

**TOLEDO
CODE
OF
1919**

CHAPTER XXIII.

POOL AND BILLIARDS.

Sec. 953. **License required. Eligibility.** No person shall have, keep or conduct for profit within the City of Toledo any billiard or pool table, bowling or pin and ball alley, without first obtaining a license therefor from the Director of Finance of the City, in the manner and form herein after provided. No such license shall be issued to any person who is not a citizen of the United States, or who is under the age of 21 years, or who, having been previously licensed has had such license revoked.

Sec. 954. **License fee. License non-transferable. Revocation.** Any person desiring to have, keep or conduct any billiard or pool table or any bowling or pin and ball alley for profit in the City of Toledo, and desiring to be licensed under the provisions of this ordinance, shall first receive the written approval of the Director of Public Safety as to his eligibility, and setting forth in a written request for such approval his full name, the place at or in which such billiard or pool table or bowling or pin and ball alley is to be kept, used or operated; then such person so desiring to be licensed shall make written application for such license to the Director of Finance, furnishing with his application the written approval of the Director of Public Safety, as hereinbefore provided; and upon payment by such applicant to the Director of Finance of a license fee of Five Dollars (\$5.00) for one such billiard or pool table and one such bowling or pin and ball alley which such applicant desires to so keep, use or operate, and the further sum of One Dollar (\$1.00) for each additional billiard or pool table and bowling or pin and ball alley, the Director of Finance shall issue or cause to be issued to such applicant a license authorizing the keeping, conducting or operating of such billiard or pool table or tables, or such bowling or pin and ball alley or alleys, as the case may be, at the place previously approved by the Director of Public Safety, for and during the period of one year from date of issue, unless sooner canceled under the provisions of the law under which it was granted.

The Director of Finance shall provide a proper certificate to be signed and issued to each licensee. Such license shall not be sold, assigned or transferred to any other person and shall be void in the hands of any person other than the one to whom it is issued; and no licensee shall change or remove his place of business to a place other than that set forth in the application upon which the license was granted, without consent of the Director of Public Safety. If it shall appear at any time that any person has received a license who was not eligible to receive same under the provisions of Section 953 hereof,

such license may be revoked by the Director of Public Safety, upon written notice served or mailed to such licensee.

Sec. 955. **Minors Not to Play. Penalty.** No person who keeps, conducts or operates any billiard or pool table for profit, or keeps, conducts or operates any room wherein is kept, used or operated for profit any billiard or pool table of any kind whatsoever, shall permit or allow any minor under the age of eighteen years to play thereon or to use any such table, or to be or remain in or frequent any such room, under a penalty of Twenty Dollars (\$20.00) for the first offense, and Fifty Dollars (\$50.00) for each subsequent offense. For the fine and costs in a prosecution under this section, the billiard and pool tables and fixtures shall be liable on execution without exemption.

Any such minor under the age of Eighteen (18) years who may be found playing upon or using any such billiard or pool table, or found in any such billiard or pool room in the City, shall be fined not less than Twenty Dollars (\$20.00) nor more than Fifty Dollars (\$50.00) for each offense.

Sec. 956. **Penalty for Playing with Minors.** Whoever consents to play in a game of billiards or pool, or bowl or play in a bowling or pin and ball alley or alleys with a minor under the age of Eighteen (18) years with knowledge of such minority, or entices a minor to engage in a game for money, or other valuable thing, or makes a wager with a minor upon the result of a game or games, shall be fined not less than Twenty Dollars (\$20.00), nor more than Two Hundred Dollars (\$200.00).

Sec. 957. **Closing Hours. Penalty.** Any owner, proprietor, manager, agent, or person in charge of or operating any billiard or pool room for profit, who harbors or permits any person or persons to remain in any such billiard or pool room between the hours of twelve o'clock midnight and six o'clock A. M., other than necessary help or labor required therein, shall be fined not to exceed One Hundred (\$100.00) Dollars for each offense.

Sec. 958. **Gambling Prohibited. Penalty.** Whoever keeps or exhibits a billiard or pool table for the purpose of gambling, or allows it to be so used, shall be fined not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), and shall give security in the sum of Five Hundred Dollars (\$500.00) for his behavior for one year.

Sec. 959. **No Card Games.** No card games of any kind shall be permitted in any place at or in which any billiard or pool table or bowling or pin and ball alley is kept, used or operated, or in the room in which said tables and alleys are located whether or not said room is divided by a wall or partition.

