schools in the City. City taxes will be collected by the City Collector

and turned over to the City Treasurer.

Sec. 6. The City Treasurer is hereby authorized and required to draw from the County Treasurer of Los Angeles County, on warrant of the County Superintendent, all the monies of the State and County School Fund, to which the City shall be entitled for common school purposes. The City Treasurer shall keep in his book separate accounts of several common school funds.

Sec. 7. The City Board of Education shall immediately contract, with the approval of the Common Council, for the erection of purchase of a suitable School House, to be ready for use by the first of November next.

Sec. 8. The City of Los Angeles is hereby organized into one Common School District, with two free schools, so located as best to accommodate the population, the number of districts and schools to be increased as the Common Council shall deem expedient; and each school shall be divided into a male and female department—each being kept separate under a proper teacher.

Sec. 9. The schools herein provided for and established, are declared absolutely free to all children enumerated in the yearly census of the City, and shall be conducted in the English language—provided, the city Board of Education may make such regulations as to the languages, sciences and letters taught, as well as the books and the apparatus used, as to them shall seem most proper.

Article VII – Water Canals—Water Regulations:

Sec. 1. The Mayor shall appoint, subject to the approval of the Common Council, in the month of January of each year, an Overseer of the Water Canals; he may be removed from office by a majority vote of the Common Council.

Sec. 2. It shall be the duty of the Overseer, on or before the first day of February of each year to make and deliver to the Mayor, who in turn shall deliver a duplicate copy to the Common Council. The duties of the Overseer include a clear and distinct relation of the length of each principal Water-canal, and the branches leading out of the same. The numbers of acres of land cultivated, and which must be irrigated, and the valuation of the same, and all persons benefited by the use of the Water. The kind of cultivation, and the names of persons to whom the same

belong, and the Water-canal or branch to which they correspond, marked numerically. In the same manner, calculations will be necessary for improvements and repairs upon each canal in the current year. Also, what expenditures are necessary upon dams and flood-gates.

Sec. 3. Upon receipt of the report, the Common Council shall make any amendments deemed just then provide designation the amount of work performed upon any Water canal and its branches, in proportion to the number of acres needed to irrigate.

Sec. 4. The Common Council shall form a Water Fund. The Fund shall be created each year to (1) by the levying of tax, not exceeding two centum of the valuation of all lands benefited by the use of said Waters. Taxes collected as any other collectible money by City officer; (2) Fines for delinquency where the Overseer is authorized to levy and collect, and receive fifty cents per day for each person who has used the public Water for irrigation during the said year. *And be it further provided*—that no person will be privileged to receive any of the benefits of the water until said fee is paid under a penalty of not less than \$25. and no more than \$200., or imprisonment not exceeding ten days.

Sec. 5. The Common Council shall fix the salary of the Overseer for current year, and the Water expenditures from the Water Fund.

Sec. 6. After the conclusion and apportionment or regulations, the Mayor shall post for at least two weeks when the Common Council shall meet as the Board of Equalization to hear every well-founded complaint. The Overseer must be present at every meeting. Upon adjustments, the Overseer will notify the party of the property of actions needed to be taken.

Sec. 7. When repairs of Water Canals the Overseer, under the direction of Mayor, shall notify each person as to time and place of work to be repaired. It shall be the duty of the Overseer to oversee the work and its completion.

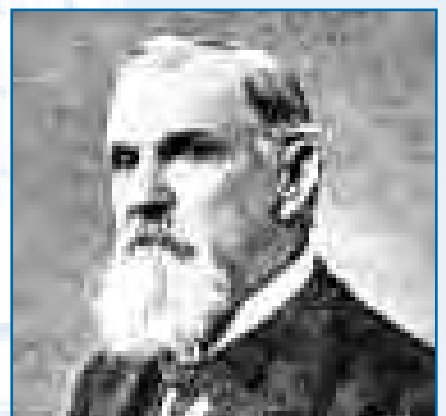
Sec. 8. It is the duty of the Overseer to prepare for the Mayor an exact statement of the quantity of labor furnished by each individual, in conformity with his apportionment; as also the quality of labor which each person has failed to furnish in like respect. A delinquent list is then turned over to the

Common Council, where further amendments may be made.

