

LAWS AND ORDINANCES

FOR THE GOVERNMENT OF THE

TOWN OF WEST FAIRMONT,

MARION COUNTY,

WEST VIRGINIA.



1893

JAS. E. MCCOY'S
STEAM JOB PRINTING HOUSE
FAIRMONT, W. VA.

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OFFICERS
OF THE
TOWN OF WEST FAIRMONT,
WEST VIRGINIA.

MAYOR,
WM. RIDGELY, SR.

RECORDER,
E. S. AMOS.

COUNCILMEN,
W. E. STEELE,
B. D. FLEMING,
J. F. THACKER,
J. P. THOMPSON,
F. B. DICKERSON.

CITY SOLICITOR,
L. G. BENNINGTON.

ORDINANCES.

ORDINANCE 1.

CONCERNING ELECTIONS.

Be it ordained by the Council of the Town of West Fairmont:

SECTION 1. That there shall be elected annually a Mayor, Recorder and Five Councilmen, who, together, shall form a Common Council.

SEC. 2. That the annual town election shall be held on the first Thursday of January of each year at such place, within the corporate limits, as the Council may designate by resolution or otherwise. Notice of the time and place of holding any election shall be given by the Recorder posting at least three notices of same for at least ten days prior to such election.

SEC. 3. The Council shall, on the first Tuesday of December preceding the election to be held on the first Thursday of January, appoint three qualified voters of the Town of West Fairmont, as commissioners to hold and conduct said election. They shall be selected from the two political parties which at the last preceding election cast the highest number of votes, and not more than two shall belong to the same political party. The rights of designation of said commissioners by political parties shall be exercised by the chairman of said political parties in the municipality, if any such there be as provided for State elections by Section 7, Chapter XXX, Code of 1891, as amended by Acts 1893.

SEC. 4. The commissioners of election so appointed shall appoint two poll clerks, one from each of the political parties which cast the largest number of votes at the last preceding election in the town, who are qualified voters in the town. In case poll clerks or commissioners fail or refuse to act, they may be appointed as provided in State elections by Sec. 8, Chap. 3, Code of 1891, as amended by Acts 1893.

SEC. 5. All persons who have been bona fide residents of West Fairmont for six months next preceding a charter election therein, and who are qualified voters of the Constitution of West Virginia, and none others shall be entitled to vote at any charter election held in said town, but no person shall be deemed a resident of West Fairmont by reason of being a student of any school therein or for any temporary purpose.

SEC. 6. The polls shall be opened at the same time; the election conducted in the same manner, and the commissioners and clerks shall take the same oaths as provided by law for holding State elections.

SEC. 7. The Council shall within five days, Sundays excepted, after the election, meet and examine the returns of the commissioners, declare the result and cause certificates to be issued to the successful candidates, who may immediately or within ten days thereafter, after being furnished with certificate take the oaths prescribed by law.

SEC. 8. If any person elected or appointed to an office shall fail to qualify within the time required by this ordinance, he shall be deemed to have abandoned any claim to the office, and the Council shall proceed at once to fill the vacancy.

SEC. 9. All the provisions of Chap. 3, Code of 1891, relating to the holding of State and county elections, so far as they are made applicable to holding municipal elections by Sec. 85 of said Chap., as amended by Acts 1893, are hereby adopted for the regulation of the holding of the elections of West Fairmont.

SEC. 10. The Council shall annually, at the first meeting in February, or as soon thereafter as possible, appoint a Sergeant and such other officers and committees as may be deemed proper to continue in office at its pleasure. Vacancies in the office of Councilman, Mayor or Recorder shall be filled by the Council until the next election.

ORDINANCE 2.

CONCERNING OFFICERS DUTIES, FEES, &c.

Be it ordained by the Council of the Town of West Fairmont:

SECTION 1. That in addition to the powers conferred on the municipal authorities of the Town of West Fairmont by its charter, the municipal authorities of the Town of West Fairmont shall exercise and are hereby authorized to exercise all the powers conferred upon municipal authorities of cities, towns and villages, by Chapter 47, of the Code of West Virginia, third edition, 1891.

