

SESSION LAWS

OF THE

SIXTEENTH

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF ARIZONA.

SESSION BEGUN ON THE NINETEENTH DAY
OF JANUARY, A. D. 1891.

of any incorporated city or town of this Territory is hereby conferred upon such incorporation, and they shall have power to enforce the same in same manner as for violation of a city or town ordinance, and all fines and penalties received or collected therefrom shall be paid into the city or town treasury as the case may be, for the use of such city or town where such violation and prosecution was had, and any prosecution by such city or town for the violation of Section One of this Act shall be a bar to the prosecution for the same offence before any other court in this Territory, except in case of appeal.

SUB-DIVISION 6. All Acts or parts of Acts in conflict herewith are hereby repealed.

SUB-DIVISION 7. This Act shall be in force from the time of its passage and approval.

Approved March 19, 1891.

No. 81.

AN ACT

To provide for the Protection of the Frontier.

Be it Enacted by the Legislative Assembly of the Territory of Arizona:

SECTION 1. That the Governor of this Territory is hereby authorized to raise and muster into the service of this Territory, for the protection of the southern frontier, one company of Arizona Rangers, to be raised as hereinafter prescribed, and to consist of one captain, one lieutenant, one medical officer and twenty privates, each entitled to pay as follows: The captain and medical officer to receive each one hundred dollars per month; lieutenant eighty dollars per month, and privates each fifty-five dollars per month; and the pay herein provided shall be full compensation in lieu of all other pay and commutation for clothing for both officers and men.

SEC. 2. That the requisite number of officers and men for said company shall be raised, if possible, in the frontier counties of the Territory.

SEC. 3. That the Governor is authorized and empowered when in his opinion the public emergency shall require it, after the passage of this Act to appoint competent persons as captain and lieutenant and to enroll, as set forth in this Act, the requisite number of men for the company. The captain shall return to the Governor the muster roll, and the report of the condition of the company, and the Governor shall thereupon commission the said officers of said company, supply said company as under the provisions of this Act he may deem proper and necessary, and order them upon duty in accordance with the provisions of this Act.

SEC. 4. Said men shall be furnished by the Territory with the most effective and approved breech-loading cavalry arms; and for this purpose the Governor is hereby authorized to contract in behalf of the Territory for fifty stand of arms, together with a full supply of ammunition; the same to be all of the same make and calibre, and each member of the company to be furnished with the arm to be used by him at the price the same shall cost the Territory, which sum shall be retained out of the first moneys due him.

SEC. 5. That each member of said company shall be required to furnish himself with a suitable horse, six-shooting pistol (army size) and all necessary accoutrements and camp equipage, the same to be passed upon and approved by the enrolling officer before enlistment; and should any member fail to keep himself furnished as above required, then the officer in command shall be authorized and required to purchase the articles of which he may be deficient and charge the cost of the same to the person for whom the same shall be provided; provided, that all horses killed in action shall be replaced by the Territory, and the cost of horses so killed in action shall be determined by the captain, lieutenant and medical officer.

SEC. 6. That said officers and men shall be furnished by the Territory with provisions and ammunition and forage for horses when necessary.

SEC. 7. That the men shall be enrolled for twelve months, unless sooner discharged, and at the expiration of their term of service others shall be enrolled to supply their places, in case the Governor deems such action necessary for the protection of the frontier.

SEC. 8. That no enlisted man shall be discharged from the service without special order from the Governor, nor shall any member of said company dispose of or exchange their horses or arms without the consent of the commanding officer of the company while in the service of the Territory.

SEC. 9. That the captain of the company shall use his own discretion as to the manner of operations, selecting as his base the most unprotected and exposed settlements of the frontier.

SEC. 10. That the troops raised under and by virtue of this Act, shall be governed by the rules and regulations of the army of the United States so far as the same may be applicable, but shall always be and remain subject to the authority of the Territory of Arizona for frontier service.

