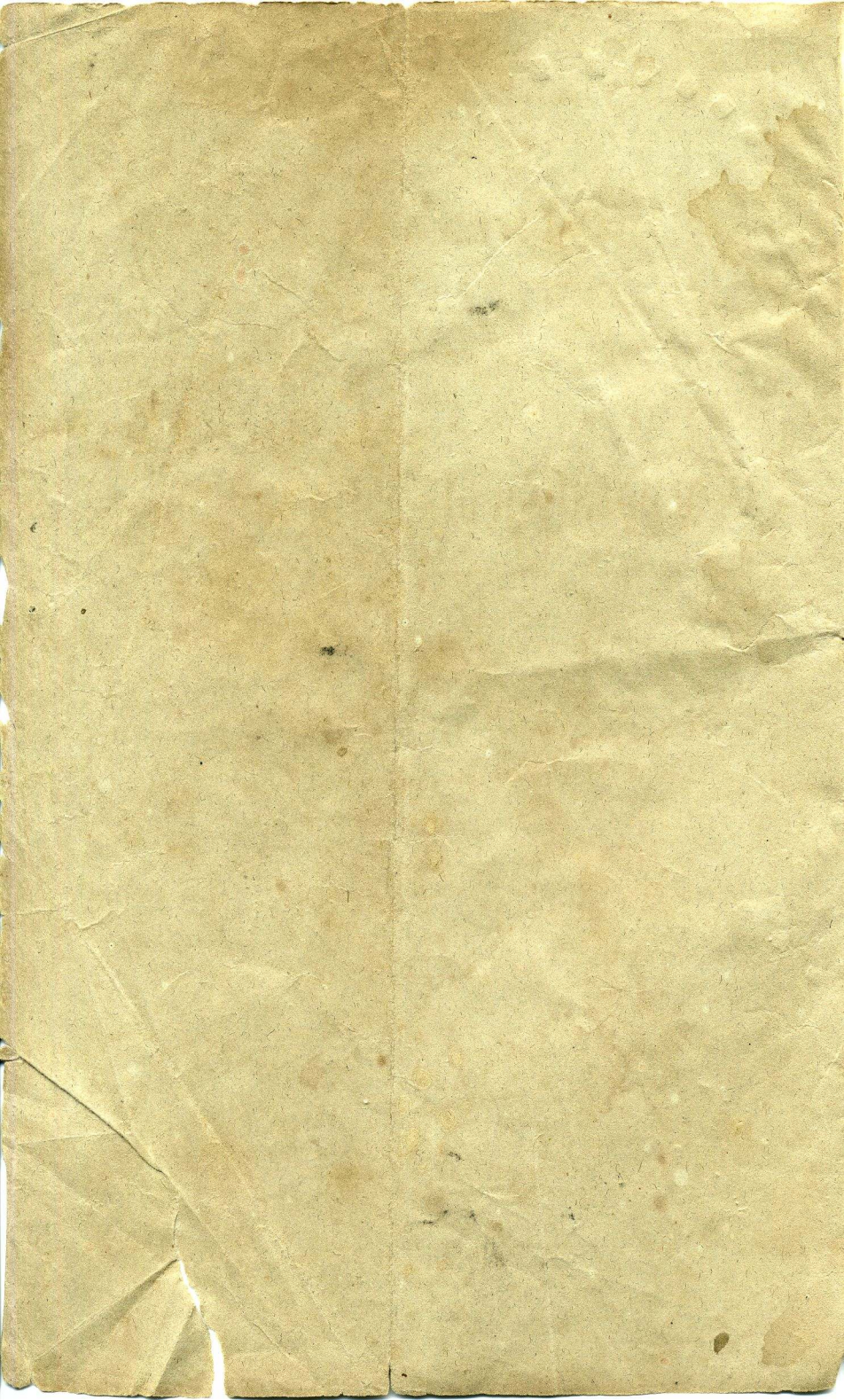


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ORDINANCES

OF THE

Corporation of Morgantown,

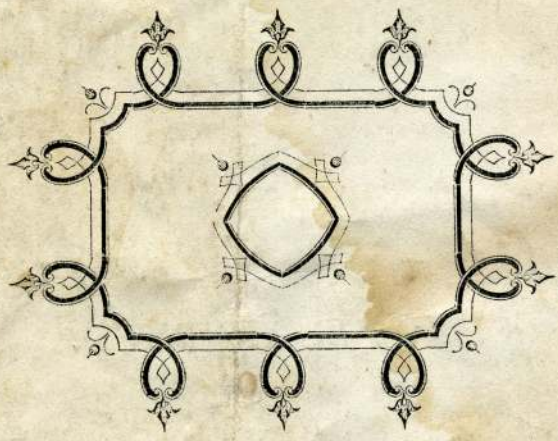
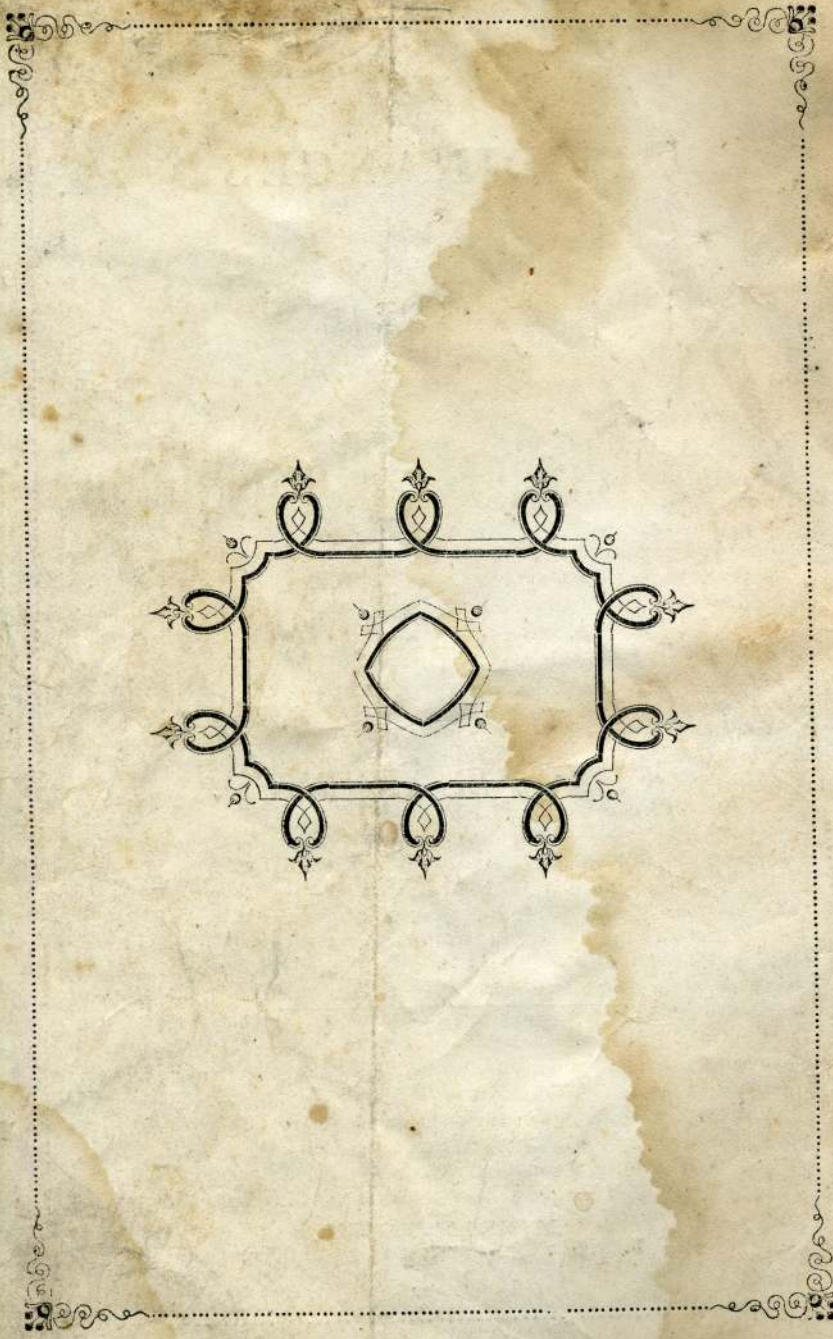
WITH THE

CHARTER ANNEXED.

MORGANTOWN.

Printed at the Virginia Weekly Star Office.

1861.



Corporation Charter.

AN ACT

AMENDING THE CHARTER OF THE TOWN OF MORGANTOWN, IN THE
COUNTY OF MONONGALIA.

[Passed March, 1860.]

CORPORATE LIMITS—THE BOUNDARIES—MUNICIPAL AUTHORITIES—
THEIR POWERS, DUTIES, HOW AND WHEN ELECTED.

Be it enacted by the General Assembly, that the charter of the Town of Morgantown, in the County of Monongalia, be amended and re-enacted so as to read as follows :

1st. The corporate limits and bounds of the town of Morgantown, in the County of Monongalia, shall be as follows :—Beginning at the mouth of Decker's Creek, and running down the Monongahela River with its meanders 96 poles, to where a spanish oak and sugar tree stand, the lower corner of Morgan's survey, thence with a line of the same N. $77\frac{1}{2}^{\circ}$ E. $48\frac{1}{2}$ poles to where a black oak stood, now in north boundary street, thence along said street S. $57\frac{1}{2}^{\circ}$ E. 92 poles crossing the deep hollow run to said Morgan's line, and with same S. $35\frac{1}{2}^{\circ}$ W. $4\frac{1}{4}$ four-tenth poles to a white oak, his corner, and corner to Michael Kern's, and with their lines S. 15° W. 16 poles to the mouth of the aforesaid deep hollow run at a high rock, thence down Decker's Creek with its meanders, and binding therewith two hundred poles to the beginning.

2d. The boundaries and plat of said town shall be recorded among the deeds in the office of the Clerk of the County Court of Monongalia.

3d. The municipal authorities of said town shall be a Mayor, Recorder, and five Councilmen, who together shall form a Common Council.

4th. The Mayor, Recorder and Councilmen, so soon as they have been elected and qualified as hereinafter provided, shall be a body politic and corporate, by the name of the Town of Morgantown in Virginia; and shall have perpetual succession and a common seal; and by that name, may sue and be sued, implead and be impleaded; may purchase and hold real and personal estate necessary to enable them the better to discharge their duties, and needful for the good order, government and welfare of the said town.

5th. All the corporate powers of said corporation shall be exercised by the said Council or under their authority, except where otherwise provided.

6th. There shall be a Town Sergeant of said town.

7th. The Mayor, Recorder and Councilmen, and the Town Sergeant, shall be elected by the citizens of the said town who may be entitled under this act to vote.