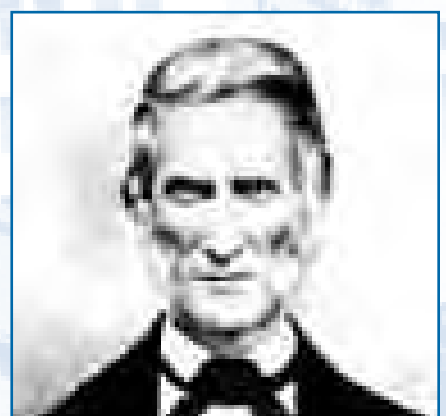
Sec. 9. It shall be by ordinance that a fixed time each year when irrigating shall commence. It shall be the duty of the Overseer to adjust as far as practicable that each and every difficulty may arise between two or more who irrigate, with respect to Water privileges. At the same time and in all cases to take care that sufficient Water passes for economical purposes to those residents who live below.

Sec. 10. After publication and schedule of the Ordinance mentioned in Section 9, each person must keep to the Schedule or sell or exchange his right of irrigating. But in such case, he must inform the Overseer of the change.

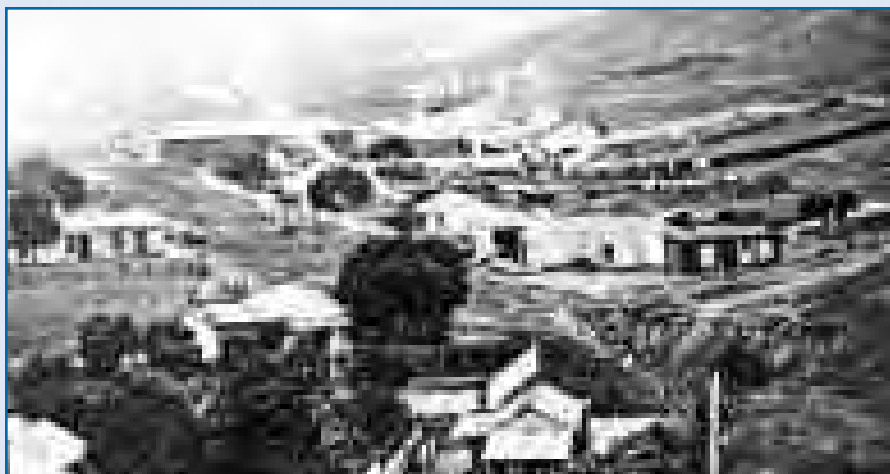
Sec. 11. Each and every person shall be permitted to use Water for the irrigation of



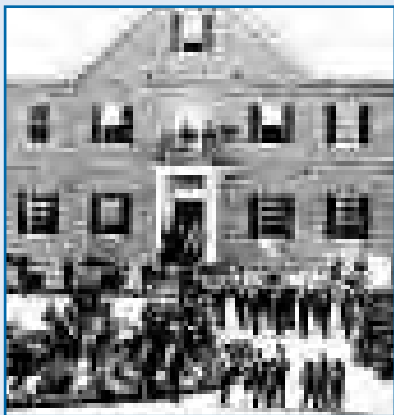
John G. Nichols, President of Common Council, 1855.



William G. Dryden, Clerk of the Council, 1855.



A view of North Broadway from Fort Hill, 1860.



St. Vincent's College, built 1855.

vegetables without regard to the time scheduled *Provided* that such taking and use shall be one hour before sunset, only once a week.

Sec. 12. It shall be the duty of all persons to keep in good order the border or banks of the canals that pass over their lands, and in case the Water should break them, it shall be their duty to give immediate notice to the Overseer.

Sec. 13. All persons that irrigate shall construct in the banks of the canal a flood-gate to prevent the destruction of the borders; and in order that the overseer of Water may proportion the Water equally.

Sec. 14. All persons are prohibited from making or causing an aperture in any place where Water is drawn out of the river into a Water canal. All persons found guilty of rendering the Water unclean, impeding the free current and distribution, and raising or causing the flood-gates to be raised will be found guilty. Each person found guilty shall be fined not less than \$5. nor more than \$50., and imprisonment at the discretion of the Mayor, not exceeding ten days.

Sec. 15. The Overseer shall have the general supervision and government of all the Water Canals that lead out to the river of Los Angeles, for the object of irrigating the lands which correspond to the City, and particularly the principal Water Canal. He will name proper persons to direct the repairs in the different Water Canals, and the distribution of the Water when the Overseer cannot do it.

Sec. 16. The Marshall shall collect the contributions for delinquent labor, and the fines that must be imposed for disobedience of this Ordinance and shall receive therefore the same percentage as is allowed for the collection of City revenue.

Article VIII - Of the Alienation of City Lands:

Sec. 1. All persons that wish to obtain from the City of Los Angeles, lots, or fraction of lots, or lands, shall deposit in the office of the Mayor a descriptive notice of the lot, or fraction of a lot, or lands they desire, setting forth the location, boundary and dimensions exactly as may be shown on the City Map, and survey of adjacent lands.