SEC. 11. The captain of such company shall have authority to concentrate all of such company or to divide into squads for the purpose of following and chastising any marauding Indians or bands of hostile Indians, or for the purpose of carrying out any measure that may contribute to the better security of the frontier; but the entire force raised under the provisions of

this Act shall be at all times under and subject to the orders of the Governor, and shall be exempt from all militia, jury or other service; and that the Governor shall direct all the arrangements necessary to carry out the intentions of this Act, with full power to remove any officer or man for incompetency, neglect of duty or disobedience of orders.

SEC. 12. It shall be the duty of the Auditor of this Territory to draw his warrant on the Territorial Treasurer at the end of each month for the pay of each officer and man in said company and to forward the same to the captain of said company and also a warrant for the amount of provisions, ammunition and forage, but the food for each officer or man in said company shall not exceed in price the sum of one dollar per day and such forage shall not exceed the sum of fifty cents per day per horse. The same shall be forwarded upon the receipt by the said Auditor of an itemized account from the captain of said company to be signed by such captain and certified by him, and which shall be carefully scrutinized by such Auditor and should the same or any item therein be found unlawful or unreasonable, he shall suspend payment of the same and refer the same to the Governor who shall pass thereon and certify the same for payment in such sum as he may find correct and reasonable.

SEC. 13. That the Governor shall be authorized to appoint a special agent of this Territory who shall give bonds for the faithful discharge of his duties, which said agent shall be authorized to purchase all necessary pack mules to be furnished said company for transportation purposes, but not exceeding ten in number; to purchase all necessary supplies, to be delivered by contractors at the place to be designated by the captain of the company, and all accounts and certificates of such agents shall be examined and allowed by the captain of the company and certified by him to the Governor and Territorial Auditor the same as accounts for the payment of men, food or forage. Said agents so appointed shall receive a reasonable compensation to be named by the Governor. And said company shall use the supplies only as are furnished by such agents as near as practicable, but should the captain of said company find it necessary to purchase any additional or other supplies he may do so, certifying the sums so paid out to the Territorial Auditor and the same shall be a Territorial charge as aforesaid, but no such charge shall exceed the sum of fifty dollars in any one month.

SEC. 14. The Governor shall have power to disband said company, or any portion thereof when, in his opinion, their services shall no longer be necessary for frontier protection.

SEC. 15. That there shall be annually levied and collected in addition to all other taxes authorized by law, a tax of six cents on the hundred dollars of taxable property in this Territory, to be placed in a fund by the Territorial Treasurer, to be known as the Ranger Fund, and upon which fund all warrants and payments made under any of the provisions of this Act shall be drawn and made. Said tax shall be levied and collected in the same manner, at the same time and by the same officers as other Territorial taxes.

SEC. 16. That no portion of said troops shall become a charge against this Territory until organized and placed under orders.

SEC. 17. All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

SEC. 18. This Act shall be in force and take effect from and after its passage.

Approved March 19, 1891.

No. 82.

AN ACT

To Amend Section 2 of an Act entitled "An Act to Amend Paragraph 2689 and 2663 of the Revised Statutes of Arizona Territory," and being Act No. 30 of the Acts of the Fifteenth Legislative Assembly of Arizona, approved March 21st, 1889.

Be it Enacted by the Legislative Assembly of the Territory of Arizona:

SECTION 1. That Section 2 of Act No. 30, of the Acts of the Fifteenth Legislative Assembly of Arizona approved March 21st, 1889, be amended so that said Section two will read as follows: "Section 2. That Paragraph 2689 be amended to read as follows: '(2689, Sec. 63). In cases where the tax on personal property becomes a charge on the real estate of the person assessed, the collector shall select for that purpose some particular tract or parcel of real estate owned by the person owing such personal tax, and in his advertisement for judgment and sale, shall designate the particular tract or parcel of real estate against which said personal property tax is charged, and in the list filed for judgment, the same facts shall be shown, and the court shall take cognizance thereof and give judgment against said tract or parcel of real estate for such personal property tax; provided, that the collector shall apportion said personal property tax to the different parcels or tracts of real estate of such owner appearing on the delinquent list, and to be selected by such