SEC. 2. The Mayor shall be paid such salary and receive such fees as the Council may determine, which said salary shall be fixed at the first meeting of the Council in February of each year, and the same shall not be increased or diminished during the term.

SEC. 3. Every person elected or appointed to the office of Town Sergeant shall, within ten days after his election or appointment, take the proper oath before the Mayor or some other person qualified to administer it, and shall enter into bond, with at least two good securities to be approved by the Council, in the penalty of not less than one thousand nor more than two thousand dollars, conditioned that he will in all things well, truly and faithfully discharge the duties of the office of Town Sergeant of the Town of West Fairmont, and, will further well and truly account for and pay over to such person or persons as may be entitled to receive the same, all moneys or property which shall come to his hands by virtue of his office.

SEC. 4. The Sergeant shall have all the rights, powers and privileges within the corporate limits of the town, that are now conferred upon a constable by law, and shall be entitled to the same compensation therefor, and he and his sureties liable to all the fines, penalties and forfeitures that a constable of a district is liable for.

SEC. 5. It shall be the duty of the Sergeant to enforce the ordinances of the town generally; to institute proceedings for all offenses against the same; and if after having been informed of any offenses against the said ordinances, he shall neglect or refuse to institute a prosecution against the offender or offenders, he shall forfeit and pay to the town a sum not less than five nor more than twenty dollars for each such offense.

SEC. 6. On or before the first day of October after the said taxes are so levied and assessed, the Sergeant shall account for to the Council the gross amount of the taxes, so levied and assessed, except such part thereof as may be allowed him by the Council on account of delinquents, which said delinquent list shall be passed to his credit. And at the first meeting of the Council in February of each year, the Sergeant shall report a distinct list of all persons who have failed to pay the taxes levied and assessed upon them, with such explanation as he may deem necessary; and if the Council shall be satisfied that said list of delinquents, so reported by the Sergeant is just and true, and that said Sergeant has been guilty of no neglect or default in failing to collect the same, and files affidavit required by law, the amount of such delinquent list shall be passed to his credit, and after being duly recorded shall be charged to the next Sergeant, and by him collected if practicable.

SEC. 7. In all cases where the Sergeant is required to perform any service, for which fees may or are charged, on behalf of persons not residents within the Town of West Fairmont, he may require payment to be made him before such

service is performed, or security that his fees for the same shall be paid.

SEC. 8. If any person or persons shall by force resist or obstruct the Sergeant or his deputies, in the discharge of, or in the lawful exercise of any duty, or in the lawful exercise of any power or authority, required of, or granted to said officers by law, or by any ordinance of this town, or shall aid or abet anyone or more in so doing, the person or persons offending, shall forfeit and pay to the town a fine of not less than five nor more than twenty dollars, for every such offense, and may be imprisoned without bail for a term not exceeding thirty days for every such offense.

SEC. 9. The Sergeant shall receive for his services such pay as the Council may annually by ordinance or resolution prescribe.

SEC. 10. The Sergeant shall not, nor shall any deputy or special policeman, be allowed to claim or receive any fee for attendance as a witness in any case arising under the penal ordinances of the town.

SEC. 11. The Sergeant when he collects a license tax under any ordinance of the town, shall report to the Recorder the name of the person of whom the same was collected, the business to be carried on under such license, and the amount received by him as tax therefor.

SEC. 12. The Recorder for his services shall receive such salary as the Council may annually by ordinance or resolution prescribe, which said salary shall be fixed, and shall not be increased or diminished during his said term of office.

SEC. 13. No money shall be paid out of the treasury except on a draft signed by the Recorder, specifying on its face the purpose or account on which the same is paid. Nor shall any credit be allowed the treasurer in the settlement of his accounts upon any voucher except such draft.

SEC. 14. The Recorder shall keep a book of printed drafts with proper blanks to be called the "order book," and shall note in the margin thereof the number and date of each draft issued, the person in whose favor it is drawn, and the account to which the same is to be charged.