8th. Their term of office shall be (except when elected to fill vacancies) for one year, and until their successors shall have been elected and qualified as hereafter provided.

9th. The Mayor, Recorder and Councilmen must be free-holders in said town and entitled to vote for members of its common council. The Sergeant must be one who is entitled to vote for members of the common council of said town.

10th. An election for Mayor, Recorder, Councilmen and Sergeant shall be held annually on the second Monday in May, in each year, and at such special times as are hereinafter provided. All said elections shall be held at some convenient place in the town, which shall be appointed and duly published by the Council.

WHO ARE ENTITLED TO VOTE—VACANCY IN THE OFFICE OF MAYOR,
RECORDER OR SERGEANT—HOW FILLED—COMMISSIONERS OF
ELECTIONS, &c.

11th. All persons who have had their domicile in the said town for twelve months next preceding the day of election, and who shall also be entitled to vote for members of the General Assembly of Virginia, shall be entitled to vote for all officers elected by the people under this act.

12th. Whenever a vacancy shall occur from any cause in the office of Mayor, Recorder or Sergeant, the Council for the time being shall at once order a special election to be held to fill the vacancy, of which election two weeks notice shall be duly given and published by the Council.

13th. At all elections the votes shall be by ballot.

14th. Before every election the Council for the time being shall appoint three or more of their own number whose duty it shall be to superintend said election, record in a poll book the votes given, and make return thereof and of the result of said election to the Council.

15th. Whenever two or more persons are voted for for the same office at said election, and shall receive an equal number of votes, the said Commissioners, or a majority of them, after proclamation made at the front door of the place of voting that the polls are about to be closed, and after closing the polls shall decide and say which of said persons shall be returned as elected.

16th. All other contested elections shall be heard and decided by the Council for the time being.

17th. Before said Commissioners shall act they shall make oath or affirmation before a justice of the peace that they will faithfully and impartially discharge their duty as such, and a certificate of said oath or affirmation shall be annexed to and returned with the poll books.

THE OFFICERS TO BE SWORN—BY WHOM—WHEN THEY SHALL ENTER
UPON THEIR DUTIES—FAILING TO BE QUALIFIED—PRESIDING
OFFICER—QUORUM.

18th. The Mayor, Recorder and Councilmen shall each, before entering upon the duties of their office, and within two weeks from the day of their election, make oath or affirmation that they will truly, faithfully and impartially discharge the duties of their said offices to the best of their ability so long as they shall continue therein. The Mayor and Recorder shall take said oath or affirmation

before a justice of the peace, and the Councilmen shall take it before the person presiding for the time in council; certificates of said oaths or affirmation shall be given and recorded in the journal of the proceedings of the Council.

19th. The Mayor and Recorder shall each enter upon the duties of his office so soon as qualified.

20th. Whenever any three of the newly elected Councilmen shall have been so qualified, they shall enter upon their said office and supercede the former Councilmen.

21st. If any one who has been duly elected Mayor, Recorder, Councilmen or Sergeant shall not have been eligible as herein prescribed, or shall refuse or fail to take the oath or affirmation required under this act, or in the case of the Sergeant also to give the bond hereinafter required, for two weeks from the day of his election, the Council for the time being shall declare his said office vacant, and shall order a new election for Mayor, Recorder or Sergeant, as the case may be.

22d. Whenever, from any cause, a vacancy shall occur in the office of Councilman, the Council for the time being shall, by a vote of a majority present, fill it by choosing a Councilman from among the Citizens of the town eligible to that office under this act.

23d. The Council shall be presided over at its meetings by the Mayor, or, in his absence, by the Recorder, or in the absence of both Mayor and Recorder, by one of the Councilmen selected by a majority of the Council present.

24th. The presence of the Mayor or Recorder and at least three Councilmen, or in the absence of both the Mayor and Recorder, the presence of three Councilmen shall be necessary to make a quorum for the transaction of business.

JOURNAL OF PROCEEDINGS—CORRECTIONS—CASTING VOTE.

The Council shall cause to be kept in a journal an accurate record of all its proceedings, by-laws, acts and orders, which shall be fully indexed, and shall be open to the inspection of any one who is entitled to vote for members of Council.

At each meeting of the Council the proceedings of the last meeting shall be read to the Council, and shall be thereupon corrected if erroneous and signed by the person who presided at the last meeting at the time of its adjournment; upon the call of any member the ayes and noes on any question before the Council shall be called and recorded in the journal.

The Mayor and Recorder shall have votes as members of the Council, and in all cases of a tie the person at the time presiding at the Council shall have a casting vote.

POWERS OF COUNCIL—USE OF THE COUNTY JAIL—RECEIPTS AND EXPENDITURES, PUBLICATION OF SAME—TAXES—ON WHOM THE LEVY IS TO BE MADE, AND BY WHOM.

