

# ACTS OF THE ASSEMBLY OF VIRGINIA.

## A N A C T

TO INCORPORATE THE TOWN OF WESTON, IN LEWIS COUNTY,  
PASSED BY THE GENERAL ASSEMBLY OF VIRGINIA ON THE 14TH  
DAY OF JANUARY, 1846.

### CHARTER.

1. *Be it enacted by the General Assembly,* That all the free white inhabitants of the Town of Weston, in the County of Lewis, shall be a body corporate by the name and style of "The Trustees of Weston," and by that name and style they and their successors shall be known in law and be capable of suing and being sued, and of defending in all suits and in all actions and matters whatsoever; and may have and use a common seal, and alter and change the same at their pleasure, and by the same name may be capable of holding and conveying any estate, real and personal, for the use of said corporation; *Provided,* That such real estate be within the limits of said town.

2. *Be it further enacted,* That on the first Monday in May next after the passage of this act, and on the first Monday in May in each year thereafter, all the free white male inhabitants of said town, who have resided therein for six months prior thereto, and who shall be over the age of twenty-one years, shall assemble at the Court House of Lewis County

in said town, and shall then and there elect, by *viva voce* vote seven fit and able men, being freeholders and inhabitants of said town and over the age of twenty-one years to serve as trustees of said town, and to continue in office for and during the term of one year and no longer, unless re-elected by the inhabitants of said town.

3. *Be it further enacted*, That all election of trustees of said town, under this act, shall be conducted by the Sheriff of Lewis County, or any of his deputies, who for a failure to perform the duties herein required of him, unless good cause be shewn, shall forfeit and pay for the use of said corporation the sum of One Hundred Dollars to be recovered by and in the name of said corporation, upon ten days previous notice against the said sheriff and his securities, jointly or severally, in any court of record authorized to be held in said County of Lewis. The said sheriff, when an election shall be closed, which shall be before sunset of the election day, shall grant certificates of election to the persons elected, which shall be recorded among the proceedings of the trustees of said town. And in case any two or more persons voted for in any such election shall have an equal number of votes, and proclamation having been made that the election is about to be closed, and no more voters appearing, the said sheriff, or deputy who may be conducting said election, shall determine and say which of the persons voted for as aforesaid be elected, and grant certificates of election accordingly. The persons elected trustees of said town, shall upon pain of forfeiting ten dollars, to be recovered by and in the name of said corporation before any Justice of the Peace of the County of Lewis, within fifteen days after they are duly notified of their election, respectively take an oath, or make affirmation before some Justice of the Peace of the County of Lewis, or before the County Court of the County of Lewis, well and truly, faithfully and impartially to execute and perform the duties of the several officers, according to the best of their skill and judgment, and shall as soon as practicable and convenient after their election, and as often

thereafter as there shall be a vacancy by resignation or otherwise, any four of their members being present, (who shall be a quorum for transacting any business), proceed to choose out of their whole number one person to preside at their meetings, to be known and designated by the name of the "President" of the corporation; shall appoint a clerk either out of their own number, or any inhabitant of said corporation, who shall record the orders and proceedings of the trustees. The said trustees shall also appoint a treasurer, who shall execute a bond, with security, payable to the said corporation in such penalty as the said trustees may fix, conditioned well and truly to pay all orders or drafts drawn upon him by order of the trustees, and faithfully account for and pay over all moneys received by him, in virtue of said office, which bond for any breach of its condition may be put in suit from time to time.

4. *Be it further enacted*, That should it so happen that an election of trustees be not made at the time prescribed for an annual election, then such election may be had at any time upon ten days notice given by any two or more voters of said town, of the time of election, which notice shall be by advertisement in writing stuck up at the front door of the Court House and taverns in said town, and actually served upon the sheriff or any of his deputies.

5. *Be it further enacted*, That the presiding trustee, or any two of said trustees shall have power to summon a meeting of said trustees as often as he or they may think fit, and all questions before a meeting of said trustees shall be decided by a majority of the trustees present, each having one vote, except the person presiding, who shall vote only when the others are equally divided. The said trustees shall be the judges of the election of their own members, and in case of the absence of the President, a presiding officer, *pro tempore*, shall be elected; and if any vacancy in the office of trustee shall happen in the interval between elections of trustees by the inhabitants of said town, such vacancy shall be filled by the trustees, and any trustee so elected shall remain

in office until a new election of trustees shall be had by the inhabitants of said town. The said trustees shall moreover keep a full and complete record of all their proceedings and accounts of all moneys by them received and disbursed, for which purpose they shall procure all necessary blank books, well bound; which record and accounts the said trustees or their clerk shall carefully preserve, and from time to time hand over and deliver to their successors, and the same shall at all times be open to the inspection of persons qualified to vote for trustees of said town, or to those whose property is liable to be taxed.

6. *Be it further enacted*, That the trustees of said town shall from time to time appoint a town marshal or collector out of the inhabitants of said town, and all other officers thought necessary by the trustees, for conducting the affairs of said town, or for preserving the peace, good order and government thereof; to prescribe the duties of any and all such officers, require them to enter into bonds payable to said corporation, with such penalty and with such security as they may prescribe or approve conditioned for the faithful discharge of their duties; to remove any such officer at their discretion, and to supply the vacancy occasioned by such removal, and to allow them (except the marshal, whose fees are herein prescribed) such compensation, by fees or otherwise, as they may deem reasonable.

7. *Be it further enacted*, That the said trustees shall also have power and authority to make necessary provisions for preventing accidents by fire, to establish markets, build a market house, and regulate the same, to grade and pave, or in any manner improve the streets, walks and alleys of said town; to prevent and punish by reasonable fines the practice of firing guns, or in any manner setting fire to powder, or of running horses in said town; to license and regulate shows and other public exhibitions and the same to tax to such extent as they may deem reasonable and expedient; to prescribe rules for the orderly and regular building of houses and chimneys; to regulate blacksmith shops and all other

shops considered likely to occasion accidents by fire, and the erection of stoves and stove pipes; to regulate the erection of privies, stables and cow sheds, and prescribe their location; to regulate butcher stalls and slaughter houses; to remove and abate nuisances at the expense of those who may occasion them; to prohibit hogs and dogs from running at large within the limits of said town; to prevent the exhibition of stud horses and jackasses in said town, and generally to pass all by-laws and ordinances not contrary to the laws and Constitution of this State, or of the United States, which the said trustees may think necessary and proper for carrying into effect the foregoing powers or that may hereafter be invested in them, and for regulating the police, preserving the peace, good order and government of said town, and to amend or repeal the same at their pleasure; and to enforce the observance of such by-laws and ordinances, under penalties not exceeding ten dollars for any one offense to be recovered with costs, in the name of such corporation, before any Justice of the Peace of said County of Lewis, and applied in aid of the taxes imposed on said town. And for the purpose of carrying into effect all or any of the powers granted to the said trustees of said town, they shall also have power and authority to levy and collect annually a tax on all the tithables and property, real and personal, within the said town, and on such other subjects within the said town as are or may be taxed by the revenue laws of this State, and on dogs belonging to persons residing in said town. *Provided*, That the tax on real estate shall not exceed in any one year fifty cents on every one hundred dollars value thereof, as assessed under the laws of this State; that the tax on tithables shall not exceed one dollar on each in any one year. And, *provided also*, That the tax to be imposed on all other property shall not exceed the taxes on like subjects imposed by the revenue laws of this State for the same year.

8. *Be it further enacted*, That all streets, cross streets and alleys which are already laid off and opened, or which may at any time be located, surveyed and opened in said

town, shall be and they are hereafter established as public streets and alleys of the said town.

9. *Be it further enacted*, That the said trustees shall, within six months after the passage of this act, open all the public streets and alleys of said town, shall make or cause to be made a survey and correct plan or plat of said town shewing distinctly each lot, street and alley, and the size and width thereof, numbering anew all lots, and showing the former as well as the new numbers of all lots which have been numbered heretofore, with such remarks and explanations thereon as they may deem necessary and proper; which plan or plat so made out and under the hands and seals of any four of said trustees, shall be lodged in the Clerk's Office of the County Court of Lewis County, there to be recorded and kept; and the said plan and survey so duly made, signed, sealed and recorded shall, in all future suits and contests concerning the boundaries of the lots, streets and alleys of the said town, be deemed and held and taken as full and conclusive evidence between the parties. *Provided*, That infants, *femmes covertes*, persons *non compos mentis*, or out of the Commonwealth, shall have six months after such disability shall be removed, within which time they may contest such plan and survey so made and recorded.

10. *Be it further enacted*, That said trustees shall have power and authority whenever they deem it expedient, to have the side walks, footways and gutters along any street or alley within the said town of such width as they may prescribe, properly paved or otherwise, suitably improved and repaired and altered at the proper costs and expense of the of the owners or occupiers of the lands or lots along the front or sides of which such footways, sidewalks or other improvements extend and to levy and collect a special tax for that purpose on each of such lots or pieces of land, proportional to the number of feet to the same fronting on such pavements or other improvement, which special tax shall be collected by the marshal of said corporation as other taxes on real estate within the said town are herein directed to be collected.

In all cases where the lessee or tenant shall pay the expense of any such pavement or other improvement along the side or sides of the land or lot by him occupied, and for which land or lot by the contract with the lessor or landlord he shall be bound to pay rent, the amount of such expense paid by him or collected from him, or made out of his property, shall be a good and valid set-off against so much of the rent due or accruing to his lessor or landlord.

11. *Be it further enacted,* That all taxes, general or special, assessed upon land or lot within the said town, under this act, are hereby declared to constitute a lien upon such land or lot in the hands of the owner, or his heirs, devisees, assignees or any subsequent purchaser or other person claiming the same; and may be collected by the marshal of said town from such subsequent purchaser, or other person entitled to such land or lot in like manner as they might have been collected from the original owner or occupier. And if the said marshal shall not have been able with due diligence to collect the said taxes, in the manner herein directed, before the first day of November of the year in which the same were assessed, he shall on that day, or at the first meeting of the said trustees thereafter, make return upon oath, before some Justice of the Peace of Lewis County of the taxes so uncollected, and the land or lot on which such uncollected taxes were levied, to said trustees; and thereupon the said trustees shall have power and authority to order a sale of such delinquent land or lot, or so much thereof as may be necessary to pay such arrears of taxes and defray all proper expenses of sale, to be rented out until the same paid, upon due notice being given of such by advertisement to be stuck up at the front door of the Court House and the taverns in said town, for two successive court days of the said County of Lewis, before the day of renting the same, describing the lands or lots to be rented, and which renting shall take place in front of the Court House on some court day of said County, between the hours of eleven of the morning and four of the evening.

12. *Be it further enacted,* That in order the better to determine who shall be liable to taxation in the said town under this act, it is hereby declared that all persons liable to taxation as hereinbefore provided, and residing in said town annually on the first day of February shall be subject to taxation in the then current year.

13. *Be it further enacted,* That the town marshal who shall from time to time be appointed under this act, shall have the like rights of distress and powers in collecting the taxes and levies made by the trustees of the town, as sheriffs have in similar cases, and shall be entitled to the same or like fees and commissions for collecting said taxes and levies as are allowed to sheriffs for the collection of county levies, and in the service and return of all process and the collection of all fines arising under authority of this act, or of any by-laws made as aforesaid in pursuance hereof, he shall have and possess the same rights and powers and be entitled to the same or like fees and commissions as are allowed by law to sheriffs or constables for similar duties or services.

