

TOWN ORDINANCES,

Adopted by the Commissioners of Tarborough, May 6, 1828.

AGREEABLE to the several laws of the General Assembly of this State, vesting in the Commissioners of the town of Tarborough the power to make such laws, regulations and restrictions, not inconsistent with the State laws, as they may think proper for the good government of the same:

Be it enacted by the Commissioners of the town of Tarborough, and it is hereby enacted by the authority of the same, that from and after the date hereof, the following laws shall be in force in this town:

Ordinance the 1st. In future it shall not be lawful to fight cocks, play at ten pins, cards, ball, bandy, cricket, or any other game whatsoever, within the limits of this town, on the Sabbath day, under the penalty, if a person over the age of twenty-one years, other than a slave, the sum of ten shillings; if a person under the age of twenty-one years, the penalty to be recovered from the parent, guardian, or master: and if a slave, to receive not more than fifteen lashes, at the discretion of the proper authority.

Ordinance the 2nd. All negro slaves, other than those belonging to this town, or those owned by persons living in said town, shall be strictly prohibited from coming to town on the Sabbath, nights, or holidays, except he, she, or they have a written permission from their owners, stating that they are on the necessary business of their owners, or on a visit to his wife: Any negro so offending against this Ordinance, shall be liable to be taken up by the Commissioners, or any person under their direction, and put into Jail and there kept during the night, and for a second offence a like punishment and not exceeding fifteen lashes at the public whipping-post, at the expense of the owner of such slave or slaves.

Ordinance the 3rd. No merchant, trader, or shop-keeper, or retailers of spiritous liquors or wines, (tavern-keepers who afford general entertainment to travellers and others excepted,) shall keep open or permit his, her, or their store or shop, within the limits of this town, on the Sabbath day; or sell or permit to be sold on that day, any kind of goods, wares, or merchandize, wines, or spiritous liquors, except in cases of pressing necessity when the object is to afford relief to the sick, or accommodation to strangers, under the penalty of forty shillings for each and every offence; and all hawkers or pedlars who shall sell, or expose for sale on the Sabbath day, in any tavern or other house, street, or other place within the limits of said town, any goods, wares, or merchandize of any kind whatsoever, shall incur the like penalty, to be recovered by warrant from the Magistrate of Police with cost, and applied to the use of the town.

Ordinance the 4th. Henceforward no merchant or other person shall load or unload any flat or boat, or cause any other kind of labor to be performed on the Sab-

bath day within the limits of the town, except in cases of obvious and pressing necessity, under the penalty of ten dollars for each and every offence, to be recovered and applied as above mentioned.

Ordinance the 5th. The Commissioners of this town, considering the great danger in firing guns and pistols, and running horses in the streets or elsewhere within the limits of said town, do hereby ordain and declare, that from and after the date hereof, it shall not be lawful to shoot or fire any gun or pistol, or to run or strain any horse, mare or gelding, in any of the streets or in any other place within the limits of said town; and if any person other than a slave or servant, shall be guilty of any breach of this Ordinance, he, she, or they, shall upon conviction, forfeit and pay for each and every offence the sum of thirty shillings, to be recovered by warrant from the Magistrate of Police, whose duty it shall be to issue the same upon information that such an offence had been committed, with cost of suit, and applied to the use of the town: Provided, that if the offender be under the age of twenty-one years, the parent, guardian, or master of said offender, as the case may be, shall be held and deemed liable to the payment of said forfeiture, and execution may issue against them accordingly. And if any servant or slave shall offend against this Ordinance, he shall upon conviction receive fifteen lashes on his bare back at the public whipping-post, unless the master, mistress, or employer of said slave or servant, shall request the punishment of whipping may be commuted by a fine in money, and tender the payment of thirty shillings for each and every offence whereof the offender shall have been convicted, besides cost of suit; and in that case the Magistrate may, if he shall think proper, accept the money as a commutation of the corporal punishment, and account for the same with the Treasurer of the Board.

Ordinance the 6th. The hands liable to work on the streets shall be called out in two equal divisions until they all have worked; and any person failing to work himself, or finding a sufficient substitute in his stead, shall pay the sum of fifty cents to the Town Constable, within three days after they fail to perform such duty: Provided, that no person shall be subject to the above fine, unless they shall have had three days notice, previous to the time set apart for working; which notice shall be given in writing, to be left at the person's house or place of residence, or by verbal message, to be recovered by warrant from the Magistrate of Police.