SEC. 15. The Recorder shall keep a book called the "assessor's book," and it shall be his duty to record therein assessments of the town made from year to year.

SEC. 16. The Recorder when directed by Council shall see to having ordinances printed as passed by Council. And he shall superintend and contract for all printing to be done for the town.

SEC. 17. Hereafter all petitions to Council or accounts against the town shall be in writing signed by the petitioner or claimant, and the same shall be filed and kept by the Recorder.

SEC. 18. All license shall be issued by the Recorder when so ordered by Council, but no license shall be issued until the person receiving the same shall file with the Recorder the Sergeant's receipt for the amount of the tax payable for such license.

SEC. 19. The Recorder for every license issued by him shall receive a fee of fifty cents (50) to be paid by the person to whom such license is granted.

SEC. 20. It shall be the duty of the Recorder whenever any bond shall be given by any officer of the town and accepted by the Council; to make at the time an entry in the journal containing the proceedings, showing the giving of such bond, and by whom, and its acceptance, giving the name of the principal and each of the sureties to it; and also showing that the officer assumed upon himself the oath of office, and that his sureties were examined on oath touching their sufficiency.

SEC. 21. It shall be the duty of the Sergeant to examine, by order of Council, whenever deemed necessary, all chimneys, hearths, stoves, stove-pipes, roofs, &c., in the town, and to see that all necessary precautions are taken in their construction, arrangement and condition to guard against fires, and to forbid and prohibit the occupiers of property from keeping fire in any way that are deemed unsafe until they are made safe and secure to his satisfaction, and to see that all cellars are properly kept and drained.

SEC. 22. The street committee shall have charge of the streets, alleys, sidewalks, bridges, culverts, sewers, lamps and other property of the town. They shall see that the same are kept free from obstruction, clean and in good repair.

SEC. 23. The Mayor shall keep a record of all proceedings before him in a docket to be furnished by the Council, which shall always be open to public inspection. He shall also receive all fines and pay them to the Treasurer and take his receipts therefor, and shall annually on or before the thirty-first day of January in each year, lay a statement of the fines imposed and collected and the disposition thereof before the Council.

SEC. 24. The sanitary committee shall have authority, in the discharge of duties, to enter upon, or in, any ground or building; and any refusal to permit such officers or committee to so enter shall be taken to constitute the offense of resisting an officer in the discharge of his duty.

ORDINANCE 3.

AN ORDINANCE CONCERNING CERTAIN OFFENSES AGAINST THE PEACE, GOOD ORDER AND WELL-BEING OF THE TOWN OF WEST FAIRMONT.

Be it ordained by the Council of the Town of West Fairmont:

SECTION 1. It shall be unlawful for any person to run, gallop, ride or drive any horse, gelding, mare, mule or jack

rapidly, or at any other than an ordinary traveling gait in any street, alley or road within the limits of the town.

SEC. 2. It shall be unlawful for any person to suffer any such animal or animals as is named in the foregoing section, to stand on any street or alley without being properly fastened, or without having some person to watch the same and prevent their starting.

SEC. 3. It shall be unlawful for any person to obstruct any street, alley or sidewalk by placing thereon store boxes, crates, barrels, or anything amounting to an obstruction of free passage.

SEC. 4. It shall be unlawful for any person to cause a wagon, or team, or any vehicle, to remain over night, or any unnecessary time during the day in any street or alley of the town, so as to cause an obstruction to said street or alley.

SEC. 5. It shall be unlawful for any person to commit or perpetrate any indecent, immodest, or lewd or filthy act, by words or action, in any street, alley, hotel or place of public resort in the town.

SEC. 6. It shall be unlawful for any person to speak or utter any lewd or filthy words or profane language in any street, alley or public place.

SEC. 7. It shall be unlawful for any person to make any indecent or immoral exhibition or exposure of his or her person, or to cause or procure any person to do the same, in the presence or view of any other person.

SEC. 8. It shall be unlawful for any person to publicly exhibit any indecent printing, engraving, print, sculpture, picture or representations of persons or objects within the town.