14. *Be it further enacted,* That the condition of the bonds which the marshal and treasurer of the said town may be required to enter into by the said trustees, under the authority hereinbefore given, shall in addition to the provisions for the faithful discharge of their duties, contain a provision for the payment over to such persons and in such manner as the said trustees may from time to time order, direct and prescribe, of any and all moneys which may in any manner be collected or received by them, or come into their hands by virtue of their offices or otherwise, for the use and benefit of the said town. And the said marshal and treasurer or their sureties, their executors and administrators, shall respectively be subject to such proceedings, by motion or otherwise, before the County Court of the County of Lewis for enforcing payment of any and all such moneys, at the suit of the corporation, or of any person or persons authorized by the trustees of the said town to receive the same, or any part thereof



from said marshal or treasurer, as collectors of county levies are by law subject to for enforcing payment of the levies by them collected.

15. *Be it further enacted*, That the marshal of the said town, upon his entering into bond with the County Court of the County of Lewis, such as constables are required by law to enter into, shall have the right to become a constable for the said County of Lewis, and to act as such in the said town as his district, and upon his ceasing to be marshal of the said town he shall likewise cease to be constable as aforesaid, unless re-appointed by the said court.

16. *Be it further enacted*, That all fines, penalties and amercements and all other moneys received or raised by virtue of this act, or any by-law in pursuance thereof, and all other moneys whatever, which shall at any time, or in any manner, come into the hands of the trustees, or any other officer of the said town, in virtue of their office, and not directed to be applied otherwise, shall be at the disposal of the said trustees for the use and benefit of the said town.

17. *Be it further enacted*, That in all suits or prosecutions arising under any by-law, rule or regulation made by the trustees of the said town, in pursuance of this act, when the constitutionality or validity of any by-law, rule or regulation shall be contested, appeals shall be from any Justice of the Peace of the said County of Lewis to the Circuit Superior Court of Law and Chancery for said County of Lewis, without regard to the sum or amount in controversy. Such appeals shall be taken within the same time and upon the same terms as are prescribed by law for taking appeals from the judgments of Justices of the Peace, to the several County and Corporation Courts of this Commonwealth; and the said Circuit Superior Court of Law and Chancery shall try and decide such appeals in the same manner as the several County and Corporation Courts within this Commonwealth are by law directed to try appeals from the judgments of Justices of the Peace, and the judgments of the said Circuit Superior Courts of Law and Chancery rendered upon such

appeals shall be executed as other judgments of the said Court are executed, except that the process which shall be issued upon such judgments may be directed to the marshal of the said town.

18. *Be it further enacted,* That all copies purporting to be copies of the by-laws, orders or ordinances of the said town, attested by the Clerk of the Board of Trustees, with the corporate seal attached, and certified to be correct by the President, or President *pro tempore*, of the said Board, shall be received by all courts and magistrates, within this Commonwealth, as legal evidence.

19. *Be it further enacted,* That for the purpose of maintaining the police regulations of said town, under the authority of this act, and for no other purpose, the jurisdiction of the corporate authorities thereof shall be and the same is hereby made to extend one mile beyond the limits of the said town.

20. This act shall be in force from the passage thereof.

# AMENDMENTS TO CHARTER.

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## AN ACT

AMENDING THE CHARTER OF THE TOWN OF WESTON, PASSED  
FEBRUARY 21, 1853.

### AMENDMENT.

1. *Be it enacted by the General Assembly,* That all the free white inhabitants of the Town of Weston, in the County of Lewis, shall continue to be a body corporate by the name of "The Town of Weston," and by that name they and their successors shall be known in law, and be capable of suing and being sued; and of defending in all suits and in all actions and matters whatsoever, and shall have and exercise all the powers conferred upon town by and be subject to the provisions of the fifty-fourth chapter of the Code of Virginia, so far as may be consistent with this act.

2. The Council of said town shall consist of a Mayor, Recorder and five Aldermen, who shall be elected annually by the qualified voters of said town, and all persons qualified to vote in the said elections shall be eligible to either of said offices.

3. Every white male citizen of the Commonwealth, who for twelve months next preceding any election has resided in the said town, and is qualified to vote for members

of the General Assembly, and no other persons, shall be qualified to vote in all elections, under this chapter.

4. The first election for a Mayor, Recorder and Aldermen, under this amended charter, shall be held on the first Monday in May in the year eighteen hundred and fifty-three, and thereafter elections for the same shall be held on such day, under such regulations, and under the superintendence of such officer as the Council of the said town shall prescribe. At the same time an election is held for Mayor, Recorder, and Aldermen, and at such other time or times as a vacancy may occur, there shall be elected by the qualified voters of the said town a Sergeant or a Collector of the public taxes.

5. The Council shall prescribe the manner of declaring and certifying elections, of determining elections, of deciding between two or more when the greatest number of votes may be equal, and of filling vacancies in the said offices.

A majority of the Council shall constitute a quorum to do business.

6. The Sergeant of said town, who shall from time to time be elected, under this act shall have the like rights of distress and power in collecting the taxes and levies made by the Council of the said town as sheriffs have, in similar cases, and shall be entitled to the same or like fees, and commissions for collecting said taxes and levies as are allowed to sheriffs for the collections of county levies; and in the service of all process and in the collection of all fines arising under the authority of this act, or of any by-laws made as aforesaid in pursuance hereof, he shall have and possess the same powers and be entitled to the same fees and commissions as are allowed by law to sheriffs for similar duties or services.

7. The Sergeant of said town, upon entering into bond with the County Court of Lewis County, with conditions such as constables are required by law to enter into, shall have power and authority to execute any and all process to him directed, and shall and may do and perform any and all

acts, and execute and return such warrants, and be liable in the same manner and to the same extent that constables are liable to by the laws now in force.

8. The Mayor, Recorder and Aldermen shall and may exercise all the jurisdiction of a Justice of the Peace, in order to preserve the peace and good order in said town, and to that end they and each of them shall be a conservator of the peace, with all the powers and duties authorized to be exercised by such conservator by chapter two hundred and one of the Code of Virginia.

9. The said Mayor, Recorder and Aldermen, upon taking the oaths prescribed by law, shall each have authority and jurisdiction to hear and determine all matters in controversy arising under the laws and ordinances of said town, and to issue any and all proper process, whether mean or final, which may be necessary to enforce their authority.

10. The said Council shall have power and authority whenever they deem it expedient, to have the sidewalks, footways and gutters along any street or alley within the said town, of such width as they may prescribe, properly paved, or otherwise suitably improved and repaired and altered at the proper cost and expense of the owners or occupiers of the land or lots along the front or sides of which such footways, sidewalks and other improvements extend, and to levy and collect a special tax, sufficient for that purpose, on each of such lots or pieces of land, which special tax shall be collected by the Sergeant of said town as other taxes on real estate within said town are directed to be collected.

11. All taxes, general or special, assessed upon lands or lots within the said town under this act, are hereby declared to constitute a lien upon said land or lot in the hands of the owner or his heirs, devisees, assigns or any subsequent purchaser or other person claiming the same, and may be collected from such subsequent purchaser entitled to such land or lot in like manner as they might have been collected from the original owner or occupier.

12. The Council of the said town shall have authority to provide for submitting to the qualified voters residing within the following limits—beginning at the mouth of Polk Creek and running up the same to the dividing line between the lands of Henry Butcher and Jonathan M. Bennett, and running thence south thirty degrees west to Calf Run; thence down the same to the West Fork River; thence down the said West Fork River to the mouth of Still House Run; thence up said run to the dividing line of lands belonging to Judge M. Edmiston and William E. Arnold; thence north thirty degrees east to Stone Coal Creek; thence down the same to the mouth of said Creek, and thence up the West Fork River to the beginning—the question of the propriety of extending the limits of said town so as to embrace said territory; and if a majority of said voters are in favor of such extension, that fact shall be entered of record and thenceforth the limits of said town shall extend to and embrace the territory aforesaid.

13. This act shall be in force from its passage.

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### AN AMENDMENT

TO THE CHARTER OF THE TOWN OF WESTON MADE BY THE  
CIRCUIT COURT OF LEWIS COUNTY ON THE 9TH DAY OF MARCH,  
1878.

1. That the Council shall without delay divide the territory of said town into four Wards, each ward to contain as near an equal number of inhabitants as may be practicable.

2. At every election held for the election of Councilmen or other officers of said town, the voters of the whole of said town shall elect a Mayor, and each ward shall elect one

Councilman, and all other officers shall be appointed by the Council.

3. Each Councilman shall reside in the ward in which he was elected and be a voter and freeholder therein.

4. The Mayor shall reside in said town and be a voter and freeholder therein.

5. The Mayor and said four Councilmen shall be the Council of the town of Weston and possess powers to pass such ordinances as may be necessary to enforce the charter of said town and to preserve the peace and good order of the inhabitants of said town.

6. The election of said Mayor and Councilmen shall be held annually at such time and place as may be prescribed by ordinance, and both time and place may be changed from time to time as public convenience may require.

7. All the taxes levied or assessed in any ward of said town shall be expended in said ward and not elsewhere. Except the tax on any public corporation collected in any ward shall be equally distributed over the several wards. But this restriction shall not apply to the levy of any taxes to pay obligations heretofore or hereafter incurred for general purposes. Said tax shall be equal and uniform over the whole of said town.

8. No officer, whether elected or appointed, shall ever become a contractor for the construction of any improvement or for any work to be done therein, and shall not be interested in or concerning any such work either directly or indirectly, and no compensation shall be made to any such officer for superintending any such work. No officer, whether elected or appointed, shall ever receive any salary or other compensation for public services out of any fund arising from taxation on property or license assessed and collected in said town, but may be compensated out of a judicious tariff of fees, but nothing herein shall be construed to prevent a just compensation for the assessment and collection of taxes.

## SECOND AMENDMENT

TO CHARTER BY CIRCUIT COURT OF LEWIS COUNTY MADE ON THE  
23RD DAY OF MARCH, 1881.

1. All taxes levied or assessed upon property, real, personal or mixed, or on licenses, shall be equal and uniform in the rate per cent. on the assessed value of property; nevertheless, there may be a higher rate on the property in one ward than on the property of another, to the end that a tax may be imposed in each ward sufficient to pay the estimated lawful expenditures therein, during the fiscal year for which the levy is made, but on licenses the tax in each ward shall be uniform so that the privilege to be exercised thereunder be taxed at the same rate, whether granted or the privilege be exercised in one ward or another.

2. All the money received from taxation on property within any ward may be expended therein for opening streets and alleys, and for repairing the same, including herein the making of sidewalks, pavements and crossings, but said money arising as aforesaid from taxation on property in one ward shall not be used or expended in any other ward.

3. Said taxes shall constitute a "ward fund," and each ward shall have a separate fund.

4. All taxes on bank corporations, railroad corporations and on all other corporations, and on any share of either; license taxes, fines, forfeitures and amercements, capitations, taxes of dogs, fees of weigh-master, rents and interests on stocks and other investments, shall constitute a "General Fund."

