

# TARBOROUGH FREE PRESS.

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BY GEORGE HOWARD,

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Letters addressed to the Editor must be post paid, or they may not be attended to.

## DOMESTIC.

Laws of North Carolina, 1831-32.

### AN ACT

For the better regulation of the Town of Tarborough, in Edgecombe county.

WHEREAS the limits and boundaries of the town of Tarborough have been ascertained and fixed by law, but the laws made for the regulation and government of the same are imperfect and deficient:

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That for the government of the town of Tarborough, the sheriff of Edgecombe county shall annually on the first Monday in April, (or in case of unavoidable necessity as soon thereafter as possible,) hold an election at the court house in the town of Tarborough for one Magistrate of police and five commissioners for said town; which election the sheriff shall give public notice of ten days previously, and shall nominate two freeholders of said town to hold said election; and the polls shall be kept open from eleven in the morning till three o'clock in the afternoon of the appointed day; and every free white male residing in said town, and who shall have resided there six months previously, shall be entitled to vote for said officers; and the sheriff shall declare those persons elected who shall receive the highest number of votes for the respective offices, and shall immediately notify said persons of their election, who shall, within ten days after notification, qualify and take charge of the duties of their offices, or forfeit the sum of twenty dollars, to be for the use of the town treasury, recoverable before any justice of the peace of the county at the suit of one or more of the commissioners who do qualify; and in the event of a refusal to qualify by all elected, with any consent or understanding whatever, where the election is defeated, they shall be guilty of an indictable offence, cognizable before the Superior Court of Edgecombe; and when any vacancy occurs in the above offices, the sheriff on being duly notified shall order a new election, in the same manner as prescribed above; and for every election held under this act, the sheriff shall be paid to the commissioners the sum of four dollars, and for failing to comply with the requisitions of this act, shall forfeit for every offence the sum of twenty dollars, to be recovered by motion in the County Court, at the instance of the chairman of the court, for the use of the town treasury, the sheriff having had five days previous notice of the same.

II. Be it further enacted by the authority of the same, That no person shall be eligible as magistrate of police, or commissioner, who does not reside in the town of Tarborough, and possess therein a freehold estate; nor shall any magistrate of police or commissioner be eligible for more than two years in succession.

III. Be it further enacted, That the commissioners, before they take on themselves the discharge of their duties, shall qualify and take the following oath: "I, A. B. do solemnly swear that I will faithfully perform the duties of commissioner of the town of Tarborough; so help me God." And when thus qualified, they shall be, and are hereby incorporated into a body corporate and politic by the name of "The commissioners of the town of Tarborough," and by that name shall have succession by election as prescribed in this act, and have ability to sue and be sued, implead and be impleaded, answer and be answered, in any court of record or other judicial tribunal whatever; and for the proper regulation, protection, improvement and government of the town, shall have full power and authority to make and enforce all laws, rules and ordinances which they consider right or necessary, provided they are not inconsistent with the laws or constitution of this State or of the United States; they shall keep a record of their proceedings, and may appoint a treasurer, clerk, town constable, overseer of the streets, & any inferior officer their situation or convenience may require; to assign and point out their duties, and fix their compensation; and to enforce their laws and ordinances, they are hereby fully authorized and empowered to impose such fines, taxes or punishments as may enforce obedience. Said fines, taxes and punishments to be recovered and enforced

through a magistrate of police. The commissioners are required to meet monthly during their continuance in office; a majority of them shall at all times be necessary and requisite to transact business.

IV. Be it further enacted, That the magistrate of police shall, before entering on the discharge of his duties, take the following oath: "I, A. B. do solemnly swear that, as magistrate of police of the town of Tarborough, I will do justice and equal right in all cases whatever to the best of my judgment; and all fines and mercements made in accordance with the laws and regulations of said town, I will cause to be duly returned to the proper officer; and that I will faithfully discharge the duties of my office to the best of my ability and judgment; so help me God." And it shall be his duty to enforce the laws and ordinances of the town, and punish the offenders and violators of the same; and to do and effect which, he is fully authorized and empowered to issue his warrant to the sheriff, or to any constable, to bring before him the offender or offenders; and on conviction, which shall be in the same manner of trials before justices of the peace, the said magistrate of police is authorized to give judgment, and award execution agreeable to law; which judgment or execution the sheriff or constable is fully authorized and required, under the usual penalties of the law, to execute and enforce; and for the proper execution of the above purposes, and the laws of the town, the magistrate of police is hereby invested with full power to issue subpoenas, examine witnesses, administer oaths; as far as the limits and laws of the town are concerned, is vested with all the powers and authorities of a justice of the peace; and all fines, penalties, forfeitures and punishments incurred under the town laws, or imposed by the commissioners of the town, shall be enforced by him in accordance with the powers vested in him by virtue of his office: *Provided always*, that the defendant shall be allowed to appeal to the County Court, upon giving good and proper security for the costs, or for his personal appearance at court, as the case may be.

