

GENERAL ASSEMBLY OF ALABAMA,

PASSED AT THE

SESSION OF 1898-9,

HELD IN THE CAPITOL IN THE CITY OF MONTGOMERY
COMMENCING

TUESDAY, NOVEMBER 15, 1898.

JOSEPH F. JOHNSTON, Governor.

R. M. CUNNINGHAM, President of the Senate.

CHARLES E. WALLER, Speaker of the House.

I, ROBT P. McDAVID, Secretary of State of Alabama, do hereby certify
that this Volume is published by the authority of the State of Alabama, and
in accordance with Law.

ROBT P. McDAVID,
Secretary of State.

VANCE PRINTING CO.,
STATE PRINTERS FOR ALABAMA,
JACKSONVILLE, FLA.

School fund

Sec. 2. Be it further enacted, That said school district shall receive its proportionate share of the public school funds of the State and of said county (Coffee) and the poll tax collected within the district, and the same shall be disbursed as now, or as may be hereafter provided by law.

Approved February 23d, 1899.

No. 897)

AN ACT

(H. 748

To incorporate the Town of Graysville, Jefferson County, Alabama.

Corporate
limits

Section 1. Be it enacted by the General Assembly of Alabama, That the town of Graysville, in Jefferson county, Alabama, be and the same is hereby incorporated, and the corporate limits of said town shall embrace an area of land as follows: Beginning at the southeast corner of the southeast one-fourth of Section twenty, Township 16, Range four, west; running north one-half mile, west one-half mile, south one-half mile and east one-half mile to point of beginning.

Elections

Sec. 2. Be it further enacted, That an election shall be held in said town of Graysville on the first Monday in April, 1899, and every two years thereafter, for the purpose of electing a mayor and five councilmen, who shall have been residents, freeholders of said town for six months prior to the election. Said mayor and councilmen shall serve for the term of two years, and until their successors in office are elected and qualified. Said election to be held the first Monday in April, 1899, as now prescribed by law, and all subsequent elections to be held on the first Monday in April biennially by such persons and in such manner as the mayor and councilmen may prescribe, and all persons living in said corporation who are qualified voters for members of the General Assembly of this State shall be entitled to vote in said municipal election.

Sec. 3. Be it further enacted, That from any cause, should said town fail to hold an election on the day specified by this act, and they are hereby authorized to hold an election at any time thereafter: Provided, That a notice of such election shall be published in a newspaper in said town, or by posting in three (3) or more places in said town ten days prior to the day set for such election.

Sec. 4. Be it further enacted, That the mayor ^{Oath} and councilmen, together with town marshal, treasurer and clerk, each of which office the mayor and councilmen shall elect, shall severally, before they enter upon the discharge of their duties, take the oath as prescribed by the constitution of the State, as the following: "I do solemnly swear that I will perform the duties required of me (as mayor, councilman, marshal, treasurer or clerk, as the case may be) to the best of my ability and judgment, so help me God," a certificate of which oath shall be filed with the records of the board. It shall be the duty of the mayor to preside at all the meetings of the councilmen, and preserve order and decorum; and in his absence, any councilman may be called upon to take the chair; and the mayor and councilmen are hereby declared a body politic and corporate, ^{Duties of} _{mayor} by the name and style of the Mayor and Councilmen of Graysville, by which name, and their successors in office, shall be capable in law of suing and being sued, of pleading and being impleaded in all manner of suits, either in law or in equity, and shall have power to keep a common seal, and the same to alter and amend at pleasure; in general, to do and to perform all acts which are incident to bodies corporate; and to purchase, hold and dispose of for the benefit of said town, real, personal and mixed property to the value of twenty-five thousand dollars (\$25,000).

Sec. 5. Be it further enacted, That the mayor ^{Powers} and councilmen, or a majority of them, are hereby invested with full power to keep open and in good repair the streets of said town, and for that purpose may levy a tax not exceeding three dol-

Powers

lars on all persons within the corporate limits who are liable to work on public roads of this State, and in default of payment of said taxes may require such persons to work on the streets of said town as required by the laws of the State; to prevent or remove nuisances; to establish a night and day police and a town jail or guard house; to erect lamps; to regulate the paving and flagging of drains and sidewalks; to prevent, by adequate penalties, the injury or destruction of shade or ornamental trees in said town; to license, tax or restrain at pleasure theatrical amusements, shows, and menageries of all kinds whatsoever within the corporation; and may also authorize the sale of, assess and collect a tax not more than one thousand dollars on the sale by retail of spirituous liquors on each retail liquor dealer within said corporation; to preserve the peace and good order of said town; to enact and publish any regulations, by-laws and ordinances necessary for the good and orderly government of said town, not inconsistent with the constitution and laws of this State, and to enforce the observance of said regulations, by-laws and ordinances by a fine not exceeding two hundred dollars for each violation thereof, and imprisonment not exceeding twenty days in the town prison.