5. Out of the General Fund, there shall be paid the annual interest and sinking fund on the town debt, and when payable the debt itself, also a just charge for the assessment and collection of taxes, not exceeding for collection the compensation fixed by the Code of West Virginia. If there be any surplus of the General Fund after defraying the



specified expenses, such surplus shall be paid over to the ward funds in equal amounts to each ward. *Provided, however,* That if in any year or years, such General Fund shall be inadequate to pay the interest and principal of the town debt, when payable, a tax on property, real, personal and mixed, may be imposed by the Council for the purpose of making up the deficiency needed for that purpose.

6. All charges upon the Town of Weston shall be paid upon drafts drawn by previous order of the Council, by such officer as may be directed by the Council to pay the same. Every such draft shall state the authority by which it was drawn, the services performed entitling the party to such draft, and the fund upon which it is drawn, and unless so specified the draft shall not be paid, and if paid, shall not be allowed by the Commissioners, who by law are required to settle these accounts as a payment by the Council, or any officer appointed by the Council of the said town of Weston.

7. The Mayor of said town, and every councilman and every officer appointed by the Council, who have received any money applicable and properly belonging to either of said funds, shall appear and upon oath declare the true state of his accounts collected or received by him, or them, before the Commissioners of the County and Circuit Courts appointed by law to settle their accounts.

8. All settlements with said town shall be made within one month prior to the annual election of the officers of said town; but upon a failure within said time to make an annual settlement, such settlement may be thereafter made at any time.

9. The receipts from lands and personal property shall be specified, showing the amounts received from each, all the disbursements of all moneys appertaining to said town, shall be itemized and published annually in some newspaper published in said town, at least four weeks prior to any annual settlement, embracing all moneys received, and which ought to have been received, distinguishing between them.

10. For a wilful neglect to comply with any of the provisions of this charter by any of the officers of said town, including herein the Mayor and Councilmen, the officer so neglecting shall pay a fine to said town of twenty dollars for every month said neglect shall continue, to be recovered by any tax-payer of said town for the use of said town, by motion in the Circuit Court of Lewis County upon ten days' notice of such motion.

Notwithstanding the town Council are elected by the voters of the several wards, nevertheless, it is hereby declared that the Council of the town of Weston shall manage and control the opening and repairs of all the streets and alleys in the several wards, and the same shall in no case be remitted to the Councilman in which such improvements shall be made. And in all cases where improvements are made by contract or otherwise the same shall be made to and with the Council as a corporate body, and shall not be accepted as fully executed except by a two-thirds vote of the Council, which vote shall be taken by ayes and noes, and the name of the Councilmen shall be recorded upon the Journal, showing their approval or disapproval thereof.

11. The tax upon license shall in no case be for a sum less than the tax on license prescribed by the State for like purposes.

## BOUNDARY LINES OF THE TOWN.

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REPORT OF JAMES G. STRINGER, SURVEYOR, MADE IN PURSUANCE  
OF THE ACTS OF THE GENERAL ASSEMBLY OF VIRGINIA OF 1853  
BY ORDER OF THE COUNCIL.

### REPORT.

In pursuance of an order of the Council of Weston to survey and define the corporation limits of Weston according to the Act of Legislature of Virginia for the year 1853, the undersigned respectfully submits the following report and plat which are believed to be correct, and according to aforesaid act of 1853.

Beginning at a stone put for a corner at the mouth of Polk Creek on west bank of West Fork River and on south bank of said creek, bearing thence up said creek N. 36 W. 21.40 poles to a stone; N. 39 $\frac{1}{4}$  W. 13.60 poles to a chestnut tree; N. 33 W. 6 poles to a beech; N. 11 E. 5.60 poles to a beech; N. 42 $\frac{3}{4}$  E. 12 poles to a beech; N. 59 E. 14 poles to a water-beech; N. 23 $\frac{3}{4}$  W. 5 poles large beech; the Asylum sewer crosses this line at "A;" N. 79 W. 12 poles to center of old river road and 2.20 poles to beech; S. 21 W. 30.72 poles crossing said Polk Creek to a stone; S. 26 E. 26.82 poles to a stone; S. 60 W. 20 poles to a black oak, where a foot log used to be; S. 73 $\frac{1}{2}$  W. 10.50 poles to a water gap; S. 60 $\frac{3}{4}$  W. 22 poles to a stone; N. 83 $\frac{3}{4}$  W. 15.60 poles to a stone, the Asylum sewer crossing this line at "B"; S. 82 $\frac{1}{2}$  W. 25 poles to a stone; N. 33 $\frac{1}{2}$  W. 57 poles to a sugar; N. 31 $\frac{1}{2}$  W. 46 poles to a stone on division line of land of J. M. Bennett and the heirs of Jacob Butcher, deceased; thence S. 31 W. 2 poles to the center of aforesaid Polk Creek 5.44 poles to center of Staunton and Parkersburg turnpike road, 96.40 poles to a stone on top of point, and on the division line of lands owned by Henry Flesher and the Asylum and thence with aforesaid

degree 76.16 poles to a small white oak, on the north bank of Calf Run; this line is recited in the aforesaid Act of 1853 as bearing S. 30 W., but by the well known rules of ascertaining the annual change of the compass needle I find the present bearing of the above line to be S. 31 W. with a total distance of 180 poles; thence down said Calf Run S. 27 E. 6 poles to a stone; S. 17 E. 728 poles to a stone; S.  $11\frac{1}{2}$  E. 30 poles to a stone; S.  $56\frac{3}{4}$  E. 38 poles to a stone; N.  $20\frac{1}{2}$  E. 2 poles to the mouth of Calf Run; thence down the west bank to the said West Fork River N. 18 W. 29 poles to a stone; N.  $76\frac{1}{2}$  E. 21 poles to a sugar; (down.) S.  $38\frac{1}{4}$  E. 59.60 poles to a chestnut tree; S. 84 E. 5 poles to a black oak; N.  $53\frac{3}{4}$  E. 40 to a white oak below and near the Woolen Factory; N. 35 E. 16 poles to a stone opposite the mouth of Still House Run (now called Town Run); thence crossing said river S.  $68\frac{1}{4}$  E. 10 poles to a stone near the mouth of said Town Run; thence up said Town Run S.  $19\frac{1}{2}$  E. 9 poles to a stone; S.  $86\frac{1}{4}$  E. 20 poles to a stone near tan-yard bark house; S.  $49\frac{1}{2}$  E. 42 poles to stone; S.  $2\frac{1}{2}$  W. 6.20 poles to a stone; S.  $32\frac{1}{2}$  E. 27.50 poles to a stone in center of said run on the division line of lands owned by Matthew Edmiston and Wm. E. Arnold; N. 31 E. 146 poles to a stone on the south bank of Stone Coal Creek; thence down said creek N. 25 W. 6 poles to a locust; N.  $21\frac{3}{4}$  E. 8 poles to a water elm; N.  $51\frac{1}{2}$  E. 975 poles to a stone; S. 76 E. 2080 poles to a stone; N.  $30\frac{1}{4}$  E. 672 poles to a stone; N.  $18\frac{1}{4}$  W. 1350 poles to a large sugar; S. 52 W. 1390 poles to a stone; N.  $22\frac{3}{4}$  W. 26 poles to a hickory; N.  $64\frac{1}{2}$  W. 98 poles to a stone; N.  $3\frac{3}{4}$  E. 2340 poles to a water elm; N.  $21\frac{1}{2}$  W. 1064 poles to a stone at the mouth of Stone Coal Creek and on the north bank of said river; up said river S. 44 W. 48 poles to marks made on the ledge of rocks on the east bank of said river; thence N. 63 W. 10 poles to the beginning.

I find the above described boundary to contain 273 acres, the area being calculated to low water mark; but I regard the true corporation limits as extending to the center of the runs, creeks and river, and if the municipal authorities of Weston

adopt this view of the subject they will find the powers and privileges greatly enlarged.

I was not required to survey the town; consequently, it is not laid down, as I could not locate it in the right place on the plat without an actual survey. I did not lay down the ten tracts of land inside and joining the corporation limits as it was thought they would encumber the plat with useless matter; but their respective areas as surveyed and calculated by me are as follows:

	A.	R.	P.
J. G. Vandervort's heirs.....	8	2	24
P. M. Hale .....	16	1	00
Henry Flesher.....	28	3	00
A. Simpson.....	4	0	00
J. W. Spaulding's heirs.....	8	0	00
H. Flesher (on Calf Run).....	2	2	00
Wm. E. Arnold.....	2	0	00
R. Irvin's heirs.....	0	3	24
" .....	2	3	17
J. M. Bennett.....	3	0	00
Aggregating .....	76	3	25

JAS. G. STRINGER.



# ORDINANCES.

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## TIME OF ANNUAL ELECTION.

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AN ORDINANCE FIXING THE TIME AND PLACE FOR HOLDING THE ANNUAL ELECTION OF TOWN OFFICERS.

*Be it ordained by the Council of the Town of Weston,* That hereafter all elections for town officers shall be held at the Court House on the second Tuesday in January in each year, and the term of all officers elected on that day shall commence on the first day of February thereafter, and shall be for one year, and until their successors are elected and qualified according to law.

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## REGULAR MEETINGS OF COUNCIL.

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AN ORDINANCE FIXING THE TIME OF REGULAR MEETINGS OF THE COUNCIL.

*Be it ordained by the Council of the Town of Weston,* That hereafter the regular meetings of the Council of the Town of Weston shall be held on the first Thursday night of each

month, at such hour as the Council may think most convenient.

The Council shall meet at a regular place to be designated as the Mayor's Office. *Provided, however,* A special meeting may be held at such place as the person or persons calling the same may designate.

—o—

### APPOINTMENT OF OFFICERS.

#### AN ORDINANCE PROVIDING FOR THE APPOINTMENT BY THE COUNCIL OF CERTAIN OFFICERS.

*Be it ordained by the Council of the Town of Weston,* That there shall be appointed by the Council, immediately after their election and organization, and whenever a vacancy may occur, a Recorder, an Assessor, a Sergeant, an Attorney, a Treasurer, a Weigh-Master, and a Street Commissioner, who shall be residents of said town and qualified voters therein, to remain in office during the pleasure of the Council, but not for a longer period than one year, unless re-appointed by the Council.

The officers so appointed shall, before entering upon the duties of their office, take the usual oath of office required by law.

They shall perform such duties and receive such compensation as the Council may by ordinance prescribe; which compensation shall not be increased or diminished during their term of office.



ORDER OF BUSINESS.

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AN ORDINANCE REGULATING THE ORDER OF BUSINESS OF THE  
COUNCIL.

*Be it ordained by the Council of the Town of Weston :*

1. That the officer presiding shall call the members to order, and preserve order and decorum during the meeting of the Council, and the business of the Council shall be taken up in the following order :

*First*—Reading of minutes of last meeting.

*Second*—The unfinished business appearing upon the Record.

*Third*—Reports from committees.

*Fourth*—Reports from officers, &c.

*Fifth*—Petitions for redress of grievances.

*Sixth*—Petitions of all other kinds.

*Seventh*—Original propositions from any member.