Sec. 960. **No Drugs Sold or Given Away.** If it shall appear at

any time that any person who has received a license under this ordinance, sells, barter, furnishes or gives away, directly or indirectly, or has in his possession for the purpose of selling, bartering, furnishing or giving away, directly or indirectly, any quantity of cocaine, alpha or beta eucaïne or alypin, morphine, acetyl-morphine, diacetyl-morphine, di-acetyl-ester-morphine, ethyl-morphine, heroin, chloral hydrate, opium, or any of their alkaloids, salts, derivatives or compounds, or any synthetic equivalent thereof either as to the physical properties or physiological action, or that any such person who has received a license as aforesaid, shall permit or allow the selling, bartering, furnishing or giving away of cocaine, opium, morphine or other drugs as aforesaid, such person shall be fined not less than Twenty-five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00) for the first offense, and for second offense shall be fined Five Hundred Dollars (\$500.00) and his license forthwith revoked. The finding in the possession of any person who has received a license under this ordinance, of any cocaine, opium, morphine or other drugs as aforesaid, shall be prima facie evidence of the violation by such person of the within section of this ordinance.

Sec. 961. **Posting License. Sanitary Condition.** Such licensee shall keep his license conspicuously posted in his billiard room or bowling alleys; and all billiard and pocket billiard rooms, bowling, pin and ball alleys shall be kept at all times in a clean, healthful and sanitary condition.

Sec. 962. **Licensee Convicted of Violation, First Offense; Second Offense.** If any licensee has been once convicted during the license year of a violation of this ordinance, the Director of Public Safety may suspend the license of the said licensee once for a period not to exceed ten days. If, after such conviction and suspension, offenses are, during the said license year, again repeated, the Director of Public Safety may, with due personal notice to the licensee, served not less than three days before a hearing, and after a hearing granted to said licensee, revoke the said license, of said licensee, and notice of such revocation shall forthwith be served upon or mailed to the person whose license is revoked.

Upon a conviction of a violation of this ordinance for a second offense, the Court shall revoke the license of said licensee.

CHAPTER XXIV.

PUBLIC MORALS AND DECENCY.

ARTICLE 1.—GAMBLING.

Sec. 963. **Gaming Device, Gaming.** It shall be unlawful for any person, within the limits of this City, to keep or exhibit any gaming table, establishment, device or apparatus to win money or other property of value, or to permit or suffer playing at any game whatever for money or other property of value, on premises occupied by him or her; and every person so offending, on conviction thereof, shall be fined in any sum not exceeding fifty dollars, and the costs of prosecution. (R. O. 675).

Sec. 964. **Engaging in Game of Chance.** It shall be unlawful for any person within the limits of this city, to play at, or to be engaged in, any game of chance whatever, for any money, property, or other valuable thing; and every person so offending, on conviction thereof, shall be fined in any sum not exceeding fifty dollars, and the costs of prosecution. (R. O. 676).

Sec. 965. **Practicing Game, Trick, Etc., to Cheat.** If any person shall, within the limits of this city, practice any trick, game or device, with intent to cheat or defraud any other person out of money, property, or other valuable thing, such person so offending, shall be fined in any sum not less than five dollars, and the costs of prosecution, and not more than fifty dollars, or to be punished by imprisonment at hard labor, or both, at the discretion of the Court; Provided that such imprisonment at hard labor for the first offense, shall not exceed thirty days; for the second offense, shall not exceed ninety days; for the third offense, six months; and for the fourth, or any further repetition of the offense, one year. (R. O. 677).

Sec. 966. **Seizure and Distribution of Gaming Devices.** All instruments, devices, things or properties used for the purpose of gambling shall be seized by the Police and be destroyed under the direction of the Director of Public Safety. (Ord. April 4, 1910).

Sec. 967. **Unlawful to Permit Children to Play at Games of Chance, Etc.** That it shall be unlawful for any such keeper, manager or person having the control or direction of any such dance house, concert room or saloon, theater, transient museum, skating rink, tent or place, within the limits of the City of Toledo, to suffer any such child to play at any game of chance or skill in any such place or in any place adjacent thereto, or to be or remain therein, unless accompanied by its parent, guardian, or teacher, or other adult member of the family. (R. O. 755).

Sec. 968. **Penalty.** That any person who shall violate any of the provisions of the preceding section shall be fined in any sum not ex

ceeding fifty dollars, or be imprisoned at hard labor not exceeding three months, or both, at the discretion of the Court, and pay the costs of prosecution. (R. O. 756).

ARTICLE II.—OPIATES.