V. Be it further enacted, That for the improvement and support of the town, and for the payment of the contingent expenses thereof, the commissioners shall annually, before the first day of August, levy a tax on the real estate, with the improvements, in said town, not exceeding the rate of fifty cents to every hundred dollars worth of the same; and also a poll tax on the white male residents of the town between the ages of twenty-one and fifty-five, not exceeding one dollar per capita; and in order to procure an accurate list of the property and persons liable to be taxed by the town laws, it is hereby made the duty of the County Court of Edgecombe, at every May term, to appoint some justice of the peace of said county, who shall, between the first and last days of June, receive on oath from the inhabitants of said town a true and accurate list of all persons and property liable to pay taxes, and shall make return of such lists under his hand and seal to the commissioners at their next meeting thereafter; and every person failing to give in as aforesaid, shall be assessed in double the amount he would otherwise be liable for; and to collect these taxes, the commissioners shall depute some person properly qualified, allowing him sufficient compensation for the same, who shall collect and account for the taxes by the first of November succeeding; and the person or officer thus deputed or appointed shall have all the powers and authorities to collect the same that any other collector of the public taxes of the State or county have; and if any owner of real estate in the town shall neglect or refuse to pay the taxes for the same for more than twelve months, the said real estate, or so much thereof as may discharge the arrears of taxes, may be sold after giving six weeks public notice of the sale in some newspaper, and advertising the same at the court house door.

VI. Be it further enacted, That the County Court shall not grant license to any person to retail spirituous liquors in less quantities than a quart within the limits of the town of Tarborough, without a written recommendation from the board of commissioners; and every license thus granted shall be annually renewed; and any person retailing in violation of this act, shall forfeit and pay for every offence the sum of five dollars, to be recovered on conviction before the magistrate of police, besides the liability of being indicted in the County or Superior Courts under the laws of the State: *Provided*, that nothing herein contained shall in any manner conflict or interfere with the laws of the State prohibiting the trading and trafficking with slaves in any article whatever.

VII. Be it further enacted, That as great danger frequently arises to the inhabitants and property of the town from the imprudent use of stoves, and the improper erection of wooden chimneys and blacksmith's shops in populous parts of the town, that from and after the first day of February, one thousand eight hundred and thirty-two, no stove, wooden chimney or blacksmith's shop shall be erected or used in the town of Tarborough without the written per-

mission of the commissioners, specifying the place and manner of using and erecting the same; and for every offence against the provisions of this act, the offender shall pay not less than three, nor more than twelve dollars for every month's continuance of the same; and for every less period than a month, at the above rates, at the discretion of the magistrate of police, before whom said penalty shall be recovered on information lodged by the commissioners. That it being incumbent on the commissioners of the town to keep the streets in good order and repair,

VIII. Be it further enacted, That for this purpose, they shall have full power and authority to do the same, either by calling out the inhabitants of the town to work in the manner herein after prescribed, or by letting out the keeping and repairing of the same, and laying an annual tax on the citizens and real estate within the town to pay the expense thereof: *Provided*, that the poll tax be levied only on the white male residents of the town between the ages of twenty-one and fifty, and on the male slaves between the ages of sixteen and sixty; and said tax shall not exceed two dollars per capita, and the tax on real estate shall not be at a greater rate than fifty cents for every hundred dollars valuation thereof. But should the commissioners think proper to call out the inhabitants to work on said streets, (and every person shall be liable to work who is made liable to be taxed for the streets,) the overseer appointed for the purpose shall give at least three days notice to every person thus called out; and if any person shall fail to appear by himself or such substitute as may be accepted by the overseer, and work on the streets as may be required, he shall forfeit and pay for every failure fifty cents, to be collected by warrant before the magistrate of police, at the suit of the commissioners, the evidence of the overseer being sufficient to convict any delinquent. The owner or employer of slaves shall be liable for his or their compliance with the requisitions of this act, in the same manner as they themselves are liable; and all persons of the above description (including free negroes) who have been residents of the town for thirty days previous to any working day, are liable to be called out to work on the streets: *Provided*, that no person shall be compelled to work more than twelve days in each year, and the commissioners may remit or excuse any fine that the justice or equity of the case may require; and that any person may exempt himself from working on the streets during one year by paying in advance three dollars to the town treasurer.

IX. Be it further enacted, That the commissioners are fully empowered to preserve and protect the public grounds and streets of said town from all encroachments or obstructions; and wherever the public grounds or streets are enclosed or encroached on, they shall have full power to remove the same, or levy an annual tax, not exceeding one dollar for every square foot of ground occupied or encroached on.