2. That the order of business may be suspended or changed at any meeting, for the time only, by a vote of a majority of the members of the Council present.

3. That a motion to adjourn shall always be in order unless the Council is engaged in voting.

4. That all standing committees shall be appointed by the Council, and all select committees appointed by the presiding officer, unless otherwise ordered by the Council.

5. That the reports of committees shall be in writing, signed by the members or chairman, and shall specify in the form of a resolution or ordinance at the close of the report such action in the premises as the committee may recommend as proper for the Council to adopt.

6. That no member shall leave a meeting of the Council without permission.

7. That each member of the Council shall vote upon every question before the Council, unless he be personally interested therein, or be excused from voting by a majority of the members present.

## MAYOR.

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AN ORDINANCE RELATING TO THE POWERS AND DUTIES OF THE  
MAYOR.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That the Mayor of said town shall possess such powers and perform such duties as are prescribed in the Acts of the Legislature enacting and amending the charter of said town, and that are now, or may be hereafter prescribed by Act of the Legislature, or any ordinance of said town.

SEC. 2. He shall keep a docket to be provided by the town, in which shall be docketed every case by him entertained for a violation of the laws and ordinances of the town, in which shall be entered his judicial proceedings and judgments therein. Each case docketed shall be numbered in successive order and the material papers pertaining to each case shall be filed together, bear the corresponding number, and be carefully preserved for reference.

SEC. 3. He shall call special meetings of the Council, of which each Councilman shall have notice personally, or by copy left at his usual residence or place of business. He shall be entitled to demand and receive for all judicial services under the laws of the State or ordinances of the town, and for all other services, such fees and compensation as are allowed Justices of the Peace for similar services, or such fees as may be prescribed by law or ordinance. He shall from time to time give to the Council information of the state of the town, and recommend for their consideration such measures as he shall judge necessary and expedient. At the expiration of his official term he shall promptly deliver to his successor the corporate seal, dockets, books, papers and other property pertaining to his office.

## RECORDER.

## AN ORDINANCE PRESCRIBING HIS POWERS AND DUTIES.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That the Recorder shall possess such powers and perform such duties as are prescribed in the Acts of the Legislature, enacting and amending the charter of said town, and that are now or may be hereafter prescribed by Act of the Legislature, or ordinance of said town.

SEC. 2. He shall attend the meetings and keep a regular and correct journal of the proceedings of the Council. He shall have the custody of the laws and ordinances of the town and shall record the same in a book to be provided by the Council for that purpose, and cause such as may be ordered by the Council to be published. He shall furnish to any person desiring the same, a transcript of all such laws and ordinances or of any act or proceeding of Council recorded in any book under his direction; and he shall be entitled to charge therefor at the same rate that the Clerk of the Circuit Court is entitled to charge for transcripts from the records of that Court, which shall be paid by the person requiring the same. *Provided, however,* That the Recorder shall furnish without charge to the town, all such transcripts, properly certified, as may be necessary to the prosecution of suits on the part of the town, or may be needed for its defense.

SEC. 3. The Recorder shall carefully keep and preserve all papers and books which may come into his possession, filing and arranging them in a manner convenient for reference.

SEC. 4. He shall make out and prepare all commissions, licenses and permits granted by the authority of the Council, and shall keep a register of the same in a book to be called the "License Book," in which shall be recorded the name of the person or persons obtaining the same, for what purpose granted, and the amount of the tax charged therefor.

## TREASURER.

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AN ORDINANCE PRESCRIBING THE POWERS AND DUTIES OF THE  
TREASURER.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That the Treasurer shall, within thirty days after his appointment, and before entering upon the duties of his office, give bond in the sum of not less than Five Thousand dollars, with security to be accepted by the Council, conditioned for the faithful keeping and disbursement of the funds of the corporation and faithfully discharge the duties of his office.

It shall be his duty on receiving money officially, to give to the person paying the same receipts therefor. He shall make annual settlements with the Council. He shall pay all orders drawn upon the Treasurer, by the proper officer, and the order shall be a sufficient voucher for such payment, upon his annual settlement.

SEC. 2. He shall keep an account of all receipts and disbursements of money, funds and revenue belonging to the town, in convenient books, in which shall be opened and kept in a proper manner, general and separate accounts of the receipts and disbursements of the various funds of the town, and at the close of his official term he shall promptly deliver to his successor all books, vouchers, papers, moneys and other property belonging to the town or pertaining to his office.

SERGEANT.

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AN ORDINANCE PRESCRIBING THE POWERS AND DUTIES OF THE  
SERGEANT.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That the Sergeant shall, as soon after his appointment as possible, and before entering upon the duties of his office, give bond with good security to be approved by the Council, payable to the town in its corporate name, in such penalty not less than Five Thousand dollars, as the Council may require, conditioned for the faithful performance of the duties as such officer.

SEC. 2. It shall be the duty of the Sergeant to attend every meeting of the Council and execute its orders; to collect all levies of taxes and fines of every kind for the use of the town, and pay the same over to the Treasurer, when collected, and the Treasurer's receipt shall be his voucher for so much money collected and paid over. He shall serve all notices, and do and perform such other services and duties as the Council may prescribe.

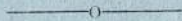
And it shall be his special duty to see that the peace and good order of the town is preserved and that the ordinances generally are enforced, and to enable him to carry out these provisions he is hereby vested with all the powers conferred by law upon the Sheriff of the county, so far as the same are applicable.

SEC. 3. It shall be the duty of the Sergeant to attend all trials of the Police Court, to preserve and maintain order therein; to serve process, notices, execute warrants, and for his services under this section, he shall be entitled to receive the same compensation as is allowed to constables for similar services, to be collected and paid out of the costs of the case in which such service is performed.

SEC. 4. *It is further ordained,* That the Sergeant shall receive for his services in the collection of taxes, licenses,

finer and penalties due the town, the same compensation allowed by law to sheriffs for similar services, and he shall be governed and guided by the same laws governing sheriffs, so far as the same are consistent with the Charter and Ordinances of the town.

SEC. 5. That for any failure of the Sergeant to comply with any of the provisions of this ordinance, he shall be liable on his official bond therefor. The Sergeant shall make an annual settlement with the Council, or whenever required by the Council, and to do and perform such other and additional duties as the Council may by ordinance prescribe.



### ATTORNEY.



#### AN ORDINANCE PRESCRIBING THE DUTIES OF THE ATTORNEY.

*Be it ordained by the Council of the Town of Weston,* That it shall be the duty of the Attorney of said town to attend the meetings of the Council when requested; to advise the members of the Council and the officers of the town in relation to their respective duties; to draft all ordinances, contracts or other legal papers which he may be required by Council to prepare; and furthermore, when he learns of the existence of any suit in which the town is interested to attend the same and represent the interest of the town therein, and to do and perform such other acts as the Council may direct or the laws and ordinances of the town require.

ASSESSOR.

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## AN ORDINANCE PRESCRIBING HIS POWERS AND DUTIES.

*Be it ordained by the Council of the Town of Weston,* That it shall be the duty of the Assessor to make an assessment of the property in said town, subject to taxation, substantially in manner and form in which assessments are made by County Assessors, and return the same to the Council on or before the 20th day of May in each year, and for this purpose he shall have the powers conferred by law on County Assessors. He shall list the number of dogs in the town and the names of the persons owning the same, which list shall be returned to the Council.

And it is hereby made the duty of the Assessor to require every person to answer under oath such questions as he may ask in relation to any matter about which he is authorized to inquire.

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STREET COMMISSIONER.

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AN ORDINANCE PRESCRIBING THE DUTIES AND POWERS OF THE  
STREET COMMISSIONER.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That the Street Commissioner shall possess such powers and perform such duties as may be prescribed by the laws of the State or the ordinances of the town.

SEC. 2. He shall be *ex officio* a police officer, and as such is empowered to apprehend all disorderly persons in said town; to arrest any person in the act of committing any offense against the laws of the State or the ordinances of the

town, and to bring such persons forthwith before the Mayor or other competent authority, for trial. And he is further authorized to perform such other police duties as are authorized by the Mayor of said town, and shall be entitled to such fees as are allowed by law or ordinance.

SEC. 3. He shall take charge of all laborers and teams that may be employed upon the streets, alleys and public places of the town, and in his supervision of public works he shall be subject to the direction of the Council of the town or its committee.

He shall superintend the grading of all streets, alleys and public places, and the graveling, paving, improving and cleaning the same. He shall cause the gutters along the several streets to be kept open, clean and free from all obstructions. He shall keep the streets, alleys and sidewalks free from all obstructions impeding a free passage along the same.

SEC. 4. He shall take in charge the abatement and removal of all nuisances, and execute all orders of the Mayor or Council relating thereto.

SEC. 5. He shall assign to any person erecting a new building or repairing an old one, on application, a reasonable space in the street, outside the curbstone, opposite the location thereof, to deposit building materials and implements to be used in or about the building, which space so assigned shall not exceed twelve feet excluding the sidewalk. But the material shall not be so deposited as to prevent citizens passing along the sidewalk, nor in such a manner as to cover the gutter or to prevent water from flowing freely in the same, nor prevent passage along the street, and give a permit accordingly. He shall report to the Council, when required. He shall surrender to his successor in office, or to the Council, when required, all property belonging to the town, pertaining to his office.



POLICE.  

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AN ORDINANCE PROVIDING FOR THE APPOINTMENT AND DEFINING  
THE DUTIES OF THE POLICE.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That the police force of the Town of Weston shall consist of such number of police as the Mayor or Council shall from time to time deem necessary and expedient, who shall be appointed by the Mayor and removed by him at pleasure.

SEC. 2. The said police force shall be governed by the following rules:

1. The police force shall be subject to the instructions of the Mayor, and shall obey his instructions in all matters relating to the keeping of the peace and good order within the town, in accordance with the rules hereinafter prescribed.

2. The members of the police force shall receive and obey all orders promptly from the Mayor.

3. The said police force shall, when on duty, wear a badge of office, and any uniform that may be hereafter selected.

4. No member of said force shall, while on duty, enter any saloon or any other place of public resort, except in the exercise of his duty, or called thereto by some person requiring his services as such police officer.

5. No policeman shall abuse any prisoner whom he may have in charge, nor use force, unless necessary to do so in self-defense or to prevent escape.

SEC. 3. No police officer shall allow any crowd of persons to gather on the streets about any corner or elsewhere so as to obstruct a free passage of foot passengers or team. Nor shall he allow any nuisance to be committed upon or remain in the streets or alleys of said town.

SEC. 4. It shall be the duty of the policeman, whenever and wherever they know by sight or by reliable information

of any ordinance being or about to be violated, to immediately exercise all his power and authority to prevent the same, and if accomplished to arrest the persons engaged therein. Also, when on duty to preserve the peace of the town, to secure the inhabitants thereof from personal violence and their property from fire or unlawful depredation. And to secure these ends they are empowered with authority to arrest, upon sight and without warrant, any person or persons found violating any ordinance made pursuant to these ends.

SEC. 5. When there are private watchmen appointed or paid by citizens or by any company doing business within the corporation, for their own premises or property, they shall (after being duly sworn in) be empowered with like authority as other police and shall be under the control and direction of the Mayor, except that they may not be removed from the prescribed beat for which they are employed, and may assume and wear the badge or uniform of the other police.