Sec. 969. **Who may sell, give away or exchange Opiates.** It shall be unlawful for any person, other than a licensed pharmacist, to sell, give away or exchange, any drug or preparation, containing in any quantity, morphine, acetyl-morphine, Di-acetyl-morphine, Ethyl-morphine, Cocaine, Opium, or any of their alkaloids, salts, derivatives or compounds, or any synthetic equivalents thereof, either as to physical properties or physiological action, and licensed pharmacists shall sell, give away or exchange any of the foregoing only upon written prescription signed by a physician or dentist regularly licensed under the laws of the State of Ohio, which prescription shall contain the name of the physician or dentist issuing it, the date of the issue and the name of the person for whom it is issued, and upon which prescription the pharmacist shall endorse the date upon which it is filled or refilled, and which prescription shall not be refilled unless it be indicated thereon in writing by the physician or dentist issuing said prescription, that the same is to be refilled, or except by the written order of the person prescribing it, which said prescription and order shall be kept on file for at least two years, in such manner that it is accessible at all reasonable times, to the proper officers of the law. No person shall do any of the things prohibited by this section, unless the right so to do, be expressly granted by the statutes of the United States or of the State of Ohio, and if said statutes do not expressly grant said right, and do not prohibit the same, then the same shall be deemed to be prohibited by this section. (Ord. March 4, 1912).

Sec. 970. **Invalidity of part of section shall not invalidate any other part.** The invalidity of any section, part of section, words or word, in this ordinance shall not affect the validity of any other part hereof. (Ord. March 4, 1912).

Sec. 971. **Penalty.** Any person violating any of the provisions of Section 969 shall be guilty of a misdemeanor and shall, for a first offense be fined not less than Two Hundred and Fifty Dollars, and imprisoned not less than three months, nor more than Five Hundred Dollars and imprisoned not more than six months. For a second or subsequent offense, such person shall be fined Five Hundred Dollars, and imprisoned for six months. (Ord. March 4, 1912).

Sec. 972. **Smoking of Opium Prohibited.** No person shall smoke opium, or any of its preparations, derivatives or compounds. (Ord. March 4, 1912).

Sec. 973. **Penalty.** Any person violating the immediately preceding section shall be fined not more than Five Hundred Dollars,

or imprisoned not more than six months, or both. (Ord. March 4, 1912).

Sec. 974. **Prohibiting Possession of Apparatus for Smoking Opium.** No person shall have in his possession any apparatus, the usual use of which is for the purpose of smoking opium, or any of its preparations, derivatives or compounds. (Ord. March 4, 1912).

Sec. 975. **Penalty.** Any person violating the immediately preceding section shall be fined not more than Five Hundred Dollars, or imprisoned not more than six months, or both, and said apparatus confiscated. (Ord. March 4, 1912).

ARTICLE III.—INTOXICATING LIQUORS.

Sec. 976. **Selling Liquor to Females, Wine Room.** No person shall give away, offer, treat, furnish or sell to any female directly or indirectly, any ale, beer, porter, wine or intoxicating liquor of any kind or description as a beverage, in any room stall, alcove, box, apartment or enclosure of any device or kind whatsoever, set apart, separated, enclosed or secluded by any partition, screen, curtain, drapery, door or enclosing device of any kind whatsoever and forming a part of, attached, annexed or adjacent to any saloon, wine room or place where ale, beer, porter, wine or intoxicating liquors of any kind are sold, given away, or exposed for sale to be drunk upon the premises. (R. O. 679).

Sec. 977. **Exceptions.** The section immediately preceding shall not apply in the case of any hotel, tavern, inn, restaurant or eating house furnishing bonafide meals or banquets in public dining-rooms, or in a private dining-room to guests and patrons, where three or more guests are present and at which and incidental thereto ale, beer, porter, wine or intoxicating liquors may be furnished or sold. (R. O. 680).

Sec. 978. **Definitions.** The term "intoxicating liquors" as used in the preceding section hereof shall be construed to mean any distilled, malted, vinous or other intoxicating liquors; but nothing therein contained shall be construed to prevent the sale of intoxicating liquors at retail by a registered druggist for exclusively known medicinal, pharmaceutical, scientific, mechanical or sacramental purposes; and when sold for medicinal purposes it shall be sold only in good faith upon written prescription, issued, signed and dated in good faith by a registered physician in active practice and the prescription used but once. The words "give away" where they occur in the preceding sections of the article shall not apply to the giving away of intoxicating liquors by any person in his private dwelling, unless such private dwelling is a place of public resort. (R. O. 681).

Sec. 979. **Penalty.** Any person found guilty of violating any of the provisions of Article 3 hereof, shall be deemed guilty of a mis-

demeanor and shall be fined not to exceed three hundred (\$300) dollars and the costs of prosecution and imprisoned not to exceed six months or both such fine and imprisonment, in the discretion of the Court, and shall stand committed until the costs of such prosecution are paid. (R. O. 682).