The Council so constituted shall have power within said town to lay off, open, curb and pave streets, alleys, walks and gutters for public use, and to alter, improve and light the same and have them kept in good order, and free from obstructions on or over them, to regulate the width of sidewalks on the streets, and to order the sidewalks, footways and gutters to be curbed and paved and

kept in good order, free and clean by the owners or occupants thereof, or of the real property next adjacent thereto; to lay off public grounds and to provide, control and take care of all buildings proper for the town, to establish and regulate markets, to prescribe the time for holding the same, and what articles shall be sold only in such markets, to prevent injury and annoyance to the public or to individuals from anything dangerous, offensive or unwholesome; to protect places of divine worship, and to prevent disturbance of public worship in and about the premises when held; to abate or cause to be abated anything which in the opinion of a majority of the whole Council shall be a nuisance; to regulate the keeping of gunpowder and other combustibles; to provide in or near the town places for the burial of the dead, and to regulate interments in the town; to provide for the regular building of houses or other structures, and for the making of division fences; to make regulations for the purpose of guarding against danger or damage from fires; to provide for the poor of the town; to appoint and publish the places of holding town elections, and the time of holding special elections and polls; to provide a revenue for the town and appropriate the same to its expenses, and to provide for the annual assessment of the taxable property and persons of the town; to adopt rules for the transaction of business and for the government and regulation of its own body, to promote the general welfare of the town and to protect the property of persons therein, and to preserve peace and good order therein, to keep a town guard, to appoint and order out a patrol for the town, in like manner and for like purposes within the same as the patrol may be ordered out by the County Court or a justice within the County, and to appoint such other officers as they may deem proper to define their power, prescribe their duties, fix their time of service and compensation, require and take from them bonds with sureties in such penalty as the Council may see fit conditioned for the true and faithful discharge of their duties, and remove them at pleasure; all bonds taken by the Council shall be made payable to the town by its corporate name; to permit or prohibit the establishment of new places for the interment of the dead in or near the town, and regulate the same, and to prevent violations of or injuries to any place of interment and to protect the same; to erect or authorize or prohibit the erection of gas works or water works in or near the town, to prevent injuries to or pollution of the same, or danger to the water and healthfulness of the town; for all which purposes named in this clause the Council shall have jurisdiction for one mile beyond the town, in like manner as it has within the town; to regulate and provide for the weighing and measuring of hay, wood, coal and other articles sold or for sale in said town, and to regulate the transportation thereof through the streets; to carry into effect these enumerated powers and all other powers conferred upon the said town or its Council expressly or by implication in this or any other acts of the General Assembly of Virginia, the Council shall have power to make and pass all needful orders, by-laws and ordinances not contrary to the Constitution and laws of Virginia or of the United States, and to prescribe, impose and enact reasonable fines and penalties or imprisonments in the County jail for a term not exceeding thirty days, and also corporal punishment by stripes when other than

white persons are the offenders; all of which fines, penalties, imprisonment or stripes shall be recorded before or enforced under the judgment of the Mayor of said town or of the person lawfully exercising his functions; and the authorities of the town shall have the right to use the jail of said County of Monongalia for any purposes for which the use of a jail may be needed by them, under the acts of Council or of the State.

The Council shall annually cause to be made up and entered upon its journal an account and estimate of all sums which are or may become lawfully chargeable on the town, which ought to be paid within one year, and it shall order a town levy of so much as in its opinion is necessary to be raised in that way in addition to the amount which may be raised from licenses and other sources; also, the Treasurer shall, on the first of February, eighteen hundred and sixty, and annually thereafter, publish a full exhibit of all the receipts and expenditures of the said corporation during the next preceeding year, said publication shall be made by inserting the said exhibit in some newspaper published in the said corporation, if any, and if there are none so published, then by posting the same in some public place in the said corporation.

The levy so ordered may be upon all free male persons within the town over sixteen years of age, and on all real estate in said town which is not expressly exempted from State taxation, and all such other subjects in said town as may at the time be assessed with State taxes, against persons residing in the town; provided, that the tax do not exceed seventy-five cents on every one hundred dollars of the value of the real and personal property, or one dollar per head on each taxable person; and provided, that the concurrence of a majority of the whole Council shall be necessary to pass any act levying taxes on any subject whatever.

LICENSES, THE REVENUE COLLECTED THEREFROM,—COLLECTOR'S POWERS—TAXES A LIEN ON REAL ESTATE.

Whenever anything for which a State license is required, is to be done within the said town, the Council may require a town license to be had for doing the same, and may impose a tax thereon for the use of the town. And the Council may, in any case in which it sees fit, require from the person so licensed a bond with sureties in such penalty and with such condition as it may think proper.

The revenue from these and other sources shall be collected, paid over and accounted for at such times and to such persons as the Council shall order.

The collector of the town taxes and levies shall have power to distrain and sell therefor, in like manner as a sheriff may sell for State taxes, and shall have in all other respects the same powers as the sheriff to enforce the payment and collection thereof.

The taxes on any real estate shall be a lien thereon from the time of their assessment; and if the taxes thereon are in arrears for two or more years the Council may order the said real estate to be rented out from time to time, a public renting by the Sergeant, for a term of one year at each renting, and apply the rents until the taxes in arrears and accrued by the end of said term, and the costs and charges attending said renting shall have been paid, and the surplus paid to the owner.

REAL ESTATE SOLD FOR TAXES—PROHIBITION OF THEATRICALS
AND OTHER SHOWS.

There shall be a lien on real estate for the town taxes assessed thereon from the commencement of the year for which they are assessed.

The Council may order and require real estate in the town delinquent for the non-payment of taxes to be sold by the Sergeant at public auction for the arrears, with interest thereon, with such per centum as the Council may prescribe for charges, and the surplus shall be paid to the owner; and they may regulate the terms on which real estate so delinquent may be redeemed.

The Council may prohibit any theatrical or other performance, show or exhibition, which it may deem injurious to the morals or good order of the town.

THE SERGEANT TO GIVE BOND—SUBSCRIPTION TO IMPROVEMENTS
SUBMITTED TO THE PEOPLE—NOTICE OF ELECTION.