SEC. 6. The police shall each receive as a compensation the sum of one dollar per day in actual employment, and the sum of one dollar for each night so employed, and for other services such compensation as is allowed the Sergeant for arrests, &c., and no member, after being discharged from duty, shall wear the badge of such police.

SEC. 7. Each policeman shall give immediate alarm in case of fire by crying "Fire" repeatedly, and by ringing any bell to which he may have access; and during the progress of such fire, or other public excitement, he shall be especially watchful for thieves and incendiaries, and arrest all suspicious persons.

SEC. 8. Any policeman failing or refusing to comply with any of the provisions of this ordinance may be forthwith discharged.

## WEIGH-MASTER.

AN ORDINANCE CREATING THE OFFICE OF WEIGH-MASTER AND  
DUTIES PRESCRIBED.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That at the time of the appointment of the Assessor, there shall be appointed annually by the Council a Weigh-Master, who shall hold his office until his successor is appointed and authorized to act, unless sooner removed for cause.

SEC. 2. He shall, before entering upon the duties of his office, take the usual office-holder's oath, and give bond to be approved by the Council in such penalty, not less than Three Hundred dollars, conditioned for the faithful performance of his duties, and to pay over all moneys belonging to said town that may come into his hands by virtue of his office, and for his services he shall be entitled to receive one-half of the fees of his said office.

SEC. 3. He shall demand and receive the following fees from all persons selling hay, coal or lime or any article to be weighed on said scales, payable when the service is rendered, or at farthest every Saturday evening: For each draft of hay or other thing when drawn by one horse, five cents; by two horses, ten cents; three or more horses, fifteen cents.

SEC. 4. He shall make quarterly settlements with the Town Sergeant, who is hereby authorized to receive the money, payable by him to the town.

SEC. 5. *Be it further ordained,* That any one who shall sell hay, coal or lime, or any other article, in said town, without having the same weighed, shall be fined not less than fifty cents, nor more than two dollars, for each offense, recoverable upon the warrant of the Mayor or any Alderman of said town, as other fines and forfeitures are recoverable.

## LICENSES.

## AN ORDINANCE IN REGARD TO LICENSES.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That it shall be the duty of all persons who are required by law to take out a State license for the purpose of carrying on any business or pursuing any trade or calling within the limits of the Town of Weston, and also such other persons as are hereinafter named to take out a license from said town, and to pay such tax on said licenses as is hereinafter provided.

SEC. 2. Any person desiring such license shall obtain from the Recorder of the Town of Weston a certificate of the amount of the tax chargeable thereon, for which certificate or the transfer of any license, the Recorder shall be entitled to a fee of fifty cents to be paid by the person obtaining the same, and present the same to the Sergeant of said town, who shall receive the tax imposed and grant a receipt therefor on said certificate, which certificate, so receipted, shall be a sufficient license to the person or persons to whom it was granted. *Provided, however,* That all applications for licenses to sell intoxicating drinks shall be made to the Town Council and if granted, a copy of the order shall be endorsed on their certificate, and the applicant for such license shall execute a bond to be prepared by the Recorder in the penalty of \$3500, with good and sufficient security, to be approved by the Council, which bond shall be made payable to the Town of Weston and conditioned as required by the laws of the State of West Virginia, and for each violation of said bond, or any of the conditions thereof, the person or persons violating the same shall pay a fine of not less than ten nor more than one hundred dollars, to be recovered by warrant before the Mayor or any Alderman of said town. The Recorder shall be entitled to a fee of fifty cents for each bond so executed, to be paid by the party executing the same.

SEC. 3. There shall be levied and collected annually of the several persons obtaining a license as aforesaid the taxes following to-wit:

On every license to keep a hotel or tavern, eating-house or restaurant, three per centum per annum upon the yearly value of the premises occupied for that purpose, estimated according to the 9th section of chapter 32 of the Code of West Virginia. (Warth.)

On every license to furnish intoxicating drinks or refreshments at a public theatre, one hundred and fifty dollars.

On every license to sell spirituous liquors, wine, porter, ale, beer and drinks of like nature at retail, three hundred and fifty dollars.

On every license to sell spirituous liquors, wine, porter, ale, beer and drinks of like nature at wholesale, three hundred and fifty dollars in addition to all other taxes.

On every license to sell at retail, domestic wines, porter, ale, beer and drinks of like nature only, one hundred dollars.

On every license to carry on the business of a druggist, ten dollars in addition to all other taxes.

On every license to keep a bowling alley for public use or resort, forty dollars; but if more than one be kept in one house by the same person, forty dollars for the first one and fifteen dollars for every other one.

On every license to keep a billiard table or pool table, or table of like kind, for public use or resort, seventy-five dollars; but if a pool table and billiard table be kept by the same person, in the same house, fifty dollars for each; and if more than one or more than one of each be kept in the same house by the same person, seventy-five dollars for the first one of each, or fifty-five dollars for the first one of each, as the case may be, and twenty-five dollars for every other one.

On every license to keep a bagatelle table or table of like nature, for public use or resort, twenty-five dollars; but if more than one be kept in one house by the same person,

twenty-five dollars for the first one, and ten dollars for every other one.

On every license to keep a roller skating rink for public use and resort, twenty-five dollars.

On every license to act as auctioneer, five dollars, and an additional tax of two dollars for every thousand of the population of the town according to the last preceding United States census.

On every license to practice the business of a stock or other broker, other than that of pawnbroker, by buying or selling for others, stocks, securities or property, for a commission or reward, fifty dollars; but the person holding such license shall, while it continues in force, have the right to sell stocks and securities at public auction without a license to act as auctioneer.

On every license to practice the business of money broker or private banker, by selling or buying uncurrent or depreciated money or funds, or exchanging one kind of money or funds for another, for profit or reward, one hundred dollars.

On every license to practice the business of pawnbroker, one hundred dollars.

On every license to act as a hawker or peddler, if the person licensed travel without a horse, twenty-five dollars; if he travel with one or more horses, with or without a wagon or other vehicle, seventy-five dollars. *Provided*, This clause is not to be construed as embracing what are known as farm or produce hucksters.

On every license to sell sewing machines, if the salesman thereof travels, ten dollars; on every license to sell organs or other musical instrument, if the salesman thereof travels, twenty dollars.

On every license to sell lightning rods, if the salesman thereof travels, fifty dollars.

On every license to keep a shooting gallery, for public use or resort, twenty-five dollars.

The tax on every license for theatrical performances, ten dollars for each week, and no license shall be issued for any fraction of a week. *Provided*, That this section shall not apply to literary, dramatic, musical or benevolent societies, when they do not give exhibitions out of their own counties.

The tax on every license to exhibit a circus in said town shall be fifty dollars for each exhibition, or a license to exhibit a menagerie thirty dollars for each exhibition; on a license to exhibit a circus and menagerie combined, seventy-five dollars for each exhibition; and on a license to exhibit any other public show, (inclusive of each and every side show in the vicinity of a circus and menagerie, or circus and menagerie combined) ten dollars for each exhibition, except for a museum or public show, where the admission is ten cents, the tax shall be four dollars a day, or twenty dollars a week.

Upon every corporation, which has heretofore obtained or which shall hereafter obtain a charter or certificate of incorporation from this State, and whose principal place of business or chief works are located in said Town of Weston, there shall be an annual license tax of ten dollars. *Provided* This section shall not be construed as imposing a tax on corporations chartered strictly for educational, literary, agricultural, religious, cemetery or charitable purposes, or upon charters incorporating Masonic lodges, Odd Fellows lodges or other charitable societies.

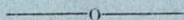
SEC. 4. If any person shall fail or refuse to take out such license as is required by any section of this ordinance, he shall be liable to a fine of not less than ten nor more than one hundred dollars, recoverable in like manner as other fines are recovered.

SEC. 5. It shall be the duty of the Sergeant of said town, on the failure or refusal of any person to pay the amount of the tax assessed against him upon his license aforesaid, to distrain the property of such person or so much thereof as may be necessary to pay the tax and costs of distraint, and proceed to make the amount by sale, as in the

case of an execution, and the Sergeant shall be entitled to the same fees as constables are allowed for similar services.

SEC. 6. All licenses authorized under this ordinance shall expire on the 30th day of April next after the commencement thereof. If granted for a less time than a year, the town tax thereon shall be computed from the annual tax in proportion to the time such license has to run.

SEC. 7. A license from said town to furnish intoxicating drinks or refreshments at a public theatre, or sell patent rights, or act as hawker or peddler, shall be either for a year, four months or two months from the commencement thereof. If for four months, the tax shall be one-half, and if for two months, one third of the annual tax.



## ESTIMATE OF EXPENSES AND LEVY.



### AN ORDINANCE PROVIDING FOR MAKING ESTIMATE OF EXPENSES AND LAYING A LEVY.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That there shall be annually made up and entered upon the Journal an accurate estimate of all sums which are or may become lawfully chargeable upon said town, and which ought to be paid within one year.

SEC. 2. *And it is further ordained by the Council of the Town of Weston,* That the Council shall order a levy on the subjects of taxation in the said town, as required by the charter, of so much as in its opinion may be necessary to pay all the sums mentioned in the 1st section. *Provided, however,* That said levy shall not exceed for any one year the rate of one dollar upon every hundred dollars value of the property in said town. Said levy shall be made as soon after the assessment as practicable.



DOGS.  

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## AN ORDINANCE IN RELATION TO DOGS.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That an annual tax of fifty cents on every male and two dollars and fifty cents on every female shall be paid for every animal of the dog kind, which shall be owned or kept in the Town of Weston, to be paid by the person who shall own or keep such animal.

SEC. 2. It shall be the duty of the Assessor annually to take and return to the Council, at the time he reports his annual assessment, an accurate list of the names of all persons who own or keep in said town any animal of the dog kind, showing the number of such animals owned or kept by each person, and also whether the same be male or female. And it shall be the duty of the Recorder to deliver to the Sergeant of the town a list of the names of the persons so returned by the Assessor as owners of dogs.

SEC. 3. If any person, when required by the Assessor to state the number of animals of the dog kind owned or kept by him or her, and whether the same be male or female, shall not truly report the same, he or she so offending shall forfeit and pay for every such offense the sum of not less than three dollars.

SEC. 4. It shall be the duty of the collector of taxes assessed on real estate for the benefit of the town, to collect the taxes which are or shall be assessed upon dogs in said town, and to account for and pay over the same as other revenue; and he shall receive for making such collections the same commissions as shall be allowed for the collection of the taxes on the property in said town.