Ordinance the 7th. It is hereby forbidden to the inhabitants of this town, to throw or cause to be thrown into the streets, any kind of filth or washings from their kitchens or shops, or other places, under the penalty of twenty shillings for each and every offence; and the penalty of ten shillings for every twelve hours that any such nuisance so thrown into the streets shall be permitted to remain, after receiving due notice thereof:

Ordinance the 8th. From and after the 1st day of July annually, all dogs belonging to this town shall be liable to pay an annual tax of five dollars each, to the use of the town, except in cases hereinafter provided for: And be it further enacted, that no negro slave shall be permitted to keep a dog within the limits of this town. Be it further resolved, that each and every free person shall be permitted to keep one dog free from tax, as a guard on the lot on which they may reside. Be it further resolved, that each and every person owning a dog in this town, free from tax by the above resolution, shall on or before the 1st day of July annually, hand in a description of said dog with his name to the Clerk of the Board of Commissioners, which shall be registered, or shall pay tax for the same. Be it further enacted, that each and every dog belonging to this town, not otherwise provided for, shall be destroyed by the Town Constable, and for each and every dog so destroyed, he shall receive fifty cents, payable out of any monies not otherwise disposed of; and the Ordinance prohibiting the firing of guns or pistols shall not apply to the Town Constable in the discharge of this duty.

Ordinance the 10th. It is hereby ordained, that if any owner or keeper, or any other person, shall allow or cause any stud horse, or jack ass, to be let to a mare within the limits of this town, they shall forfeit and pay, if a free person ten dollars, if a negro slave twenty lashes on his bare back, to be taken by warrant from the Magistrate of Police, and shall be subject to the payment of all cost of said warrant if a free man, if a slave the master or owner shall pay all cost. It shall be lawful for the Magistrate of Police, in case of a violation of this Ordinance by a slave, to receive from the owner of such slave the sum of ten dollars, in lieu of corporal punishment. Be it further resolved, that it shall not be lawful for any person or persons, to lead or ride any stud horse or jack ass through the streets of said town, or cause the same to be done for the purpose of exhibiting the same, under the penalty of five dollars if a free person, and a corporal punishment of ten lashes on his bare back if a slave; the above fine to be recovered, or the aforesaid punishment to be inflicted, by warrant before the Magistrate of Police, with cost; and it may be discretionary with the Magistrate of Police, to receive from the owner of such slave the sum of five dollars, in lieu of corporal punishment.

Ordinance the 11th. Resolved, that in future when any animal of any kind shall die within the limits of this town, it shall be the duty of the owner of such animal to cause it to be removed at least one hundred and fifty yards, to a sink over the Beating Dam Run towards the river. And be it further resolved, that in case such persons shall fail to remove or cause to be removed, such animal to the place above described, within six hours after being duly notified thereof, shall forfeit and pay for every offence the sum of

five dollars, to be recovered by warrant from the Magistrate of Police, to the use of the town.

Ordinance the 12th. It shall not be lawful for any person or persons to trespass on the Town Commons, or dig pits or holes, or take or remove from any part of the Town Commons any earth to fill holes in any street or lot, or use for any other purpose any dirt from the Town Commons, or cause the same to be done, except from the river hill at the public landing, and from between the Beating Dam Run and the river, under the penalty of twenty shillings for each and every offence, to be recovered by warrant from the Magistrate of Police, with cost: Provided, nevertheless, it shall not be considered a violation of the aforesaid Ordinance for any person to remove sand from the Commons near the old mill dam for house use and plastering; provided that they do not thereby form pits or holes which may contain stagnant water.

Ordinance the 13th. Whereas the lives and property of the citizens of the town of Tarborough have been endangered by the wooden chimneys in said town, and whereas they have been long considered a nuisance: It is ordained, that it shall not be lawful for any person hereafter to erect a wooden chimney to any building in said town, under the penalty of twenty dollars, to be recovered by warrant from the Magistrate of Police, with cost; and those who have heretofore erected wooden chimneys, or now own houses to which wooden chimneys are appended, who shall permit or suffer the same to remain longer than the 1st of July next, shall forfeit and pay the sum of ten shillings for each and every month that the same shall remain appended to any such house; and should they not remove the same by the 1st of January, 1829, it shall be the privilege as well as duty of the Commissioners, to have the same removed and brick chimneys erected at the expense of the owner or owners.

Ordinance the 14th. It shall not be lawful for any person to sell spiritous liquors in the town of Tarborough, without a written permission from the Board of Commissioners, under a penalty of forty shillings, to be recovered by warrant before the Magistrate of Police, with cost.

Ordinance the 15th. It shall not be lawful for any negroes to assemble either at night or during the day, for the purpose of preaching, without permission first obtained from the Board of Commissioners.

Ordinance the 16th. That the Town Constable shall be entitled to forty cents for every warrant, for every execution forty cents, and for every witness summoned twenty cents, to be taxed in every instance for which the Magistrate shall give judgment.

Ordinance the 17th. It shall be the duty of the Town Constable to patrol the town of Tarborough on Sabbaths and nights, and enforce the aforesaid laws.

By Order,
LOUIS D. WILSON, Ch'n
JNO. PARKER, Clerk.