The Council shall have power to require and take from the Sergeant bond with surety satisfactory to the Council in such penalty as it may deem sufficient, conditioned for the faithful and impartial performance of his duty as Sergeant, and for the collection and accounting for and payment of the fines, taxes and other moneys of the town, which he shall be directed by the Council to collect, at such times and to such person or persons as the Council may order.

The Council shall have power with the concurrence of two-thirds of the whole Council to remove the Sergeant from office for good cause, and to declare the office vacant; and whenever from any cause the office of Sergeant shall be vacant, the Mayor shall appoint a Sergeant *pro tempore*, and the Council shall order a special election to fill the vacancy for the unexpired term.

The Council may by resolution adopted by a vote of a majority of members present, direct a poll to be opened to take the sense of the freeholders of said town who have their domicile therein, on the question whether the Council on behalf of the town shall subscribe to the stock of a company incorporated for a work of internal improvement in this State, or for the erection of any gas or water works, (which, or any part of which, is to be in or near said town,) an amount not exceeding a certain maximum to be stated in the said resolution.

The resolution shall designate a certain time and convenient place within said town for said poll not less than one month from the date of the resolution; and the said resolution shall be duly published for one month in one or more of the newspapers printed in said town, or if it can not be published in said papers, then by printed handbills posted conspicuously in said town.

The Council shall appoint three or more of their own number as Commissioners to superintend the said poll, who shall before acting as such, take an oath or affirmation to discharge their duties truly, faithfully and impartially; said commissioners at the time and place designated in the said resolution, and so published, shall proceed to open the poll; they shall receive and record the votes of all such persons as are at the time qualified to vote for members of Council as shall appear and offer to vote upon the question whether the Council on behalf of the town shall or shall not subscribe to the stock of said company.

POLL BOOKS—RETURNS—ISSUE OR BONDS—“SINKING FUND.”

The said commissioness shall open a poll book and cause to be entered therein a column to be headed “Subscription,” for the names of such of said voters who offer to vote and who are in favor of said subscription, and they shall in like manner cause to be entered in said book in a column headed “No Subscription,” the names of such of said voters who may offer to vote and who are opposed to said subscription.

The commissioners shall with the poll books return a certificate of their oath or affirmation aforesaid, and shall within five days after they are taken certify the polls and return them to the Council.

If by the poll books it appear that a majority of the said freeholders voting upon the question are in favor of the said subscription the Council may subscribe on behalf of the town for stock in said company to an amount not exceeding the maximum named in the said resolution, which subscription shall be binding upon the said town in like manner as it would have been upon an individual subscriber had it been made by him.

When such subscription is to be made, the Council may in the name and for the use of the corporation, as a provision for the payment of said subscription, contract loans or cause to be issued certificates of debt or bonds; but said loans, certificates or bonds shall be redeemable within a period of not more than thirty-four years.

Whenever such loan is made or such certificates or bonds are issued, the Council shall annually set apart from the accruing revenues of the town a sum equal to not less than seven per centum of the said loans, certificates and bonds.

The fund thus set apart shall be called “The Sinking Fund,” and shall be applied to the payment of the interest of said loans, certificates and bonds, and to the payment of the principal thereof as the same may become redeemable and payable.

If after paying the interest it exceed that part of the principle which is then redeemable, then the residue of the sinking fund shall be invested in stocks of the State of Virginia or of the United States, and applied to the said principal when redeemable.

DUTIES AND POWERS OF THE MAYOR.

The Mayor shall be the chief executive officer of the town; he shall preside at the meetings of the Council; he shall take care that the by-laws, ordinances, acts and resolutions of the Council are faithfully executed; he shall be *ex officio* a conservator and justice of the peace within the town, and shall within the same exercise all the powers vested in the justice of the peace for the county, except that he shall have no jurisdiction as such in civil causes, nor shall he be a member of the County Court; he shall have control of the police of the town, and may appoint special police officers when he deems it necessary; it shall be his duty especially to see that peace and good order are preserved and the persons and property are protected within the town; he shall from time to time recommend to the Council such measures as he may deem needful for the welfare of the town; he shall receive a compensation for his services to be fixed by the Council, which shall not be increased or diminished for the term for which he has been elected.

DUTIES OF THE RECORDER—MAYOR *PRO TEM.*—DUTIES OF TOWN
SERGEANT—COMPENSATION, &c.

The duty of the Recorder shall be to keep the journal of the proceedings of the Council and have charge of and preserve the papers and records of the town; in the absence from town or sickness of the Mayor, or during any vacancy in the office of Mayor, he shall perform the duties of Mayor and be invested with all his powers; he shall be a conservator of the peace within the town; he shall receive for his services a compensation to be fixed by the Council, which shall not be increased or diminished for the term for which he shall have been elected.

In case of the absence from town or sickness of both Mayor and Recorder, and in case the offices of Mayor and Recorder are both vacant at the same time, the Council shall by a vote of a majority present appoint one of their own number to fill each office until the Mayor or Recorder return or resume their duties, or a new election is had for said officers.

It shall be the duty of the town Sergeant to collect the taxes, fines and other income and revenue of the town, as specified in his bond, and to account for and pay the same to such person or persons and at such time as the Council may order; he shall do and perform all the other acts appertaining to the office of Sergeant of a corporation and of a police officer within said town, and as such shall have the same powers, duties, fees and liabilities as are by law prescribed as to constables; he shall for his services receive a compensation to be fixed by the Council, which shall not be diminished for the term for which he shall have been elected.