## COWS, &amp;c.

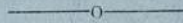
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AN ORDINANCE TO PROHIBIT COWS, HORSES, HOGS, &c., FROM  
RUNNING AT LARGE IN THE TOWN OF WESTON.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That it shall be unlawful for any horse, mule, jack or jennet, or for any swine, to go at large in any street, alley or unenclosed ground within said town, or for any cow to run at large in said town, between sunset and sunrise. And it is hereby made the duty of the Sergeant or any one deputized by him for that purpose, to take up any such animal, which shall be suffered to go at large contrary to the provisions and intent of this ordinance, and to place the same in the "Pound," or some other suitable place, and to sell the same at public auction for cash, to the highest bidder, first giving three days notice of the time and place of sale, by advertisement, posted at three public places of said town, in which he shall particularly describe the said animal to be sold, unless the owner thereof, or some one for him, shall, previously to such sale, release such animal from custody by paying to the Sergeant a bill of one dollar for each cow or horse, and fifty cents for each other animal so taken up as aforesaid; and the charges of the Sergeant for watering, feeding and attending to the said animal while in custody, which shall not exceed fifty cents per day for each horse or cow and ten cents for hogs. *Provided, however,* That if the owner of any such animal so taken up as aforesaid shall, after reasonable notice to the Sergeant, apply to the Mayor and show by evidence probable cause to believe that such animals were let out of his enclosure, or were driven into said town without his knowledge and against his consent, the Mayor may remit the fees aforesaid; and any person who shall in violation of the spirit and intent of this ordinance let out or cause to be let out of any such enclosure within

the said town, or shall drive or lure or shall cause to be driven or lured within the said town, or shall drive or lure or shall cause to be driven or lured into said town any such animal shall be subject to a fine of ten dollars, to be recovered with costs from the offender or his parent or guardian; and any person who shall let or take out of the said "pound" or other suitable place any animal taken up by the Sergeant shall be subject to a fine not to exceed ten dollars, to be recovered as aforesaid.

SEC. 2. It shall be the further duty of the Sergeant immediately after such sale, as in the preceding section mentioned, to pay over to the Treasurer the proceeds thereof, after deducting his fees and the charges hereinbefore allowed, and the Treasurer shall hold the same for the use of the owner of such animal so sold, for the period of three months, and if such proceeds be not demanded and accepted in full satisfaction by the owner, or other duly authorized person, before or at the expiration of the period aforesaid, it shall accrue to the said town as an additional penalty for the violation of the provisions of the preceding section.



## VICIOUS DOGS.

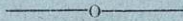


AN ORDINANCE IN RELATION TO VICIOUS DOGS WITHIN THE TOWN  
OF WESTON, AND DEFINING THE PENALTIES TO BE IMPOSED  
UPON PERSONS KEEPING THEM.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That upon proper affidavit, made before the Mayor, or any Alderman of said town, that any person residing within the limits of said town keeps upon or near his premises a vicious and dangerous dog, and that such animal is dangerous to the public, it shall be the duty of the officer before whom the

information is filed, to summon the owner or keeper of such dog, together with such witnesses as he may desire, or said officer may deem necessary; whereupon the evidence upon both sides shall be heard, and if it shall be found that the dog complained of is dangerous to the public, it shall be declared a common nuisance, and the officer before whom the case is heard shall notify the owner or keeper of such nuisance to abate the same within three hours from such finding, and for any failure so to do the party offending shall be fined not less than two dollars nor more than ten dollars for every three hours he shall violate this ordinance; and the Sergeant shall immediately cause such dog to be killed. Said fine to be collected as other fines and levies are collected.

SEC. 2. In case such animal is declared a nuisance as provided in the preceding section, its owner or keeper shall pay all the costs attending the examination; but should it appear that the information is not sustained, the party making the information shall pay all the costs aforesaid, all of which costs shall be collected in like manner as the fines mentioned in the preceding section of this ordinance.



## HOUSES OF ILL-FAME.

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### AN ORDINANCE TO PROHIBIT THE KEEPING OF HOUSES OF ILL-FAME IN THE TOWN OF WESTON.

SEC. 1. *Be it ordained by the Council of the town of Weston.* That it shall be unlawful for any person or persons to keep for profit, gain or livelihood any house or houses of ill-fame within the said town; every person so offending shall, on conviction, be fined in any sum not exceeding fifty dollars nor less than five dollars with costs.

SEC. 2. That if the owner or owners of any house or houses within said town shall rent or lease the same or any part thereof to be used or occupied as a house of ill-fame by

such renter or lessee or any subtenant, or shall after notice of the fact permit any one to occupy the same for the purpose aforesaid for the space of ten days without any legal efforts to dispossess such occupant or occupants, he she or they so offending shall, on conviction thereof, forfeit and pay any sum not exceeding fifty dollars nor less than five dollars with costs.

SEC. 3. That it shall be unlawful for any person or persons knowingly to harbor or keep about his, her or their houses, room or tenement in said town any lewd woman or common strumpet for purposes of lewd or lascivious behavior, and every person so offending shall, on conviction thereof be fined in any sum not exceeding forty dollars nor less than one dollar with costs.

SEC. 4. That all females who shall reside in any house of ill-fame in said town, or resort thereto for the purpose of prostitution, who shall prostitute themselves or use indecent and lascivious language, gesture or behavior to entice persons therein for the purpose aforesaid, shall, on conviction thereof before the Mayor, be fined in any sum not exceeding fifty, nor less than five dollars with costs.

SEC. 5. That all male persons of the age of sixteen years and upwards, who shall reside in any house of ill-fame in said town, or resort thereto in the character of servants, musicians, boarders, lodgers or otherwise, or for the purpose of aiding, abetting or encouraging the owner or keeper of such house or the females who reside therein or resort thereto in the gratification of their lewd and lascivious practices shall, on conviction thereof, be fined in any sum not exceeding fifty dollars nor less than one dollar, with costs.

SEC. 6. That any carousals which may be held or gotten up at any house of ill-fame in said town, or at any house therein where lewd women wantonly form party of the assembly, shall be deemed disorderly and unlawful, and every person who shall participate or be in attendance at any such carousal, on conviction thereof, shall be fined in any sum not exceeding fifty dollars nor less than one dollar, with costs.

SEC. 7. That if any person, not married to each other, lewdly and lasciviously associate and cohabit together, or whether married or not, are guilty of open and gross lewdness and lasciviousness in said town, they shall, upon conviction thereof, be fined in any sum not exceeding twenty dollars and costs, and may in addition to said fine be imprisoned for any time not exceeding thirty days.

SEC. 8. If any person be found guilty of a violation of any section of this ordinance and shall make default in the payment of such fine or costs as may be assessed therefor, such person may be imprisoned in the jail of this county, until such fine and costs are paid, unless sooner discharged by the Mayor. *Provided*, that the term of imprisonment shall not exceed thirty days.

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## SUSPICIOUS CHARACTERS.

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### AN ORDINANCE TO IMPRISON SUSPICIOUS PERSONS.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That any person or persons who may be found upon any street, alley or vacant premises within the said town, after twelve o'clock at night, under suspicious circumstances, and without being able to give a satisfactory reason therefor, shall be deemed guilty of disorderly conduct, and every person so offending may be arrested and upon conviction thereof may be fined in any sum not exceeding ten dollars and costs, and in default of the payment thereof may be imprisoned for any time not exceeding thirty days.

## PROTECTION OF PROPERTY.

AN ORDINANCE FOR THE PROTECTION OF PUBLIC AND PRIVATE PROPERTY, AND PRESCRIBING THE PUNISHMENT FOR INJURIES THERETO.

SEC. 1. *Be it ordained by the Council of the town of Weston,* That any person who shall pull, cut, tear, saw down, break, deface or otherwise injure or destroy any property beionging to said town, shall on conviction thereof, be fined in any sum not exceeding fifty dollars nor less than one dollar and costs, and shall further be liable to the town in a civil action for damages for the injury done.

SEC. 2. That any minor or other person who shall cut, saw, tear or break down any ornamental or shade tree along the sidewalk or in any other public place in said town, or injure the same in any manner, shall, on conviction thereof, be fined in any sum not exceeding twenty dollars with costs, for each tree so destroyed or injured.

SEC. 3. That any minor or other person who shall cut, deface, or otherwise damage the property of another, or mischievously remove signs, gates or any property of another to his annoyance, inconvenience or expense, or throw stones, brick-bats, pebble-stones, clubs or other missiles against any building, window, fence, wall or lawful sign, transparency or flag, the property of another, or who shall trespass upon the property of another by entering upon the same, or taking therefrom or destroying property of any description, shall, on conviction thereof, be fined in any sum not exceeding fifty dollars nor less than one dollar with costs.

## VEHICLES, &amp;c.

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 ORDINANCE TO PREVENT THE LEAVING OF VEHICLES UPON THE  
STREETS AND ALLEYS.

*Be it ordained by the Council of the Town of Weston, That* it shall be unlawful for the owner or driver of any wagon, cart or any other vehicle, not in immediate use to permit the same to remain upon any public street or alley of said town, and any person so offending against this ordinance shall forfeit and pay not less than one nor more than five dollars for every such offense, with costs.

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 SIDE-WALKS.
 

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 AN ORDINANCE TO PREVENT THE OBSTRUCTION OF THE SIDE-  
WALKS.

SEC. 1. *Be it ordained by the Council of the town of Weston,* That it shall be unlawful for any person to drive any vehicle, or to ride, drive or to lead any horse, mare, gelding, mule or jack, or to drive or lead any bull, cow, ox or steer along or across any side-walk in said town, (except upon such part of any side-walk as may be made for crossing) and any person so offending shall, on conviction thereof, be fined in any sum not exceeding ten nor less than one dollar with costs.

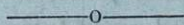
SEC. 2. That it shall be unlawful for any person or persons owning a horse, cow or mule to hitch such animal on or to suffer any such animal to lie on, feed on or before any side-walk in said town; and any person so offending shall, on conviction thereof, be fined in any sum not exceeding



five dollars nor less than one dollar for each offense, with costs.

SEC. 3. That it shall be unlawful for any person to encumber or obstruct a free passage along any side-walk in said town by placing barrels, boxes, kegs, crates, castings, lumber, chicken-coops or any article thereon, other than receiving or discharging coal, freight or goods to and from buildings, or displaying goods as signs during the day; and any person so offending shall, on conviction thereof, forfeit and pay any sum not exceeding ten dollars nor less than one dollar for such offense, with costs.

SEC. 4. That it shall be unlawful for any minor or adult person to play at marbles, pitch quoits, play shinney, or to engage in any other play or sport on any side-walk, or in any street within said town, or to run velocipedes thereon, tending to obstruct a free passage along the same; and any minor or adult person so offending shall be fined in any sum not exceeding ten dollars nor less than one dollar for each offense, and the parent, guardian or master of such minor shall be subject to the payment of the fine and costs so assessed against the minor.



## SPECIAL MEETINGS.

### AN ORDINANCE PRESCRIBING THE MODE OF CALLING SPECIAL MEETINGS OF THE COUNCIL.

*Be it ordained by the Council of the Town of Weston, That the authority to call special meetings of the Council shall be vested in the Mayor, or any three members of the Council.*

## SINKING FUND ORDER.

## AN ORDINANCE RELATING TO THE SINKING FUND ORDER.

*Be it ordained by the Council of the Town of Weston,* That in order to provide permanent means to meet the principal of the bonds of the Town of Weston, issued in payment of its subscription of six thousand dollars heretofore made to the capital stock of the Weston & West Fork Railroad Company, for the redemption of which the faith of the town is hereby pledged, a fund to be called "The Weston Sinking Fund" is hereby created. For the purpose of managing, preserving and applying said funds, W. G. Bennett, M. W. Harrison and Allen Simpson are hereby appointed commissioners to be called "Commissioners of the Weston Sinking Fund," to continue such until removed by Council. And any vacancy therein shall be filled by the Council.