Sec. 2. Upon the third Wednesday of each month, after notice in newspapers and posted in three conspicuous places including one on the door of the Mayor; the Mayor shall offer a public auction in front of his office for cash in hand between 10 A.M. and noon. The lots or fraction of lots or lands that had been solicited the month before shall go on sale to the highest bidder. The minimum bids are as follows: \$1. per acre for any tract of land known as 35 acre lots, and fractions of the same lying contiguous thereto; \$2. for

any other lot containing more than 10 acres and not more than 34 acres; \$4. for any other lot containing more than one-acre and not more than 10 acres; \$20. for any lot less than one-acre; and \$20. for any fraction of a lot, less than one acre, contiguous to any lot except a 35 acre tract.

Sec. 3. The Mayor shall receive the purchase money, and give purchaser(s) a quit claim deed. For purchaser(s) of more than one lot or tract of land shall pay an extra fee for one deed for all purchases.

Sec. 4. All lands improved or disposed of in accordance with previous ordinances and resolutions which are hereby ratified; and the lots Nos. 3 and 8 of each parallelogram upon the City Map, which were not previously disposed of before the ordinance of July 7, 1854, Fort Hill, and the round hill in the rear of the house of Pio Pico, occupied as the Land Office of the United States, and all the lands that have useful stone for building or lime, are all exceptions to the provisions of the ordinances, as all lands that have that have not been regularly surveyed by order of the Common Council.

Article IX - Of Slaughtering Cattle - Regulations:

Sec. 1. No meat of horned cattle, sheep, hogs or goats, shall be sold or exposed for sale within the corporate limits of the City, except it shall be slaughtered and inspected as hereinafter provided.

Sec. 2. All horned or neat cattle, killed for public sale or private consumption, and all hogs, sheep and goats killed for sale, shall be slaughtered in the City corral, to be built at such a place as the Common Council may designate. It is unlawful to kill any animal above mentioned in any other part of the City.

Sec. 3. An Inspector of Cattle for killing of the above in Section 2, shall be appointed by the Common Council and approved by the Mayor for one year. The Inspector's duties include: Certification of all cattle and calves, hogs, sheep and goats to be killed; No killing of above stated animals if diseased; No cattle should be killed for sale, only food; Must keep a register of Marks and Brands as provided by government for said purpose, and will report violations immediately to the Mayor; Must keep the slaughter corral clean, and the offal so disposed of that it shall not be offensive; He shall provide conveyance to carry the meat that individuals kill to their houses, if required between 3 and 7 P.M. weekdays, for no more than \$1. a head; Collects monthly rent fees from persons using the corral for fees set by the Common Council, and turned over to the Council; and shall see that the corrals are kept in good order and repair. The Inspector shall receive fifty cents for each head of neat cattle, provided that a cow with its calf shall be deemed as one and twenty-five cents for each hog, sheep or goat inspected and registered and paid by the owner.

Sec. 4. Any person(s) may kill within the City limits, for his own consumption, not for sale, outside of the following lines to wit: above Virgin street and below sixth street; east of a line that shall be drawn 200 yards, from the east bank of the *Acequia*, provided he has the animal inspected and certified by the Inspector—and shall dispose of the offal so as not to be offensive.

Sec. 5. If any person(s) fail to abide by the above Ordinance, penalties of not less than \$10. nor more than \$100. will be fined for

each action. Half the money will then be placed in the City Treasury, while the other half paid to the informer.

Sec. 6. Any person(s) purchasing cattle within the City without a certificate from the Justice of the Peace, as required by the Act of the Legislature, passed May 1, 1851, concerning Marks and Brands will be fined not less than \$25. nor more than \$200., and imprisonment of not more than ten days.

Article X - Of a Chain Gang, and the Government Thereof:

Sec. 1. A Chain Gang shall be, and is hereby organized and established, for the punishment of such persons as shall be convicted of crime and misdemeanors and violation of City Ordinances in the Mayor's court and sentenced to work in the chain gang; and all county prisoners delivered over by the Court of Sessions to the City authorities.

Sec. 2. The City Marshal shall be superintendent of the chain gang, established under the supervision of the Common Council, and shall cause the prisoners who are sentenced to work thereon, as also all prisoners turned over by the Court of Sessions to the City authorities, that be employed working streets, alleys and other places, either public or private, in the City, as he shall deem proper, as shall be ordered by the Mayor.

Sec. 3. When a person(s) is sentenced to imprisonment by the Mayor, he shall in his discretion sentence such person(s) to labor in a chain gang or be confined in the City prison as to the terms of the sentence.