Sec. 980. Midnight Closing of Saloons. It shall be unlawful between the hours of twelve o'clock midnight and four o'clock morning of each and every day of the week, except the first day of the week commonly called Sunday, for any person or persons to open, or keep open, any saloon, ale, beer or porter house, place of business, place of amusement, or other place where beer, ale, porter or intoxicating liquor of any kind is kept for sale, and it shall be unlawful for any persons other than the owner or owners, employe or employes to be in any such place between the hours aforesaid. Any person or persons violating any provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than ten dollars nor more than fifty dollars and stand committed until such fine and costs are paid. (R. O. 683).

Sec. 981. Being Intoxicated. Any person who shall be found in a state of intoxication, or who shall be found behaving in a riotous, noisy or disorderly manner, shall be deemed guilty of an offense, and, on conviction thereof, shall be fined in any sum not exceeding twenty-five dollars. (R. O. 684).

Sec. 982. Conveying Liquor Into City Prison. It shall be unlawful for any person to convey or procure to be conveyed within the walls of the City prison or workhouse any spirituous or malt liquor, or wine, unless the same shall have been prescribed as a medicine by a physician for a patient confined therein. Any person or persons violating any of the provisions of this section, shall be fined in any sum not less than five dollars nor more than fifty dollars, or imprisoned not more than thirty days, or both, at the discretion of the Court. (R. O. 685).

Sec. 983. Children Not to be Allowed in Saloons, Etc. That it shall be unlawful for any person being the keeper, manager, or who has the control or direction of any building, enclosure, tent or place, within the limits of the City of Toledo, where any wines or spirituous or malt liquors are sold, given away or furnished, to permit any child, actually or apparently under the age of seventeen years, to enter, be, or remain in such building, tent or place. Any person violating any of the provisions of this section shall be fined not to exceed \$50.00 or be imprisoned not to exceed three months, or both, and pay the costs of prosecution.

ARTICLE IV.—VICE.

Sec. 984. Disorderly House. It shall be unlawful for any person

or persons to keep a disorderly house or place, or house or place where drunkards, tipplers, gamesters, vagrants, prostitutes, or other idle or disorderly persons resort or congregate. Any person violating any of the provisions of this section shall, on conviction thereof, be fined not exceeding \$100.00, or imprisoned in the workhouse or both, such imprisonment for the first offense not to exceed 30 days, for the second offense not to exceed 90 days; for the third offense, six months; for the fourth or any further repetition of the offense one year.

Sec. 985. House of Ill-Fame. No person occupying, possessing or controlling any premises or structure of any kind, within the limits of the City, in whole or in part, whether as owner, trustee, guardian, agent, lessee, sub-lessee, or mere occupant, with or without right, or having the right to possess or control the same, and to prevent or stop the use of the same as a house or place of prostitution, shall use, or suffer, or permit such house or premises, or any part of the same, to be kept or used as a place of prostitution, or be guilty of prostitution therein or harbor or board any common prostitute therein, or knowingly lease or sub-let such premises, or any part of the same, to be used or occupied by any person or persons as a house of ill-fame; nor shall any person reside in a house of ill-fame within the limits of said City; or visit any such house for the purpose of prostitution; and if any such person shall be found visiting any such house of ill-fame, except in the performance of official duty, it shall be prima facie evidence of having visited it for the purpose of prostitution. (R. O. 738).

Sec. 986. Penalty. Any person who shall be convicted of violating any of the provisions of the next preceding section shall be deemed guilty of an offense, and punished by imprisonment not exceeding thirty days, or fined not less than five dollars, nor more than fifty dollars for each offense, at the discretion of the Court. (R. O. 739).

Sec. 987. House of Ill-Fame, Public Nuisance. Every house of ill-fame within the city shall be deemed a public nuisance, and the Mayor is hereby required to cause the unlawful occupants to be dispossessed, and the unlawful use to be abated, in the same manner that other nuisances are authorized to be abated. (R. O. 740).

Sec. 988. Carousal of Dissolute Persons. It shall be unlawful for any person within the limits of this City, to organize, promote or be engaged in any party, dance or carousal for idle or dissolute persons, or persons of bad repute, or to knowingly suffer or permit any such person or persons to attend or frequent any party, dance or carousal by him or her made or given; and every person so offending, on conviction thereof, shall be fined in any sum not exceeding fifty dollars, and the costs of prosecution. (R. O. 741).

Sec. 989. Prohibiting Soliciting for Immoral Purposes. It shall

be unlawful for any person to solicit any other person upon the streets, parks, or public highways of the City of Toledo for any immoral purpose, under a penalty upon conviction of \$100.00 and the costs of prosecution. (Ord. Aug. 6, 1917).

