

Acts of the North Carolina General Assembly, 1773
North Carolina. General Assembly
January 25, 1773 - March 06, 1773
Volume 23, Pages 872-930

----- page 916 -----

CHAPTER XIX.

An Additional Act to an Act, entitled, An Act for amending An Act entitled, An Act for the better Regulation of the Town of New Bern, and for securing the Titles of Persons who hold Lots in the said Town.

I. Whereas from the great Increase of Buildings in the Town of New Bern, Damages may hereafter arise by Fire; and it appearing necessary that water Engines, and other Instruments for extinguishing Fire, be procured as soon as Possible:

II. Be it Enacted, by the Governor, Council, and Assembly, and by the Authority of the same, That the Commissioners of the said Town, or the Majority of them, shall, and they are hereby required, to assess and value every House within the said Town (public Buildings excepted) and to lay a Tax on such Value, not exceeding Two Shillings in the One Hundred Pound, for each Year, during the Continuance of this Act; and also in like Manner assess the Trades or Faculties of all Residenters who are not Owners of Houses in the said Town, Regard being had to their Circumstances, so that the Assessment may be equally proportioned to the Danger they may be subject to by Fire; which Money assessed on the Owners of Houses and residenters as aforesaid, shall be collected and applied towards purchasing a Water Engine, Buckets, Ladders, and other Instruments proper for extinguishing Fire, and erecting one or more Public Pumps; and if any Person shall neglect or refuse to pay

----- page 917 -----

such Assessment, the same shall be levied by a Warrant, under the Hands of the Commissioners or a Majority of them, directed to the Sheriff of Craven County, or to the Constable of the said Town, on the Effects of such Delinquent or Delinquents; And as soon as such Engine, and other Instruments for extinguishing Fire as aforesaid, shall be procured, it shall and may be lawful for the said Commissioners or a Majority of them, to appoint and establish a Fire Company to manage and work the said Engine.

III. And be it further Enacted, by the Authority aforesaid, That the Fire Company to be appointed in Virtue of this Act, shall once in every Month exercise themselves and work the said Engine; and also be ready, in Case of an Alarm by Fire, to repair to the Place where such Fire shall happen, to be with the said Engine and other Instruments, and then and there to use their utmost Efforts to extinguish the same, under the Penalty of forfeiting each Five Pounds, Proclamation Money, for such Refusal or Neglect; to be recovered and applied as hereinafter directed.

IV. And be it further Enacted, by the Authority aforesaid, That the Fire Company for the Town of New Bern, and each and every of them, during the Time they continue to comply with the Directions of this Act, shall be exempt from bearing Arms at Musters, and serving on any Jury; any Thing contained in any Law to the Contrary, notwithstanding.

V. And be it further Enacted, by the Authority aforesaid, That each and every Householder within the said Town of New Bern shall procure, or cause to be procured, within Six Months after the passing of this Act, Two sufficient Leather Buckets, and a Ladder, of not less than Twenty Five Feet long, and keep the same in continual Readiness against any alarm by the breaking out of Fire in the said Town; on neglect whereof, he, she, or they, shall forfeit and pay Forty Shillings, for every Year they continue or neglect to be furnished as aforesaid.

VI. And be it further Enacted by the Authority aforesaid, That from and after the passing this Act, no Person whatever shall immoderately ride any Horse or mare, or in like Manner drive any empty Waggon, Cart, or other Carriage, in or through the streets of the said Town: And if any Person shall Offend herein, and be convicted thereof, he, she, or they, shall forfeit and pay Ten Shillings for each and every Offence; if the Offender be under age, the Parent, Master or Guardian, shall pay the said Fine; and if a Slave shall, by order of the next Magistrate, be whipped, not exceeding Twenty lashes, unless the master of said Slave shall pay the said Fine.

VII. And be it further Enacted, by the Authority aforesaid, That the Commissioners of the said Town, or the Majority of them shall, and they are hereby impowered and required, to regulate the Assize of Bread, when necessary; and any Person or Persons refusing to comply with such Orders, shall forfeit and pay Forty Shillings for every refusal; to be recovered and applied as is hereinafter directed.

VIII. And be it further Enacted, by the Authority aforesaid, That the Commissioners of the said Town, or the Majority of them, for the Time Being, shall, Yearly, and every Year, appoint a Proper Person to cord Wood in the said Town, who shall take an Oath for the faithful and impartial Discharge of his Duty before a Justice of the Peace, and procure a Certificate thereof; and after such Qualification, it shall not be lawful for any Person to sell Wood in the said Town, until the same may have been measured or examined by the Sworn Corder, under the Penalty of Five Shillings for each Cord sold contrary to the Meaning of this Act; to be recovered before any Justice of the Peace, for the Use and at the Suit of such Sworn Corder: And if such Corder shall refuse to attend to do his Duty at the Different Places

----- page 918 -----

where Wood is usually Corded, he shall for every Neglect forfeit and pay Twenty Shillings; to be recovered and applied as is hereinafter directed: And the said Sworn Corder of Wood shall and may take for his Trouble in examining and measuring each Cord of Wood, Six Pence and no more; one Half whereof shall be paid by the Seller, and the other by the Buyer.

IX. And be it further Enacted, by the Authority aforesaid, That from and after the First Day of June Next, it shall not be lawful for any Person, to retail Wheat Flour or Indian Corn Meal by Measure within the said Town, but that the said Articles shall be sold by weight; and the Person or Persons offending herein, shall for every Bushel so sold, forfeit and pay Five Shillings, to be recovered and applied as hereinafter directed.

X. And be it further Enacted, by the Authority aforesaid, That if any Householder in the said Town shall suffer his, her, or their Chimney or Chimnies to catch on Fire, so that a Blaze be seen without, he, she, or they shall, for each Chimney so on Fire, forfeit and pay Twenty Shillings, one Half to the Informer, the other Half for the Use of the said Town; to be recovered by Warrant before a Justice of the Peace.

XI. And whereas Sundry idle and disorderly Persons, as well as Slaves, and Children under Age, do make a Practice of firing Guns and Pistols within the said Town; Be it Enacted, by the Authority aforesaid, That if any such Person shall for the Future fire a Gun or Pistol within the said Town, he shall pay a Fine of Ten Shillings for each Offence, to be recovered as aforesaid; if the Offender be under Age, the Parent or Master, or Guardian, shall pay the said Fine; and if a Slave shall, by Order of the next Magistrate, be whipped, not exceeding Twenty Lashes, unless the Master of such Slave shall pay the said Fine.

XII. And be it further Enacted, by the Authority aforesaid, That the Commissioners of the said Town, or a Majority of them, are hereby impowered and required to appoint Two or more Watchmen, whose Duty shall be regulated by the Commissioners, and who shall be paid out of the Monies arising by Virtue of this Act.

XIII. And be it further Enacted, by the Authority aforesaid, That all Fines and Forfeitures in this Act, the Manner of Recovery and applying whereof not hereinbefore directed, shall be recovered by Warrant, under the Hands of the Commissioners for the Time Being, or a Majority of them, directed to the Sheriff of Craven County, or to the Constable of the said Town, and be levied on the Body, or Goods and Chattels of the Offender, and be applied to the Common Stock of the said Town; and be accounted for by the Commissioners in Manner directed in and by the Laws heretofore passed for the better Regulation of the said Town.

XIV. And be it further Enacted, by the Authority aforesaid, That this Act shall continue and be in Force for and during the Term of Three Years, and from thence to the End of the next Session of Assembly, and no longer.