Sec. 4. The superintendent of the chain gang shall employ a suitable person(s) to verse the prisoners, and shall be authorized to procure and use such chains, balls or other means as shall deem necessary for the security of the prisoners under his charge, and to prescribe or administer, of cause to be administered, such punishment as shall be necessary to keep good order among the prisoners, and to compel them to work.

Sec. 5. If any person(s) shall speak to, in any manner correspond with a person confined as part of the chain gang, without permission from the superintendent or person in charge, he shall be fined a sum of not less than \$1. nor more than \$100., or be imprisoned not more than ten days.

Article XI - City Limits - Fire Limits:

Sec. 1. For the protection and security of the City and its interests, the following limits are hereby established, in conformity with a decree of the County Court, as of July 28, 1855: Commencing at a point two leagues due South of the Catholic church, and running West on the line of the Rancho de los Cuervos, to the line of the Rancho of Tomas Sanchez; thence in a northerly direction along the lines of the Ranch of "Tomas Sanchez," "the Cienega," and that of "the Rochas;" thence easterly along the southern lines of the Ranchos of Los Feliz, Luis Granger, Los Verdugos, and "Rosa Castilla," to a line two leagues East of the Catholic church; thence South to the lines of the Rancho of San Antonia; thence along the North and West boundary of said Rancho, to the Rancho de los Cuervos; thence to the place of beginning.

Sec. 2. The following Fire Limits are hereby established: From the deep ravine that crosses the road that goes to the Catholic Burying Ground, adjoining the College, to the blocks Nos. 12, 13, 14 and 15; and from the main Water Canal, and with the College, and with blocks Nos. 12, 13, 14 and 15 to the foot of the hills.

Rules of Government for the Council

Rule I. After calling the Roll, and reading Minutes of previous Meeting, the order of business shall be as follows: 1st. Communications from the Mayor. 2d. Reports of Committees. 3d. Reports of Officers. 4th. Petitions, Memorials and Communications. 5th. Claims against the City. 6th. Miscellaneous Matters.

Rule II. Every Member previous to speaking, shall address himself to the President.

Rule III. When two or more Members speak at the same time, the President shall decide who is entitled to the first hearing.

Rule IV. When the President of the

Council occupies the chair, he may, if he desires to leave the same, nominate any Member to act for him, *pro tempore*.

Rule V. When an amendment to a Resolution is moved and seconded, the vote shall in all cases be first upon the amendment, unless the mover of the Resolution shall accept such amendment.

Rule VI. A motion to refer to a committee, or lay on the table, shall if seconded, preclude all amendments to the main question, until such a motion is decided.

Rule VII. The previous question being moved and seconded, shall preclude all further debate until it has been decided.

Rule VIII. To suspend the Rules, a vote of two-thirds of the Members present shall be necessary.

Rule IX. When a question has been once put and decided, it shall in order for any Member who voted in the majority to move for a re-consideration of the vote.

Rule X. No Resolution directly conflicting with one previously passed shall be put to the Meeting, except in the manner prescribed in the previous rule herein.

Rule XI. When a question is under debate, or any matter is before the Meeting, on other question or matter shall be received, unless 1st-to adjourn, 2nd-to amend, 3rd-to commit, 4th-to lay on the table, 5th -for the previous question.

Rule XII. To motion to adjourn shall always be in order, and shall be decided upon without debate.

Rule XIII. Any Member may call for a division, in which case the ayes and nays shall rise from their seats when called by the President.

Rule XIV. Any Member may demand the ayes and nays on any question; and when called by the Clerk, the vote of each Member shall be recorded in the Minutes.

Rule XV. Committees appointed to report on any subject shall report the facts in relation to the matter or subject referred, with their opinions thereon in writing; and no report shall be received as the report of a committee, except the same be signed by a majority of the committee; but nothing herein contained shall prevent a minority from submitting their report, which may be read if called for.

Rule XVI. No Bill, Order or Resolution, shall be deemed in possession of, or before the Council for its consideration and discussion until the same shall have been first signed by the Member offering the same, and read by the Clerk, after which, remarks thereon may be made.

Rule XVII. At the first Annual Meeting the President shall appoint the following Committees; there shall not be less than three Members on each Committee:- Committee on Finance; Committee on Lands; Committee on Police; Committee on Streets and Committee on Water.

Rule XVIII. (1) All claims against the City shall be first presented to the Finance Committee, who shall audit and examine the same, and if found correct, shall endorse thereon the fact. (2) It is further ordained that these ordinances take effect from and after the passage thereof, and that all Ordinances heretofore passed, in any wise conflicting therewith, are hereby repealed.

JOHN G. NICHOLS
PRES. COMMON COUNCIL

WM. G. DRYDEN, CLERK

Passed and Approved July 31, 1855
THOMAS FOSTER, MAYOR