ARTICLE V.—MISCELLANEOUS.

Sec. 990. **Indecent Language.** It shall be unlawful for any person to use or suffer to be used, in or about any house, building, or premises, by him or her kept or occupied, any lewd, obscene, profane, or indecent language, to the disturbance or annoyance of any person or persons, or to commit, or to suffer to be committed, in or about any house, building, or premises, by him or her kept or occupied, any riot, assault and battery, disturbance, noise or clamor. (R. O. 731).

Sec. 991. **Penalty.** Any person violating any of the provisions of the section immediately preceding, shall on conviction thereof, be fined in any sum not exceeding one hundred (\$100.00) dollars or imprisoned at hard labor in the workhouse, or both, at the discretion of the Court; such imprisonment for the first offense not to exceed thirty days; second offense not to exceed ninety days; for the third offense, six months; for the fourth, or any further repetition of the offense, one year. (R. O. 732).

Sec. 992. **Obscene Book or Picture.** No person shall, within the limits of the City, sell, offer or expose for sale, or exhibit, or cause to be exhibited, for any purpose, any indecent, immodest, lascivious or obscene book, pamphlet, paper, picture, painting, figure, representation or device whatever, under a penalty upon conviction of a fine of not less than five dollars or imprisonment not exceeding 30 days at the discretion of the Court.

Sec. 993. **Indecent Exposure of Person.** No person shall, within the limits of the City, make any indecent, immodest or immoral exhibition or exposure of his or her person, or cause or procure any other person so to do, in or upon, or about any streets, alley, or other public or exposed place, or in any situation or place where any other person passing, or being in or upon any street or public place, might see the same, nor in any public house or room, or other place where any number of citizens may be assembled, nor in such way or place as to annoy any other person exercising his or her lawful rights, under a penalty upon conviction, of a fine of not less than five dollars or imprisonment not exceeding thirty days at the discretion of the Court.

Sec. 994. **Obscene Act, Etc.** No person shall, in or about any street, alley, public ground, or other public place in the City, or in any situation or place where any other person passing, or being in the street, alley, or other public place, is or might be ordinarily in

view or in hearing, nor in any such way or place as to annoy any other person, commit any lewd, wanton, indecent, immodest, obscene, or filthy act, gesture or conduct, or utter any profane, lewd, bawdy or filthy discourse. Any person violating the provisions of this section, shall, upon conviction, be fined not more than five dollars or imprisoned not more than thirty days, at the discretion of the court.

Sec. 995. **Stud Horses, Etc.** Stud horses or jacks shall not be let to mares, or exhibited in the streets, alleys or lots of the city, unless enclosed from public view; any person or persons offending against the provisions of this section, shall, on conviction, be fined in any sum not exceeding ten dollars, with costs, at the discretion of the Court. (R. O. 742).

Sec. 996. **Molesting or Insulting a Female.** Any person who shall improperly and unlawfully follow, pursue, lay hands on, or accost or otherwise molest or insult any female, or other person within the limits of the City of Toledo, shall be deemed guilty of a misdemeanor. Upon conviction thereof the person or persons shall be fined in any sum not exceeding \$50.00 and the costs of prosecution. (R. O. 757).

CHAPTER XXV.

PUBLIC ORDER AND PEACE.

Sec. 997. **Playing Ball in Streets, Etc.** No person shall throw, pitch, toss, knock or bat any ball in, or along any street, lane or public place in the City of Toledo, or play any game of ball therein. Any person or persons violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof in the police court shall be fined in any sum not less than one dollar or more than ten dollars and the costs of prosecution. (R. O. 699).

Sec. 998. **Loitering in Streets.** It shall be unlawful for three or more persons to assemble except at public meeting of citizens on any of the sidewalks, streets, street corners, vacant lots or public alleys, and there conduct themselves in a manner annoying to persons passing by or occupants of adjacent buildings. (R. O. 700).

Sec. 999. **Congregating on Streets, Etc.** It shall be unlawful for persons having no occupation or business at the places herein named to congregate upon or occupy the sidewalks or corners of any of the streets of the City, or in front of any place of worship, assemblage, or amusement. (R. O. 914).

Sec. 1000. **Loitering in Bar Rooms, Etc.** It shall be unlawful for any person to be found loitering about any common bar-room,

dram-shop, gambling house or house of ill-fame, or wandering about the streets, either by night or day, without any lawful means of support, or without being able to give any satisfactory account of himself. (R. O. 701).