SEC. 9. It shall be unlawful for any person to commit or cause any riot, noise, disorder, tumult, or loud personal abuse of any person by words, to the disturbance or tending to the disturbance of the peace or quiet of the town.

SEC. 10. It shall be unlawful for any person to dig, cut or excavate in any street, alley or road of the town of West Fairmont, or to remove any soil or other thing from said street, alley or road for setting of telegraph, telephone or other poles or posts, or laying gas mains, or for doing any other thing, without the consent of the Council of the town, entered upon the record of said town. It shall be unlawful for any person to take and carry away or destroy, injure or deface, any property in said town, real or personal, not his own.

SEC. 11. It shall be unlawful for any person to commit an assault and battery, or an assault, or aid and abet or encourage anyone in the violation of any provision of this ordinance.

SEC. 12. It shall be unlawful for persons to assemble (except at a place of public meeting of the citizens, or at a public sale), or loiter on any street or sidewalk, street corners or mouths of alleys, and there conduct themselves in a manner annoying to persons passing by, or occupants or residents of adjoining buildings.

SEC. 13. It shall be unlawful for any person to resist any officer of the town in the performance and execution of his duty.

SEC. 14. It shall be unlawful for any persons to assemble in any street, alley or other public place, or at any house, or outhouse, office, stable, shed, barn, board yard or lot of ground for the purpose of prostitution, lewdness or indecency. It shall be unlawful for any prostitute to be in such place between sunset and sunrise.

SEC. 15. It shall be unlawful for anyone to keep any house of ill-fame, or bawdy house, or house of resort for prostitution, or keep or harbor persons therein for the purposes of prostitution.

SEC. 16. It shall be unlawful for any person to carry any pistol, revolver, bowie knife, razor, dirk, slung-shot, nigger-

shooter, billy or knuckles of lead, brass or other metal or material, or dangerous or deadly weapon of any kind or character.

SEC. 17. It shall be unlawful for any person to interrupt or disturb an assembly of people met for the worship of God, or act in a disorderly manner in or about any church or place of public worship, or entertainment in the town.

SEC. 18. It shall be unlawful for any person or persons to play ball on any street or alley of the town.

SEC. 19. It shall be unlawful for any person to fire or discharge within the corporation boundaries, any gun, pistol, cannon or firearms, or any crackers, squibs, rockets or fireworks, without the written consent of the Mayor, except in case a person be slaughtering some animal for use or during holidays or political processions, or killing some vermin.

SEC. 20. It shall be unlawful for any person, male or female, to be found loitering or wandering about the streets by day or night, and not having either a known place of residence or means of livelihood, and not able to give a satisfactory account of themselves.

SEC. 21. It shall be unlawful for any person to erect or maintain on his or her lot or premises, fronting on any street of the town, a hog pen in which any hog, pig or shoat shall be confined.

SEC. 22. It shall be unlawful for any person to erect or maintain any privy or urinal on any lot fronting on any street of the town; or to erect and maintain such privy or urinal on any lot within thirty (30) feet of any residence.

SEC. 23. It shall be unlawful for any person to break, or injure or in any way extinguish any public or private gas or other light.

SEC. 24. It shall be unlawful for any person keeping a hotel, restaurant, barber-shop, store, or other public place to

suffer or permit any rioting, drunkenness or any lewdness or obscenity, or conduct which disturbs the peace and quiet of the town.

SEC. 25. It shall be unlawful for any person to be upon any street or alley, or in any hotel, barber-shop, barn or other place within the town in a state of intoxication or drunkenness.

SEC. 26. It shall be unlawful for any person without a license therefor from the Town of West Fairmont, to sell, offer or expose for sale, or solicit or receive orders for, or keep in his possession for another, spirituous liquors, wine, porter, ale or beer, or any kind of drinks of a like nature, within the corporate limits of said town, and all mixtures, preparations or liquids which will produce intoxication, whether they be patented or not, shall be deemed spirituous liquors within the meaning of this section.