To sustain said fund there shall be annually, until the liquidation of said debt, at the same time at which ordinary levies are laid, be levied on the taxable property of said town a tax sufficient to produce a sum equal to five *per centum* of the amount of the debt, in order that the principal may be sunk in twenty years, unless that *per centum*, or a part of it, should be derived from the town's stock in said company; in which case said levy may be less. Said levy shall be collected as other levies, and by the same officers; and said officer shall make with the Council a settlement separately of such Sinking Fund levy at the same time annually with his settlement of other levies, so that the Council may have at all time an exhibit of said fund. And the proceeds thereof shall be due from such officer at the same time as the proceeds from other levies.

And all dividends on the stock of the town in said Railroad Company shall go into said fund.

The proceeds of said levies and the said dividends shall be paid to the Commissioners of the Sinking Fund. Said

Commissioners shall keep the moneys of said fund on deposit in the "National Exchange Bank of Weston" until another depository be designated by the Council, to the credit of the Weston Sinking Fund, and the same shall be subject to the orders of said commissioners. The said fund is hereby pledged and set apart and shall be applied by said commissioners until the liquidation of said debt in discharge of the principal of said bonds, or to the redemption of any of them at any time at the lowest rate not more than par attainable.

Said commissioners may give notice by publication in a newspaper of this county requiring the holders of any specific bonds by their number to present the same for redemption, at a time and place to be designated and after such time, such particular bonds shall cease to bear interest.

Two of said commissioners shall constitute a quorum for business.

They shall keep a record of their proceedings and shall for each year ending on the 31st day of December, report to council in detail the state of said fund, showing the amount paid into their hands, the disposition thereof, and such other matter as will fully explain the condition of the fund. All bonds redeemed by said commissioners shall be at once thoroughly cancelled by cutting through and be returned to the council and preserved. This order shall be deemed a part of the contract between the Town of Weston and the holders of its said bonds.

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## CAPITATION TAX.

### AN ORDINANCE RELATING TO CAPITATIONS.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That there shall be annually collected from every male inhabitant of the said town, who has attained the age of twenty-one years, One Dollar capitation tax.

## NUISANCES.

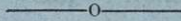
AN ORDINANCE TO SECURE THE HEALTH OF THE CITIZENS OF THE TOWN AND TO PROVIDE FOR THE ABATEMENT AND REMOVAL OF NUISANCES.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That it shall be unlawful to leave exposed in any street, alley, public place or any lot of ground in said town, any dead animal, putrid substance, manure from hogpens or privies, offal or refuse matter from manufactories, meat shops or work shops, or garbage, slops or other matter from kitchens or other places, or to throw out or permit to be thrown out or to remain exposed anything or substance whatever, either animals, dead or alive, vegetable, solid or liquid, which is or may become offensive and a nuisance to the neighborhood or citizens generally; And any person so offending may be fined in any sum not exceeding twenty dollars nor less than one dollar, with costs, for each offense, and shall moreover be subject to a like fine for every day the nuisance shall remain or continue, after having been notified by the Street Commissioner or Sergeant to abate or remove it.

SEC. 2. That if the owner or owners of any lot or parcel of ground in said town, or occupier or occupiers thereof, shall permit any offensive or unwholesome substance to accumulate or remain thereon, he, she, or they shall forfeit and pay to said town a fine of not less than one dollar nor more than twenty dollars, for every such offense, and for every twenty-four hours the same shall be permitted to remain thereupon shall be regarded as a new offense.

SEC. 3. That it shall be unlawful for any person to cast or leave exposed in any river, creek or run banks or in any river, creek or run, within the limits of the corporation, the dead carcass of any animal, or unsound beef, pork or fish or any other putrid or unsound substance that may be detri-

mental to public health, or any ashes, shavings, slops or other rubbish or filth or the accumulation of hogpens or other offensive matter on pain of forfeiting for every such offense a sum of not less than one nor more than twenty dollars.



## OFFENSES AGAINST MORALITY.

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### AN ORDINANCE TO PREVENT INDECENT, LEWD AND LASCIVIOUS BEHAVIOR.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* It shall be unlawful for any one to assemble on any street or alley or other public place, or in any house, out-house, office, stable, shed, barn-yard, or lot of ground for the purpose of prostitution, lewdness or indecency.

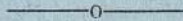
SEC. 2. It shall be unlawful for any prostitute to be on any street or alley, or in any such public place, between the hours of sunset and sunrise unless on business of actual necessity, or to associate or talk with notorious prostitutes in any public place in said town.

SEC. 3. It shall be unlawful for any person to keep a house of ill-fame, or house or resort for prostitution, or keep or harbor persons therein for the purpose of prostitution. It shall be unlawful for the owner or agent of any owner of any house in said town, to knowingly lease or rent or to have leased or rented any such house for the purpose of being used as a house of ill-fame or house of prostitution.

SEC. 4. It shall be unlawful for any person to be found loitering or lounging in any house of ill-fame or bawdy house, or in any house reputed to be a house of ill-fame or bawdy house; but the person charged with, or arrested for, being found loitering or lounging in any house so reputed, shall be discharged if he shall show and establish in defense that

the house is not in fact a bawdy house or house of ill-fame, or that he or she visited such house on actual and legitimate business, and remained only so long as was necessary to transact the same.

SEC. 5. Any person violating any of the preceding sections of this ordinance shall be fined in any sum of not less than five dollars nor more than twenty dollars for each offense.

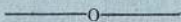


### FAST RIDING AND DRIVING.



#### AN ORDINANCE PROHIBITING FAST RIDING AND DRIVING IN THE TOWN OF WESTON.

*Be it ordained by the Council of the Town of Weston,* That if any person shall ride, drive or lead any horse or other animal, or shall drive or cause to be driven any carriage, wagon, dray or other vehicle, in said town, at a greater rate of speed than eight miles per hour; or shall, while turning a corner at the intersection of streets or alleys, ride or drive in such a manner as to endanger the body or property of any person in said town, or shall ride or drive across any bridge in said town faster than a walk, he shall on conviction thereof, be fined not exceeding twenty dollars, nor less than five dollars with costs.



### DISORDERLY CONDUCT.



#### AN ORDINANCE TO PREVENT RIOTS, NOISE, DISTURBANCES AND DISORDERLY ASSEMBLIES.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That if any person or persons shall wilfully disturb, molest or interrupt any church, literary society, school society

formed for intellectual, moral or physical improvement of its members, or any peaceable or lawful assemblage of the inhabitants of said town for social or deliberative purposes, or any person or persons while meeting or met together for lawful purposes, or any orderly and lawful procession of the inhabitants of said town, every such person so offending shall, on conviction thereof, be fined in any sum not exceeding fifty dollars, nor less than one dollar with costs.

SEC. 2. That if any person or persons in said town shall shoot at or stab another with intent to injure or put such person in fear, to desist from doing what he might lawfully do, or shall brandish any dangerous weapon at another in a menacing manner, with like intent, or shall draw, other than in self defense, in an angry and threatening manner, in a lawful crowd of persons or in close proximity thereto, a loaded pistol or bowie-knife from its scabbard or any dangerous weapon from about his person, every person so offending, shall on conviction thereof, be fined in any sum not more than fifty dollars nor less than one dollar, with costs.

SEC. 3. That if any person in said town shall unlawfully assault or beat another or challenge another to fight at fisticuffs or with cudgels or use any taunting, reviling or opprobrious language which tends to violence, or a breach of the peace, every person so offending shall on conviction thereof, be fined in any sum not more than twenty-five, nor less than one dollar with costs.

SEC. 4. That if any person or persons shall engage in a riot, rout, or take part in an unlawful assembly in said town, every person so offending shall on conviction thereor, be fined in any sum not more than fifty dollars, nor less than one dollar with costs.

SEC. 5. That if any person or persons shall conduct themselves in a noisy, boisterous or tumultuous manner, to the disturbance of the peace of the town, or the peace and quiet of the neighborhood, or of any lawful assembly of people, or shall be intoxicated to such a degree as to be noisy or annoy-

ing to a neighborhood or any of the inhabitants thereof, every such person so offending shall, on conviction thereof be fined in any sum not exceeding ten dollars, nor less than one dollar, with costs.

SEC. 6. That if any person shall play at any game of ball by throwing or otherwise, fly any kite, or play at any other game in the streets or public alleys, to the hindrance or annoyance of persons passing along the same, such person so offending shall on conviction, be fined in any sum not more than five dollars nor less than one dollar with costs.

SEC. 7. That if any person shall knowingly create a false alarm by crying "Fire," or shall ring a bell for the purpose of creating a false alarm, such person so offending shall be fined in any sum not more than five dollars nor less than one dollar with costs.

SEC. 8. That if any person shall cut, tear or otherwise deface any hand bill or notice, whether written or printed, containing information for the public, every such person so offending shall be fined in any sum not more than five dollars nor less than one dollar, with costs.

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## FIRE-ARMS.

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### AN ORDINANCE IN RELATION THERETO.

*Be it ordained by the Council of the Town of Weston, That it shall be unlawful for any person to shoot off or discharge within the limits of the said town, any gun, cracker, squib, or other explosive matter; and for any violation of this ordinance the person so offending shall on conviction thereof, be fined not less than one dollar nor more than three dollars, with costs. And if the person so offending be a minor, the penalties hereby ordained shall be collected from his parent or guardian.*



## BATHING.

## AN ORDINANCE TO PROHIBIT BATHING IN THE WEST FORK RIVER.

*Be it ordained by the Council of the Town of Weston,* That it shall be unlawful for any person to bathe in a nude state in the West Fork River, within the corporate limits of said town between the hours of daylight in the morning and dark in the evening, and every person so offending shall for each offense, be liable to be fined in any sum not exceeding five dollars, with costs.

## RESISTING OFFICERS, &amp;c.

## AN ORDINANCE RELATING TO RESISTING OFFICERS AND RESCUING OFFENDERS FROM THEM.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That any person or persons who shall resist or oppose the Sergeant or Police officers or any other officer of said town, in the enforcement of any ordinance made to preserve the peace, quiet or good order of the town, or to secure the safety, health, comfort or for the protection of the property of the residents of said town, or in the discharge of their official duties in executing any writ that may have come to their hands for execution, shall be deemed guilty of disorderly conduct and for every such offense, shall upon conviction, be fined in any sum not exceeding fifty dollars nor less than five dollars with costs.

SEC. 2. That if any person or persons shall rescue by force, from any officer of said town, any offender charged with or convicted of any offense against the ordinances of said town, or from any person charged with the safe-keeping of such offender, he, she, or they, so offending shall be fined in any sum not exceeding fifty dollars, nor less than five dollars, with costs.

## REFUSING TO AID OFFICERS.

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AN ORDINANCE PROVIDING PUNISHMENT FOR REFUSING TO AID  
OFFICERS IN ARRESTING, SECURING AND  
CONVEYING OFFENDERS.

*Be it ordained by the Council of the Town of Weston, That any person having been called upon by the Sergeant or Police officers of said town to assist such Sergeant or Police officers in apprehending any person charged with, or convicted of, any offense against the ordinances of said town, or in securing such offender when apprehended or in conveying such offender to the prison of said town, who shall neglect or refuse such assistance, on conviction thereof, shall be fined in any sum not more than fifty dollars nor less than one dollar, with costs.*

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SUNDAY.