Sec. 1001. **Penalty.** Any person offending against any of the provisions of the two preceding sections shall, upon conviction, be fined in any sum not exceeding \$50.00 and costs of prosecution, and stand committed to the workhouse until paid. (R. O. 702).

Sec. 1002. **Abusing or Resisting Officer.** Any person who shall, within the limits of this City, abuse, resist or hinder any policeman, watchman, or any other officer, in the execution of the duties of his office, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in any sum not less than five, nor more than fifty dollars, and imprisoned at hard labor not exceeding thirty days. And in case of the refusal or neglect of any person to pay such fine and costs the court shall order such person to be imprisoned at hard labor until the same are fully paid. (R. O. 715).

Sec. 1003. **Conveying Weapon to Prisoner.** It shall be unlawful for any person to convey or deliver to, or cause to be conveyed or delivered to, any person while a prisoner in the City prison, or in the custody of any police officer of the City, any instrument, tool, weapon, or thing whatsoever, whereby such prisoner may effect his escape from custody. (R. O. 716).

Sec. 1004. **Conveying, Letter, Etc., to Prisoner.** It shall be unlawful for any person to convey, or cause to be conveyed to any person while a prisoner in the City prison, or in the custody of any police officer any letter or written communication, except by permission of the officer in charge of such prisoner. (R. O. 717).

Sec. 1005. **Penalty.** Every person who shall be convicted of violating any of the provisions of the two immediately preceding sections, shall be fined in any sum not less than five dollars, nor more than fifty dollars, or imprisoned not more than thirty days, or both, at the discretion of the Court. (R. O. 718).

Sec. 1006. **Jumping on Vehicles.** The act of jumping upon, or hanging on, to street cars, carriages, sleighs, or other vehicles, while in motion in the streets of the City of Toledo, shall be considered an offense, and any person or persons who shall get upon, or attempt to get upon, any street car for the purpose of obtaining a ride thereon, without paying his or her fare, or if a carriage, sleigh or other vehicle, without the consent of the owner or driver thereof shall be first obtained, shall be deemed guilty of an offense, and shall be subject to arrest by any person or persons having police authority, and upon conviction thereof, shall be liable to a fine of not less than one dollar nor more than five dollars, or to confinement in the city

prison, or such place as may be hereafter provided by the Council not less than six, nor more than twenty-four hours, or both, in the discretion of the Court. (R. O. 719).

Sec. 1007. **Maliciously Injuring Property.** It shall be unlawful for any person within the limits of this city, to wilfully and maliciously injure, disfigure, or in any way deface any building, fence, or other property, real or personal, of another; and every person so offending, on conviction thereof, shall be fined in any sum not exceeding fifty dollars, and the costs of prosecution. (R. O. 720).

Sec. 1008. **Impersonating Mayor or Police Officer.** It shall be unlawful for any person within the limits of this city, to personate or attempt to personate the Mayor, or any police officer, or without authority or proper cause to use any of the signals, badges or devices of a police officer, or to attempt to perform any of the duties of a police officer, without being duly authorized so to do; and every person so offending, on conviction thereof, shall be fined in any sum not exceeding fifty dollars and the costs of prosecution. (R. O. 721).

Sec. 1009. **Defacing Books in Public Library.** It shall be unlawful for any person or persons to injure, deface or damage any book or books belonging to the Toledo Public Library, by cutting, tearing, marking thereon, turning down leaves, or otherwise injuring said book or books, or to damage or injure in any way, any magazine, newspaper, periodical, picture, engraving, or statue, the property of said library, or to carry away from the reading room any of the above named property, contrary to the rules of the Toledo Public Library. (R. O. 724).

Sec. 1010. **Injuring Property of Public Library.** It shall be unlawful for any person or persons to wilfully or maliciously commit any injury upon the grounds, buildings, furniture, fixtures, or other property of the Toledo Public Library. Any person or persons so offending against any of the provisions of the two next preceding sections shall, upon conviction thereof, be fined in any sum not exceeding fifty dollars for each offense. (R. O. 725).

Sec. 1011. **Spitting on Sidewalk, Public Conveyance, Etc.** That any person or persons, while upon the sidewalks within the City of Toledo, or standing, walking or sitting in any public room, office, theatre, public building or omnibus, hack or other public conveyance within the City of Toledo, who shall spit, expectorate, or in any way deposit upon such sidewalk or the floor, walls, or furniture of any such public room, office, theater, public building or other public conveyance any excretion or discharge from the lungs, nose, mouth or throat, shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not less than one (\$1) dollar nor more than ten (\$10) dollars for each and every offense, together with the costs of prosecution in the discretion of the Court. (R. O. 728)

Sec. 1012. Spitting in Street Car. Any person or persons who, while riding in or upon any street car, shall spit or expectorate, or in any way deposit upon the floor, seats or other part of any street car in use for transporting passengers, any secretion or discharge from the lungs, throat, mouth or nose, shall, upon conviction thereof, be fined not less than \$1.00, nor more than \$10.00 for each offense, together with the costs of prosecution, in the discretion of the Court. (R. O. 729).