SEC. 27. It shall be unlawful for any person not married to each other to lewdly and lasciviously associate and cohabit together in said town, or whether married or not, be guilty of open or gross lewdness and lasciviousness therein. In prosecutions under this section the person or persons named in the warrant shall be presumed to be unmarried to each other, in the absence of proof to the contrary.

SEC. 28. It shall be unlawful for any person to commit adultery or fornication in the said Town of West Fairmont.

SEC. 29. It shall be unlawful for the owner, harbinger or keeper of any savage or vicious dog, or of any breachy or unruly cow, or of any female dog in heat, to suffer such animal to run at large. And after notice to such owner, harbinger or keeper of such dog, if any such dog be again found running at large, it shall be the duty of the Sergeant to kill such dog.

SEC. 30. It shall be unlawful for any person to post or place any hand bill, notice or advertisement of any kind, on any property, public or private, without permission from the

owner of such private property, or the officer or person in charge of such public property, as the case may be; or to tear, cut or deface any hand bill, notice or advertisement which shall have been posted or placed with the permission of such owner, officer or person.

SEC. 31. It shall be unlawful for any person to plow or deposit any manure or other filth in or on any street or alley in the town; and it shall be unlawful for any person to refuse or fail to remove, within twenty-four hours after notice from the Sergeant or other police officer to do so, any other accumulation of manure or filth from hog pens or other source from his property, or from property occupied by him, or under his control.

SEC. 32. It shall be unlawful for any person without the consent of the owner or occupier thereof, to enter into the enclosure, land or lot of another, or do any damage thereon; or without such consent to tear down in whole or in part, or injure any fence, unfasten or leave unfastened, or open or leave unopened, any gate or bars of another, or cut down or otherwise injure any fruit, shade, ornamental or other tree, vine or bush of another, in any yard, garden, street or sidewalk in the town.

SEC. 33. It shall be unlawful for any person to allow a stallion or jack to serve a mare within the corporate limits of the town, without the permission of the Council first had and obtained, and each day that such animal is so stood without such permission, shall constitute a separate and distinct offense.

SEC. 34. It shall be unlawful for any person to feloniously take, steal, and carry away from any house, outhouse, premises, street or alley within the town any article or other thing, the property of another, under the value of twenty dollars.

SEC. 35. It shall be unlawful for any person to buy or receive from another person, or aid in concealing within said town any stolen goods or other thing, knowing the same to have been stolen.

SEC. 36. It shall be unlawful for any person who has been regularly summoned by the Sergeant or other officer of the town to appear and testify in any proceeding or case to be or being tried in the town by the Mayor thereof, to refuse or fail to attend, testify and give evidence as required by law in such proceedings; provided, however, that such person shall have opportunity to show reason, if any he can, why he should not be fined for the violation of this section.

SEC. 37. It shall be unlawful for any person to cruelly, unnecessarily or needlessly beat, torture, mutilate or kill or over-load, over-drive, or wilfully deprive of necessary sustenance, within the town, any horse or other domestic animal, or cause the same to be done by another, whether such horse or other animal be his own or that of another person.

SEC. 38. It shall be unlawful for any person to coast or sled or run on bicycle on any pavement or sidewalk of any street of West Fairmont.

SEC. 39. It shall be unlawful for any owner to allow his chickens or other fowls, cat, or dog to run at large to the annoyance of his neighbors or the public, and if any owner have notice that his chickens or other fowls, cat or dog, while running at large are annoying any neighbor, he shall be deemed guilty of offending against the provisions of this section unless he immediately confine his chickens or other fowls, cat or dog.

SEC. 40. It shall be unlawful for any person to allow on his premises, or under or in any of his buildings, any dead animal, putrid or decaying substance, manure, dirt or filth of any kind that produces an unpleasant odor or taints the air. And if any animal, the property of any person, shall die, the

owner thereof shall remove and bury it at least three hundred yards beyond the corporate limits, and at least two hundred yards from all dwelling houses. Nor shall any person kill any animal and allow it to remain within the corporate limits so as to become a nuisance.