Before entering upon the duties of his office and within two weeks from the day of his election, he shall make oath or affirmation before the mayor or person who for the time being shall preside at the Council meeting, that he will truly, faithfully and impartially discharge the duties of his office so long as he shall remain therein, and he shall within said period execute before the Council his bond as herein before prescribed.

And if the Sergeant shall fail to collect, account for and pay over all the taxes, fines and other revenue of the town in his hands for collection according to the condition of his bond, it shall be lawful for the Council to recover the same by motion in the corporate name of the town before any court of said county of Monongalia against the obligators in his said bond, or any or either of them, his or their heirs, executors or administrators, on giving at least ten days notice of such motion.

EXEMPTION FROM POOR LEVY AND ROAD TAX.

The said town and the taxable persons and property therein shall be exempt and free from the payment of any poor rates or road tax, and from contributing to any county expenses for the poor or the roads and bridges of said county for any year in which said town shall at its own expense provide for its own poor and shall keep its own streets in order.

RIGHTS AND PRIVILEGES OF THE CORPORATION.

All the rights privileges and properties of the said town heretofore acquired and possessed, owned and employed under any act now in force shall continue undiminished and remain vested in said town under this act; and all the laws, ordinances, acts and resolutions of Council now in force, and not inconsistent with this act, shall be and continue in full force and effect until regularly repealed by a Council elected as provided for under this act.

ADOPTION OF THE CHARTER.

The Council of the town of Morgantown shall appoint three commissioners (two of whom may act) under whose superintendence, on the second Monday in May, eighteen hundred and sixty, at the place designated in the order appointing such commissioners, a poll shall be opened and held to take the sense of the voters qualified under the provisions of this act to vote for the officers of the corporation elective by the people, upon the question whether this act shall be ratified or rejected; the said poll shall contain two columns and shall be headed thus:

“ Shall the Act to amend the charter of the town of Morgantown, in the county of Monongalia, passed by the General Assembly, in eighteen hundred and sixty, be ratified or rejected.

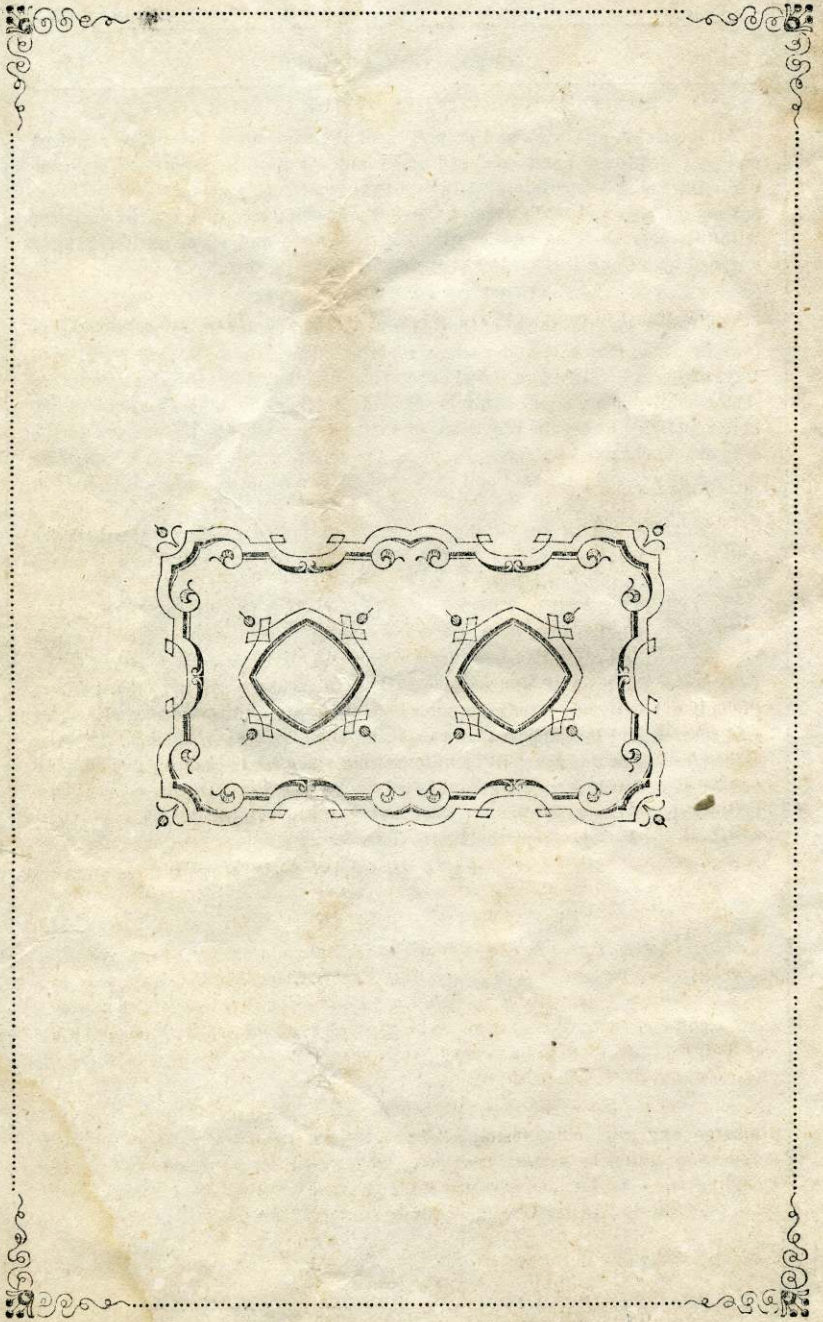
FOR ITS RATIFICATION.

| FOR ITS REJECTION.