Sec. 1013. Disturbance. If any person shall, within the limits of this city, be engaged in the promotion of any riot, noise, disturbance or disorderly assemblage, to the annoyance of any other person or persons, every such person shall be deemed guilty of an offense, and on conviction thereof, shall be fined in any sum not exceeding fifty dollars, and the cost of prosecution. (R. O. 733).

Sec. 1014. Noise, Outcry, Etc. If any person shall, within the limits of this city, make any noise, outcry or clamor, to the annoyance or disturbance of any person or persons, every such person shall be deemed guilty of an offense, and on conviction thereof, shall be fined in any sum not exceeding twenty dollars, and the costs of prosecution. (R. O. 734).

Sec. 1015. Steam Whistles. No person, or persons, shall blow or cause to be blown within the limits of the City of Toledo a steam whistle of any locomotive or a steam whistle of any stationary or portable engine for any purpose whatsoever. Any person or persons, violating or failing to comply with this section shall be held guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not to exceed \$50.00, or committed to the workhouse for a period not to exceed 60 days, or both, at the discretion of the Court. (R. O. 743).

Sec. 1016. Locomotive Standing Under Bridge. It shall be unlawful for any person or persons having charge of or under his or their control any locomotive or vessel, the motive power of which is steam, to permit or allow such locomotive or vessel to remain under any of the bridges within the City of Toledo in a stationary condition, or within one hundred feet of any such bridge, while steam is escaping therefrom; or to cause or allow steam to escape from any locomotive or vessel while moving under any of said bridges, in any quantity that is not absolutely necessary to the legitimate movement of said locomotive or vessel. (R. O. 744).

Sec. 1017. Blowing of Whistles on Steamers. It shall be unlawful for any person or persons, to blow, or cause to be blown, the whistle of any steamer, or vessel, while lying at any wharf in the City of Toledo, or when approaching or leaving such wharf, dock, or landing, except when absolutely necessary as a signal of danger, and no steam whistle shall be blown on any one of the navigable waters

within the limits of the City of Toledo, except as prescribed by the laws and regulations of the United States. (R. O. 745).

Sec. 1018. Penalty. Any violation of or failure to comply with any of the provisions of the two next preceding sections shall be punished by a fine of not less than ten dollars and costs, for a first offense, and not to exceed fifty dollars; and for any second or subsequent offense, not less than twenty dollars and costs; and any person or persons so convicted, shall be committed to the workhouse until such fine and costs are paid. (R. O. 746).

Sec. 1019. Exceptions. Nothing in Sections 1015 and 1017 shall be construed as forbidding the use of steam whistles as alarm signals in case of fire or collision, or other imminent danger, or the necessary signals by the steam fire engines of the City, or to signal bridge tenders to open and swing bridges on the parts of vessels to pass bridge draws; and such signals shall be given by three sharp, short sounds of the whistle, to be given in succession as quickly as possible, and not prolonged, and for this purpose, the size of the whistle used shall not exceed one inch in diameter. But no such signal whistle shall be blown within three hundred feet of any bridge draw. (R. O. 747).

Sec. 1020. Suspicious Person Defined. Any person found loitering about any bar-room, gambling house, pool room, vessel, house of ill-fame or gambling device, or about pools or baseball, prize fighting or horse racing; or found wandering about the streets either by day or by night, without being able to give a reasonable and satisfactory account of himself, and any person with opium, opium pipe, cocaine, or heroin in his possession; and any person upon whom shall be found any device, instrument or thing used in the commission of burglary, larceny or other crime, or for picking locks or pockets, or any device, instrument or thing used in obtaining money under false pretenses; and any person who obtains his living by criminal means and practices or who is the companion or associate of criminals or other dissolute person, and any person who deliberately and unnecessarily crowds or jostles passengers on street cars, railroads or in railroad stations for the purpose of committing theft or of aiding others to commit theft shall be deemed and held to be a suspicious person. (Ord., June 23, 1919.)

Sec. 1021. Penalty. Any person found guilty of being a suspicious person within the definition of the next preceding section shall be fined not more than \$500, or imprisoned not more than six months or both. (Ord., June 23, 1919.)