SEC. 41. It shall be unlawful for any person to obstruct any sewer or gutter or to allow any cesspool or privy vault to empty therein.

SEC. 42. Any person guilty of a violation of any of the provisions in this ordinance contained, or of aiding or abetting another person in such violation, shall upon conviction, be fined not less than one dollar nor more than twenty dollars, and if the fine be not paid such person shall be confined in jail, or sentenced to labor as hereinafter provided, not more than thirty days, unless the fine and costs be sooner paid.

SEC. 43. That whenever the Mayor shall impose a fine on any person for a violation of any ordinance of said town, and said person fined shall make default in the payment of such fine and the legal costs taxed therewith, or any part of such fine and costs, and for such default shall be imprisoned, it shall be lawful for the Mayor and he is hereby authorized to require such persons to work during such term of imprisonment, or until such fine and costs are fully paid off and discharged, at hard labor not to exceed ten hours per diem, upon any public improvement of said town, or at breaking stone for the use thereof.

SEC. 44. For each day such person shall be required to labor and work as aforesaid, there shall be allowed to him the sum of twenty-five cents per hour to be entered as a credit on the fine and costs assessed against him as aforesaid, and whenever the aggregate amount of such credits shall equal the full amount of said fine and costs then such person shall be discharged.

SEC. 45. No term of imprisonment or work at hard labor

as aforesaid shall continue for a longer period than thirty days. Nor shall any female person be required to labor and work under any provision of this ordinance.

SEC. 46. And for the purpose of enforcing the provisions of this ordinance, the Mayor or any Sergeant or policeman may enter any house, outhouse, barn, garden, or place of amusement, to arrest any person violating the same, and convey them to prison and there detain them for trial.

SEC. 47. The adoption of this ordinance shall not affect any act heretofore done, or right heretofore established.

ORDINANCE 4.

AN ORDINANCE REGULATING THE KEEPING OF GUNPOWDER AND OTHER COMBUSTIBLES.

Be it ordained by the Council of the Town of West Fairmont:

SECTION I. That it shall be unlawful for any person to keep in any shop, store or warehouse or other house or building within this town without the special permission or authority from the Council, a greater quantity of gunpowder or any other equally dangerous combustibles at any one time than twenty-five pounds. Any person guilty of a violation of this ordinance, on conviction thereof, shall be fined not less than one nor more than five dollars, and each day shall constitute a separate offense. This ordinance to take effect May 23, 1893.

ORDINANCE 5.

AN ORDINANCE CONCERNING LICENSE, &c.

Be it Ordained by the Council of the Town of West Fairmont:

SECTION I. It shall be unlawful for any person within the Town of West Fairmont, or within one mile of the corporate limits thereof, unless it be within another corporate town or village, to sell or expose for sale any spirituous liquors. Any one violating this ordinance shall be fined on conviction thereof not less than one nor more than twenty-five dollars for each offense.

The town tax on license shall be as follows:

To sell spirituous liquors, \$1,000; to keep tables for any kind of games, \$100; to act as auctioneer, \$1; to act as hawker or peddler, \$2. On application the Council shall fix such other license fees as the cases or applications may require.

The Recorder shall receive for his services in extending the levy and making out tax receipts a specific fee of fifteen dollars.

The following fees and salaries shall be paid out of the town treasury, to-wit: Mayor, per annum and fees, as hereinafter provided. Recorder, per annum. Sergeant, for collecting fines and licenses and taxes, five per centum; for arrests, 60 cents, party arrested pays if found guilty; summoning witnesses in prosecutions, &c., 25 cents each and milage each way, 5 cents; for impounding any animal violating stock law, 50 cents; for killing dogs and caring for same according to Sec. 41, 50 cents, to be paid by town.

The Mayor for trying cases when the offender is found guilty, 50 cents, to be paid by the offender, and the Recorder for making copies from books or papers in his possession, 10 cents for every hundred words.

ORDINANCE 6.