The said commissioners shall certify the number of votes given for and against said charter, and cause their certificate with the poll book to be delivered to the Recorder of the town of Morgantown; the Council shall ascertain the result of the poll and forthwith enter upon their journal the aggregate vote for and against said charter, and if it appear that a majority of those voting have voted for its ratification, then this act shall be in force from and after the said second Monday in May next, but if a majority have voted for its rejection then this act shall not take effect.

A Copy from the Rolls—Teste:

WM. F. GORDON, Jr., C. H. D. & K. of Rolls.



CORPORATION LAWS

PASSED BY THE

Mayor and Council of the Town of Morgantown.

OBSTRUCTING THE STREETS AND SIDEWALKS.

SEC. 1. *Be it ordained by the Mayor and Council of the Town of Morgantown, County of Monongalia and State of Virginia,* That it shall be unlawful for any corporate company or individual to obstruct, or cause to be obstructed, any street, alley, or highway, within the limits of this corporation; and that any corporate company, or company not incorporated, or individual, violating this section, shall be fined not less than fifty cents nor more than five dollars, with costs, for each and every such offence, at the discretion of the Mayor.

SEC. 2. *Be it further ordained,* That it shall be unlawful for any person or persons to obstruct, or cause to be obstructed, the sidewalks along the streets and alleys of said Town, with boxes, barrels, or any other articles which might interfere with passers by, except in cases where a merchant is compelled to use the sidewalks while opening his goods, or when a building may be in progress of erection; and such obstruction shall not be suffered to remain longer than may be deemed necessary by the Mayor; and whoever is found guilty of violating this section, shall be fined, for each and every offence, not less than fifty cents, nor more than five dollars, with costs, at the discretion of the Mayor.

SELLING ON THE SABBATH.—DISCHARGING FIREARMS, &c.

SEC. 3. *Be it further ordained,* That it shall be unlawful for any merchant, grocer, hotel-keeper, or huckster, to sell or dispose of merchandise, intoxicating liquors, or other commodities, on the Sabbath, except in cases of sickness or death; and any such offender shall, upon conviction, forfeit and pay a fine of not less than five, nor more than twenty-five dollars, with costs, for each and every offence, at the discretion of the Mayor.

SEC. 4. *Be it further ordained,* That it shall be unlawful for any person to discharge any gun, rifle, pistol, or other fire-arm, within the limits of this corporation, unless by written permission from the Mayor; and every person so offending, upon conviction before the Mayor, shall be fined not less than one, nor more than five dollars, with costs, at the discretion of the Mayor.

DISORDERLY CONDUCT—INDECENT EXPOSURE.

SEC. 5. *Be it further ordained*, That it shall be the duty of the Town Sergeant to arrest every person found intoxicated and acting disorderly, within the limits of this corporation, and imprison or safely keep every such offender until he becomes sober, and then bring him before the Mayor; and every such offender, upon conviction, shall pay a fine of not less than two nor more than twenty five dollars, with costs, and in case of non-payment, imprisonment at the discretion of the Mayor.

SEC. 6. *Be it further ordained*, That it shall be the duty of the Town Sergeant to arrest all persons who shall in anywise disturb the peace by throwing stones or other missiles, fighting, rioting, cursing, swearing, or any other disorderly conduct, and to bring them before the Mayor, who shall, upon conviction, sentence every such offender to pay a fine of not less than fifty cents nor more than twenty-five dollars, with costs, at the discretion of the Mayor; and also to imprison for not more than thirty days, at the discretion of the Mayor. The Sergeant shall be entitled to receive, for every such arrest, the sum of fifty cents.

SEC. 7. *Be it further ordained*, That it shall be unlawful for any person or persons to indecently expose his or her person, by bathing, or in any other manner, within the limits or in the sight of the corporation; and every such offender shall, upon conviction, forfeit and pay a fine of not less than fifty cents nor more than twenty-five dollars, with costs, at the discretion of the Mayor.

NUISANCES.

SEC. 8. *Be it further ordained*, That it shall be unlawful for any corporation or individual to deposit any nuisance, or for the owner of any dead animal to suffer it to remain longer than five hours within the limits of this corporation after receiving notice of the same, and any person, or corporate company, found guilty of violating the provisions of this section, shall be fined not less than one, nor more than five dollars, with costs, together with the expense of removing if suffered to remain after being notified.

SEC. 9. *Be it further ordained*, That it shall be the duty of the Mayor to notify owners, agents, or occupants of property, on which there is stagnated water, to cause the same to be removed, and if any owner, agent, or occupant of such property, shall neglect or refuse to have the same removed within the time specified in said notice, such offender shall pay a fine of not less than two, nor more than five dollars, with costs, at the discretion of the Mayor, and a further fine of five dollars shall be imposed for every twenty-four hours that such nuisance is suffered to remain, after the time specified for such removal.

SEC. 10. *Be it further ordained*, That it shall be the duty of the Mayor to notify owners or occupants of property, on which there is an accumulation of garbage, or any kind of filth, offensive in its character and injurious to health, to have the same removed immediately; and if any owner or occupant of property aforesaid, shall neglect or refuse to have the same removed for the space of two days after having received such notice, he, she or they shall be fined not less than two, nor more than five dollars, with costs, at the discretion of the Mayor, and

such offender shall pay a further fine of five dollars for every twenty-four hours that such nuisance is suffered to remain, after being notified in accordance with this section.