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## AN ORDINANCE PROHIBITING COMMON LABOR ON SUNDAY.

*Be it ordained by the Council of the Town of Weston, That if any person, being the owner or occupant of any shop, store, grocery, saloon, or other place of business, shall by himself or agent open the same for the purpose of business on the first day of the week, called Sunday, every person so offending shall, on conviction thereof, be fined in any sum not exceeding fifty dollars nor less than one dollar with costs. Provided, That nothing herein contained shall be construed to prevent tavern-keepers from entertaining travelers, druggists from dispensing medicines for the sick, nor to prevent work of necessity and charity on Sunday by any person.*

## CARRYING CONCEALED WEAPONS.

AN ORDINANCE PUNISHING PERSONS FOR CARRYING CONCEALED  
AND DANGEROUS WEAPONS.

*Be it ordained by the Council of the Town of Weston,* That if any person in said town shall carry about his person any revolver, or other pistol, dirk, bowie-knife, razor, slung-shot, billy, metallic or other false knuckles, or any dangerous or deadly weapon of like character or kind, he shall be fined not less than five nor more than one hundred dollars, and may at the discretion of the Mayor, be imprisoned not exceeding thirty days; but nothing herein contained shall be construed so as to prevent any person from keeping or carrying about his dwelling house or premises any such revolver or other pistol, or from carrying from place of purchase to his dwelling house or from his dwelling house to any place where repairing is done to have it repaired and back again, or from carrying the same in self-defense as authorized by the Acts of the Legislature of West Virginia of 1882, chapter 135, sec. 7.

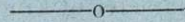
## STREET LAMPS.

## AN ORDINANCE IN RELATION TO THE STREET LAMPS.

*Be it ordained by the Council of the Town of Weston,* That the Sergeant shall have the supervision of the street lamps of the town, and it is hereby made his duty to see that the same are kept clean and properly attended to. He shall purchase all necessary burners, globes, wicks, &c., and report the same to Council. It shall be the duty of the Sergeant to keep an accurate memorandum of the number of nights the

lamps are lighted each month, and return the same to Council at each regular meeting.

The Sergeant shall be especially watchful to see that no injury or damage is done to the lamps. He may arrest and take before the Mayor any person who has violated the ordinance in relation to the injury of Public and Private property, and such person or persons may be dealt with as the ordinance prescribes.



## SIDE-WALKS.

### AN ORDINANCE TO PROVIDE FOR THE PAVING OF SIDE-WALKS IN THE TOWN OF WESTON.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That the owners of any lot or fractions of lots shall be required to pave the same in front of their said lots or fractions of lots in the manner hereinafter prescribed, within thirty days after the proper notice shall have been given.

SEC. 2. The pavements of said side-walks shall be of an uniform grade with the street or alley upon which they border, and shall rise from the curbstone at an uniform angle of elevation of one-half inch in every foot of the width thereof. Said pavement shall be of good hard brick, or flagstone, well fitted and of the full width of the side-walks.

SEC. 3. That whenever the owners of such lots or fractions of lots shall have failed to cause the same paved as required by this ordinance, within the time mentioned, it shall be the duty of the Street Commissioner forthwith to cause the same to be paved upon the most reasonable terms, and furnish to the owner or owners of each lot or fraction of lot, his, her, or their agent, or the tenant of the premises, a statement of the costs of such pavement, and also file with

the Recorder, one of the said statements, and if the amount thereof be not paid within thirty days after the filing of such statement, it shall be the duty of the Recorder, at the instance of the Council, to deliver the same to the Town Sergeant, who shall proceed to collect the same from the several parties liable therefor, according to law and the ordinances of said town. No person shall be required to make any pavement under this ordinance, until suitable curbing be put in at the expense of the town.

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FIRE COMMITTEE.

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AN ORDINANCE CREATING A FIRE COMMITTEE AND DEFINING  
ITS DUTIES.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That the Council of said town shall in each year, appoint a committee of freeholders, residents of said town, to be known as the "Fire Committee." They shall receive for their services the sum of three dollars each per day for the time actually employed as such committee.

They shall be required to make a thorough examination, at least twice in each year, or as often as in their judgment is deemed necessary, of the condition of the roofs and chimneys, stovepipes, &c., of buildings within the corporate limits of said town. And in order the better to enable them to perform their duties they are authorized by this ordinance to enter into any premises which in their judgment are dangerous to the public.

They shall make report to the Council of any buildings, chimneys, &c., within the corporate limits, which endanger the property or health of others by liability to fire or otherwise, which report shall be immediately submitted to Council, and if approved, in relation to any particular property, or

to all the property mentioned in said report, the Sergeant of the town shall at once notify the owners or occupants of such property to repair the same forthwith, and if such order shall not be immediately complied with, such repairs shall be made by the Sergeant of the town, under the direction of said committee, and the costs thereof collected from the owners or occupants of such property in the same manner as fines and levies are collected.

SEC. 2. *It is also ordained,* That any such property so reported against by said Committee, if in the judgment of the Council be a common nuisance may be so declared, and be removed and abated by order of the Council, at the expense of the owner of such property, said expense to be recovered as provided in the first section of this ordinance.

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## DELINQUENT TAXES.

### AN ORDINANCE PROVIDING FOR THE SALE OF REAL ESTATE AND PERSONAL PROPERTY RETURNED DELINQUENT.

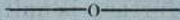
SEC. 1. *Be it ordained by the Council of the Town of Weston,* That if any real estate within the town of Weston be returned delinquent for the non-payment of taxes thereon, a copy of such delinquent list shall be certified by the Council to the Auditor, and the same shall be sold for the taxes, interest and commissions thereon, in the same manner, at the same time and by the same officer as real estate is sold for the non-payment of State taxes.

SEC. 2. *Be it further ordained by the Council,* That a list of all persons returned delinquent for the non-payment of capitation tax and taxes on personal property due the town, shall be posted by the Sergeant, at least ten days before the expiration of his term of office, at the front door of the

Court House of Lewis county, and at the front door of the Mayor's office in said town.

SEC. 3. Said lists shall be made out by the Sergeant on or before the 10th day of January in each year, substantially in manner and form as lists required to be returned by Sheriffs; and when said lists are verified by the affidavit of the Sergeant, and the Council satisfied of the correctness thereof, the Sergeant shall be allowed a credit in his settlements with the Council for the amounts specified in said lists.

SEC. 4. *Be it further ordained by the Council,* That a copy of the lists of persons so returned delinquent, when returned and accepted by the Council, may be placed by the Council in the hands of the succeeding Sergeant of the town, for collection to be accounted for as other collections, within one year thereafter.



## BUILDING.



### AN ORDINANCE RELATING TO BUILDING.

[Passed May 8, 1889.]

*Be it ordained by the Council of the Town of Weston,* That That it shall be unlawful for any person or persons hereafter to build, construct or erect, either permanently or temporarily, any building or structure whatever within the corporate limits of said town of Weston, whether upon his own ground, that of another, or upon ground forfeited, or claimed to be forfeited to the State of West Virginia, without first having obtained the consent in writing of the Council of said town; and any person or persons who shall violate this ordinance shall forfeit and pay a fine of not less than ten dollars nor more than fifty dollars and costs.

This ordinance shall be in force from its passage.

## IMPRISONMENT OF OFFENDERS.

AN ORDINANCE PROVIDING FOR THE IMPRISONMENT OF  
OFFENDERS.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That when any fine is imposed for the violation of any ordinance of said town, the offender upon whom the same has been imposed may be committed to prison until the fine and costs of prosecution shall be paid, or until otherwise discharged by due course of law; *provided,* the term of said imprisonment shall in no case exceed thirty days.

SEC. 2. That in addition to the fines, forfeitures and penalties authorized to be imposed for the violation of ordinances made to preserve the peace and good order of the town, or providing for the safety of citizens, it shall be lawful for the Mayor or any Alderman of said town to impose upon such offenders the further penalty of imprisonment for any term not exceeding thirty days.



## WHISKEY.

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AN ORDINANCE TOUCHING THE SALE OF WHISKEY, &C., IN THE  
TOWN OF WESTON.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That if any person having a license from said town to sell spirituous liquors, wines, porter, ale, beer, or any intoxicating drink, shall sell or give any such liquor or drink to any minor or person of unsound mind, or to any person who is intoxicated at the time or who is in the habit of drinking to intoxication, or if he permit any person to drink to intoxication when he knows or has reason to believe such person is a minor or of unsound mind, or is intoxicated, or is in the habit of drinking to intoxication, on any premises under his control, or sell or give any intoxicating drink to any person on Sunday, he shall be fined not less than twenty nor more than one hundred dollars.

SEC. 2. That no person shall within said town or within its jurisdiction, without a license from said town, sell, offer or expose for sale, or solicit or receive orders for or keep in his possession for another, spirituous liquors, wine, porter, ale, beer or any drink of like nature. 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 ordinance.

SEC. 3. That a sale of any such liquor or drink by one person for another shall be deemed to be a sale by both, and both shall be held guilty of a violation of this ordinance, and proceedings may be had against them either jointly or separately.

SEC. 4. That all houses, buildings and places of every description, within said town or its jurisdiction where any intoxicating drinks are sold or vended contrary to law, shall

be held, taken and deemed to be common and public nuisances and may be abated as such upon the conviction of the owner or keeper thereof.

SEC. 5. *Penalties*: That any person violating any of the foregoing sections of this ordinance shall forfeit not less than ten nor more than one hundred dollars for each offense to the said town, unless therein otherwise provided, to be collected as fines in other cases, and may at the discretion of the Mayor, (or Alderman presiding) be imprisoned in the county jail not exceeding thirty days.

SEC. 6. If the judgment be against the accused it shall be for the costs of the proceedings in addition to the fine imposed: and execution may be issued for such fine and costs.

When a fine is imposed, the officer who tries the accused, if he deem it proper, may adjudge the offender to be imprisoned until such fine and costs are paid: but such imprisonment shall not exceed thirty days. Such imprisonment shall not be considered a payment of such fine and costs, and execution therefor may issue any time thereafter, until such fine and costs are paid.

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## ADOPTION OF ORDINANCES.

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AN ORDINANCE PROVIDING FOR THE ADOPTION OF THE FOREGOING  
ORDINANCES AND PROVIDING THE TIME WHEN THE SAME  
SHALL TAKE EFFECT.

SEC. 1. *Be it ordained by the Council of the Town of Weston,* That the provisions of the preceding ordinances shall be in force upon and after the first day of February, one thousand eight hundred and eighty-nine, unless therein otherwise pro-

vided, and all ordinances and parts of ordinances of a general nature, in force on the day preceding that day, shall stand repealed, subject to such limitations as may be prescribed by ordinance.

SEC. 2. Such repeal, except where otherwise provided in the preceding ordinances, shall not effect any act done or forfeiture incurred, or right established, accrued or accruing before the said first day of February, one thousand eight hundred and eighty-nine, or any suit or proceeding pending on that day, save only that proceedings thereafter had shall conform as far as practicable to the provisions of the foregoing ordinances.