Be it Ordained by the Council of the Town of West Fairmont:

That the streets and alleys shall be known by the following names, viz.:

The Fairmont and Beverly turnpike within the corporate limits shall be known as Locust Avenue.

The street beginning at the Widow Eyster's or Cramer's and extending southwest to new extension, Fourth street.

The next beginning at Locust Avenue between the properties of C. B. Fleming and Nuzum, extending southwest toward Bell Run, Fifth street.

The next crossing Locust Avenue at H. C. Posten's and F. L. Hamilton's, Sixth street.

The next leaving said Locust Avenue between the property

of Mrs. Ritchie and J. L. Torrey, Seventh street.

The next leaving said Locust Avenue between the properties of W. O. Corbin and Henry Ingman, Eighth street.

The next extending along the ridge northwest, Ninth street.

The alley extending parallel with Fourth street, Alley A.

The alley extending northward between Seventh and Eighth streets, Alley B.

The alley parallel with Locust Avenue extending from Fifth to Sixth streets, Alley C.

The next street parallel with and on south side of Alley C, Virginia Avenue.

The next alley south of and parallel with Virginia Avenue, Alley D.

The next street south of and parallel with Alley D, Jackson Avenue.

The next street north of and parallel with Locust Avenue, extending from Eighth street to Alley B, Hamilton Avenue.

The next alley north of and parallel with Hamilton Avenue, Alley E.

The next street north of and parallel with Alley E, Aarat Avenue.

The street leaving Eighth street and extending toward Ninth street, Short Avenue.

RULE 1. No ordinance shall be put on its final passage until it shall have passed two readings at different regular or special meetings of the Council.

The said town and taxable persons and property therein shall be exempt from all expense or liability for the construction or repair of roads or bridges outside the corporate limits of said town.

ORDINANCE 7.

Be it Ordained by the Council of the Town of West Fairmont:

SECTION 1. That each male dog be taxed one dollar, and each female dog ten dollars; and that the owner be required to place a collar on said dog or dogs after June 1st, 1893, having the owner's name on said collar; and further, that the

Town Sergeant shall kill all dogs not wearing said collar and be paid for so doing; also if any person give in any dog to the assessor and fail to pay tax on said dog, the Sergeant shall kill such dog even though he wears said collar.

SEC. 2. That when any person, not an officer of the town, shall make complaint to the Mayor of any violation of any ordinance, the Mayor shall order the arrest of the accused if in his opinion there is probable cause to suspect his guilt; but in all cases where he doubts that the complaint can be sustained by proof, he shall notify the person making complaint that if the accused be acquitted the complainant will be liable to costs, and if the case be then proceeded with, and the accused acquitted, the Mayor shall give judgment for costs against the person who made the complaint.

SEC. 3. That each member of the Council shall have authority, and it shall be his duty to order any person found violating any ordinance of the town to be arrested and taken or carried before the Mayor for trial, and such member may order any citizen of the town to make such arrest without warrant. Any citizen refusing to obey the orders of members of the Council hereunder, shall be subject to a fine not exceeding five dollars.

SEC. 4. That all ordinances and by-laws of said town in conflict with these ordinances be and are hereby repealed.

MAYOR'S PROCLAMATION.

To the People of the Town of West Fairmont, Courts of Justice and all Others Interested:

I, Wm. Ridgely, Mayor of the Town of West Fairmont, by virtue of the authority vested in me by the Council thereof, do hereby publish, proclaim and declare the ordinances passed May 26th, 1893, to be in full force and effect on and after June 1st, 1893, for the government, protection and preservation of all persons, property and rights made subject to the jurisdiction of said town by the laws of the State of West Virginia.

Given under my hand this 27th day of May, 1893, at West Fairmont, W. Va.

WM. RIDGELY, Mayor.

Be it ordained by the Council of the Town of West Fairmont:

It shall be unlawful for cows or any other stock to be or remain upon any street or alley of the town between sunset and sunrise; also it shall be unlawful for horses to run at large at any time. For each violation the owner of such stock is subject to a fine of one dollar. Passed March 24th, 1893.