SHOWS OR EXHIBITIONS—DOGS—BITCHES—RIDING OR DRIVING ON THE SIDEWALKS—GAMBLING—PRIVIES.

SEC. 11. *Be it further ordained,* That for all shows or exhibitions, a tax shall be paid to the Mayor, for the use of the town, of not less than one, nor more than twenty-five dollars, and that no show or exhibition shall be allowed within the limits of the corporation, that may be immoral in its nature; and the proprietor of any show or exhibition shall make known the nature of the same to the Mayor before the same can be exhibited.

SEC. 12. *Be it further ordained,* That every person owning or keeping a dog or dogs, shall pay a tax of fifty cents on the first dog, and if owning or keeping more than one dog, they shall pay a tax of one dollar on the second, two dollars on the third; and every person owning or keeping a bitch within the corporate limits, shall pay a tax of five dollars.

SEC. 13. *Be it further ordained,* That all bitches that are in this corporation, having been taxed, shall not be suffered to run at large within the corporation during the time they may be in season; All persons bringing bitches into the corporation after the passage of this act, shall return the same to the town Sergeant and have them regularly taxed; and all dogs or bitches found within the limits of the corporation, not regularly taxed, shall be subject to death.

SEC. 14. *Be it further ordained,* That any person or persons riding or driving a wagon, carriage, or other vehicle, on the side-walks, except by the consent of the owner of the property or person occupying the same, shall be fined not less than one, nor more than five dollars, with costs, at the discretion of the Mayor.

SEC. 15. *Be it further ordained,* That any person found guilty of gambling in any way whatever, within the limits of the corporation, (except at a licensed game), shall be fined not less than one, nor more than five dollars, with costs, for each and every offence—one half to the informer and the other to the town treasury; and any tavern, or boarding-house keeper, or any person who may allow gambling on his, her or their premises, shall be subject and liable to the same fines likewise, and any person or persons guilty of the same offence on the Sabbath, shall be imprisoned at the discretion of the Mayor.

SEC. 16. *Be it further ordained,* That wherever a privy within the limits of this corporation, shall be, by a majority of this board, considered a nuisance or injurious to the health or comfort of any person or persons, the owners of the property shall be notified by the Mayor to remove, or keep in proper order, such privy, and in case the owner of such property be absent, the tenant or agent shall be notified, and the expense of putting the same in order shall be charged to the owner of said property; and in case of a refusal to comply with any such notice the Sergeant shall proceed to have the same put in order or removed, and the property on which such nuisance exists, shall be responsible for the costs of the same, and shall also be liable to a fine of not less than one, nor more than five dollars, at the discretion of the Mayor.

SERVING NOTICES—HOGS—FAST RIDING AND DRIVING.

SEC. 17. *Be it further ordained,* That it shall be the duty of the town Sergeant to serve all notices after they have been signed by the Mayor.

SEC. 18. *Be it further ordained,* That all hogs found running at large on any of the streets, alleys or commons within the borough limits, shall be subject to a fine of fifty cents, and also a fee of twenty-five cents to the town Sergeant for each and every hog so taken up, and if said hog or hogs are placed in the public pound, the additional amount of ten cents each for keeping the same per day, or ten cents for any fraction of a day said hog or hogs are in the pound; the Sergeant is to post up a notice at the front door of the court-house five days previous to sale, describing said hog or hogs, and specify the time and place of sale; the owner failing to redeem said hog or hogs, then the same to be sold for the fine and costs.

SEC. 19. *Be it further ordained,* That it shall be unlawful for any person or persons to run or race a horse through the streets or alleys of this borough; and any person convicted of the same shall pay a fine of not less than one, nor more than five dollars, with costs, at the discretion of the Mayor.

SEC. 20. *Be it further ordained.* That it shall be unlawful for horses, mules, or asses, to run at large on any of the streets, alleys or commons of this borough, and any person or persons found guilty under this section, shall pay a fine of not less than one, nor more than five dollars, with costs, at the discretion of the Mayor.

STALLIONS—WHARFAGE—SLAUGHTERING—FIRE-CRACKERS, &c.

SEC. 21. *Be it further ordained,* That any person exhibiting a stallion within the borough limits, shall be liable to a fine of five dollars for every offence, with costs.

SEC. 22. *Be it further ordained,* That steamboats landing at the wharf or within the borough limits, shall pay a tax of one dollar for each and every such landing; flat or freight boats shall pay a tax of twenty-five cents for each and every such landing.

SEC. 23. *Be it further ordained,* That no slaughtering be permitted within the borough limits, from the first day of April to the first day of November, and any person found guilty under this section, shall pay a fine of five dollars, with costs, for each and every offence.

SEC. 24. *Be it further ordained,* That the sale of fire-crackers, squibs, or any thing of the kind be prohibited in the town of Morgantown, and any person or persons violating this ordinance, and shall be found guilty of the same, shall be fined twenty dollars, and costs, by the Mayor.

SEC. 25 *Be it further ordained, and the same is hereby ordained,* That any person or persons buying, setting off, or shooting fire-crackers, squibs, or other combustible matter within the limits of this corporation, shall be fined, for each offence, not less than fifty cents, nor more than five dollars, with costs, at the discretion of the Mayor.

PHILIP ROGERS, *Mayor.*

M. HAYES, *Recorder.*