X. Be it further enacted, That the commissioners shall make such regulations and ordinances as shall promote the health of the town; and no person shall be allowed to create or occasion any nuisance to the annoyance of the health, good order or peace of said town. Should any such nuisance be or exist on any of the streets or public grounds of the town, the commissioners shall remove the same at the expense of the individual creating or committing it; and if any owner or occupier of a lot shall cause or permit any nuisance on said lot, or if any person besides the owner should cause or create any nuisance on any vacant lot, on information thereof lodged by the commissioners or any citizen before the magistrate of police, he shall immediately notify the owner or occupier of said lot or offender against these regulations that he is required to remove the said nuisance in a specified time; and if he, she or they refuse or neglect to remove the same, the magistrate of police shall have full power and authority to issue his warrant to the sheriff or any constable to arrest said offender and bring him, her or them before him; and the magistrate of police shall have power to impose a penalty or fine not exceeding ten dollars for the first offence; and if the offender shall still refuse or neglect to remove the nuisance for ten days, he may in the same manner be fined not exceeding one hundred dollars; and for a continuance of the nuisance after that, a daily fine or tax not exceeding ten dollars may be imposed during its continuance; but if the nuisance should be of immediate or extraordinary danger or annoyance, the commissioners may in the first instance remove the nuisance or the causes creating the same at his, her or their expense: *Provided*, that the privilege of appeal by giving good security shall be allowed the offender from the decision of the magistrate of police to the County Court; and as nuisances frequently arise from running at large of hogs, dogs and other dangerous and troublesome animals, the commissioners shall be empowered to adopt such regulations concerning the same as the comfort and security of the citizens may require.

XI. Be it further enacted, That for the securi-

ty of property and the personal safety of the citizens, the commissioners, whenever they deem it necessary or expedient, shall establish a night watch or patrol for the town; and whenever the funds of the town are inadequate for the payment of an hired watch or patrol, they may call out the white male inhabitants of the town between the ages of eighteen and sixty years of age to perform said duty, and class them in such numbers and companies as will best answer the purpose intended; and the commissioners shall have full power to make such regulations as will enforce the compliance of the inhabitants with this duty.

*Presentments of the President.*—The Grand Juries of the late Superior Courts of Davidson and Rowan, presented the President of the United States for his measures in relation to the public deposits. They speak of his conduct in the severest terms of reprehension, calling it "arbitrary, despotic, unconstitutional, reckless, obstinate, haughty, kingly," &c. *Ral. Star.*

☞ In attempting to cross the river at Camden, S. C. on the 13th instant, with the Southern mail and several passengers, the current was so strong, there being an unusual freshet, the flat was hurried down the stream with great rapidity, and struck a tree, which crushed it to pieces. The horses swam ashore, and all the persons on board (except a negro man) saved themselves by clinging to the boughs of trees. The negro was drowned. One of the mail bags was saved, but the others have not been heard of.—*ib.*

*Snow.*—The Rutherfordton Spectator states that the Blue Ridge, and other high mountains in Buncombe county, were covered with snow, to the depth of eight inches, on the 7th inst.—*ib.*

☞ On the 15th instant, Mr. Thomas Scarlett, upwards of 80 years of age, in attempting to cross the river at Hillsborough, fell from his horse and was drowned.—*ib.*

*The Scarlet Fever.*—A writer in the Boston Medical and Surgical Journal, in a letter dated Talbotton (Ga.) recommends the use of spirits of turpentine in Scarlet Fever. He states that he has prescribed it in many cases, where the eruptions had only slightly and partially appeared, and it acted with great efficacy—the whole surface became covered with the rash, and the patients were soon greatly relieved of an inordinate oppression, no less disagreeable than dangerous. The plan of administering this simple remedy is described as follows:

"As soon as I find the disease has made its attack, or as soon thereafter as the paroxysms of fever have somewhat subsided, I administer from ten to fifteen drops to a tea-spoonful of spirits of turpentine (according to the age of the patient,) with one, two, or three tea-spoonfuls of castor oil, mixed together; and this I repeat every day, or sufficiently often to keep the eruption full on the surface."

*Pain in the Ears.*—A lady has told us the following simple cure for pain in the ears. A small bit of cured Bacon put into the ear and permitted to remain. She has known it to prove a perfect cure in one or two cases in which it was applied.

☞ Really we were upon the point of shedding tears when we read the following from the Boston Mercantile Journal: "The editor of a paper printed in the western part of the State, accounts for the non-appearance of his sheet at the appointed time, by saying that he had 'no paper on hand, and nothing to buy any with.' Poor fellow!—Hard times these, to have neither cash nor credit."