Sec. 1022. Suspicious Person Definition Qualified. The provisions of the next two preceding sections shall not be construed so as to affect the rights of either party to an industrial dispute, nor to affect pickets in their lawful rights, and mere idleness or unemploy-

ment shall not be sufficient to warrant a conviction under said sections. (Ord., June 23, 1919.)

Sec. 1023. **Tramps.** All vagrants, commonly known as tramps, and having no visible means of support, who may apply at the police station, or at any citizen's residence, or other place in the City, for food, lodging, clothing or other aid, shall be furnished with board and lodgings, at the expense of the city, at the police station, or such other place as the proper authorities may provide, on condition that such vagrants or tramps pay for the same by manual labor, to be performed from day to day, on the public streets, or other public works of the City, under the direction of the Director of Public Service, whose duty it shall be to see that all such labor is faithfully and properly performed. (R. O. 749.)

Sec. 1024. **Penalty Upon Refusal to Work.** In case any such vagrant or tramp shall refuse to work for board or lodging, as provided in the next preceding section and shall be found loitering about the City or begging from resident citizens, it shall be the duty of the police officers to cause the arrest and prosecution of such vagrant or tramp as a common vagrant, and, on conviction thereof, such vagrant or tramp shall be fined in any sum not exceeding ten dollars, or be imprisoned and kept at hard labor in the workhouse, or both, at the discretion of the Court; such imprisonment for the first offense, not to exceed thirty days; for the second offense, ninety days; for the third offense, six months; for the fourth and each subsequent offense, one year. (R. O. 750.)

Sec. 1025. **Provision for Lodging Vagrants.** The Director of Public Safety shall make all necessary provisions for boarding and lodging all such vagrants or tramps at the places provided in next to the last preceding section, who may perform labor as aforesaid; and also make and enforce, in such relation thereto, all such rules and regulations as such Director shall deem needful. (R. O. 751.)

Sec. 1026. **Dance Hall, Open on Sunday.** It shall be unlawful for any person, owner or controller of any public hall room, or rooms, public garden or platform within the limits of the City of Toledo to keep the same open on Sunday to allow persons there to engage in any dance. Any person or persons offending against this section shall, on conviction thereof, be fined in any sum not less than \$10.00, or more than \$50.00 for each and every offense. (R. O. 752.)

Sec. 1027. **Soft Drink Parlors, Etc, Midnight Closing.** It shall be unlawful between the hours of 12 o'clock midnight and 5:30 o'clock morning of each and every day of the week for any person or persons to open, or keep open, any confectionery and any soft drink parlor and any fruit store, and it shall be unlawful for any person or persons other than the owner or owners, employe or em-

ployes, to be in any such place between the hours aforesaid. Any person or persons violating any provision of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than ten dollars nor more than two hundred and fifty dollars or imprisoned not more than three months, or both. (Ord., June 23, 1919.)

Sec. 1028. **Children Under Seventeen Not to Attend Dance Halls, Etc.** It shall be unlawful for any person being the keeper, manager, or who has the control or direction of any dance house, concert room or saloon, theater, transient museum or skating rink, within the limits of the City of Toledo, to permit any child actually or apparently under the age of seventeen years, to enter, remain, or be in any such dance house, concert room or saloon, theater, transient museum or skating rink, unless accompanied by its parent, guardian or teacher, or other adult member of the family.

Any person violating any of the provisions of this section shall upon conviction, be fined not more than fifty dollars or imprisoned not more than three months, or both, and pay the costs of prosecution.

CHAPTER XXVI.

PUBLIC WAYS.

ARTICLE 1.—STREETS.

Sec. 1029. **Making Excavations in Streets, Etc., Permits.** No person, partnership or corporation shall open up or break into the streets, lanes, alleys, public ways or public grounds of the City of Toledo for the purpose of connecting with the water or gas pipes, or with the sewers, drains or ditches, or for any other purpose whatever, until such person, partnership or corporation shall have first obtained permission in writing so to do from the Director of Public Service of said city. (R. O. 890.)

Sec. 1030. **Deposit Required.** It shall be unlawful for any person, partnership or corporation to break into, open up or disturb the pavement or any paved streets, lanes, alleys or public ways or public grounds of the City of Toledo until such person, partnership or corporation so desiring to open up or break into the pavement in the streets, alleys, lanes or public ways or public grounds of said city, shall have first deposited with the Director of Public Service of said City a sum of money to pay for the replacing and repairing of such pavement by said Director of Public Service, based on the following schedule of prices per square yard of surface of pavement opened or disturbed. 1st. For all streets, etc., paved with brick, stone or asphaltum or other block, on a sand foundation, two (2.00)