Taxes

Sec. 6. Be it further enacted, That the mayor and councilmen shall have the power to levy and collect a tax on the inhabitants of said corporation on all articles and subjects of State taxation to raise money for properly governing and managing the affairs of the corporation and enforcing its laws and ordinances and powers granted by the provisions of this charter; and they, as soon as convenient after their election, elect by joint ballot, a clerk, treasurer and marshal of said town; and it shall be the duty of said clerk to issue all executions for fines and taxes which may be necessary, signing the same and delivering the same to the marshal, whose duty it shall be to collect and pay over the same to the treasurer, which last named officer shall give bond and security to the mayor and councilmen before he enters upon the

discharge of the duties of his office; and the mayor and councilmen shall have power to remove from office the clerk, treasurer and marshal, and elect others, and may fix the salaries and fees to be received by these officers, and if deemed advisable may require a bond of the clerk and of the marshal for the faithful performance of their duties: Provided, That the tax levied and collected by said corporation on the property of the citizens thereof shall not be more than one-half of one per cent. of the value of said property as assessed for State taxation during the preceding year.

Sec. 7. Be it further enacted, That the citizens of said town shall be exempt from working on the public roads. Exempt from road duty

Sec. 8. Be it further enacted, That the mayor and councilmen shall have the power to open new streets within the corporate limits of said town, or change, alter or close such streets as are now or may hereafter be opened within the limits of said town: Provided, That where new streets are opened on private property the owner shall receive full compensation for the property so occupied to be assessed by a jury of five disinterested freeholders, selected for that purpose by the mayor of said town. Streets

Sec. 9. Be it further enacted, That the mayor of said town is a conservator of the peace within the corporate limits thereof, and it is his right and duty to suppress all affrays, riots, unlawful assemblies and insurrections; and low, indecent, profane, boisterous or disorderly conduct in any public place therein, to do which he may summons to his aid as many male persons as he thinks proper; he has full power to punish for contempt in the same and under the same rules and regulations prescribed by the Courts of Alabama in reference to the punishment of contempt by justice of the peace; he has full power to try all offenders against all the by-laws and ordinances of the said corporation with regard to the amount of fines, punishment or forfeiture, and to punish the offenders, both by fine and imprisonment, in the same manner prescribed by said by-laws and ordi- Powers of mayor

nances; and the marshal of said corporation has full authority to execute all the lawful ordinances, resolutions and by-laws and orders of said corporate authorities within their jurisdiction; and must without warrant arrest all offenders breaking the peace, or violating any ordinances of the town in his presence, and bring them before the intendant; and for any other breach or violation of the ordinance he shall arrest the offenders upon due legal process and in order to the execution of his power and duties he may summons to his aid as many male persons as may be necessary.

Licenses

Sec. 10. Be it further enacted, That the mayor and councilmen of said town shall have full power to levy and collect a license tax upon any business, trade or profession carried on in said town: Provided, That the maximum amount of each license or tax shall not exceed the following; and provided further, that when, in the judgment of the mayor and councilmen, a less amount than the maximum will be necessary to carry on the government of the town, that the same proportion of all taxes enumerated in this act shall be levied and collected, as follows: Architects and contractors on buildings, ten dollars; auctioneers, each, twenty dollars; billiard or pool tables, each, twenty dollars; bowling alleys, each, \$20; buggies, wagons, carts or carriages not manufactured in said town, dealers in, ten dollars; brick yards or dealers in brick, each, five dollars; cane, knife board, striking machine or device of like kinds, each, fifteen dollars; cabinetmakers or proprietors of wood or blacksmith shops employing labor, each, five dollars; carts, drays or wagons, one-horse, five dollars; two-horse or oxen, ten dollars; circuses, each performance, twenty dollars; confectioners and fancy grocers, each, five dollars; contractors, each employing one or more workmen, each, five dollars; cotton buyers, not including merchants who pay merchandise tax, each, ten dollars; concert, musical entertainments, not otherwise provided for, or when charges are made for admission, or for each, five dollars; itinerant traders, by sample, except commercial traveling

salesmen, each, five dollars; job printing offices, each, five dollars; lunch stands or restaurants, each five dollars; lawyers, physicians and dentists, each, five dollars; lightning rod agents, each, ten dollars; livery or sales stables, each, ten dollars; liquor, retail dealer in spirituous, vinous or malt liquors, each, five hundred dollars; liquors, wholesale dealers, each, one hundred dollars; machinery or agricultural implements, when principal stock in trade, each, ten dollars; merchant tailors or their agents, each five dollars; millinery establishments, each, five dollars; peddlers, on foot, each, five dollars; peddlers, one horse, each, ten dollars; peddlers, two horse, each, twenty dollars; pistols or pistol cartridges, whether the participation in any exercise or entertainment, not for charitable, religious or school purposes, each, three dollars; druggists and apothecaries, each, twenty dollars; drovers or dealers in horses or mules, other than liverymen who pay license tax, each, ten dollars; exhibitions of legerdemain or sleight of hand performances; or other exhibitions of like kind, each performance, five dollars; engines, stationary, used for propelling any mill, gin, saw-mill or other machinery, each, ten dollars; express companies, carrying express past Grayville to any other place, or bringing express from any place to Graysville, each, ten dollars; dealers in commercial fertilizers, other than merchants who pay license tax, each, ten dollars; gun repair shops, each, five dollars; hotels, keeping transient guests, each, twenty dollars; insurance agents—life or fire—principal stock in trade or not, each, ten dollars; playing cards, dealers in, each, five dollars; public weighers, each, five dollars; photographers and art galleries, whether in tents or houses, each, five dollars; private boarding houses, except where students at school are taken exclusively, each, ten dollars; railroad commissary or grub car, whether run by a railroad or individual, twenty dollars; real estate agents or brokers, renting or selling real estate, each, ten dollars; reporters on standing and credits of business men, each, ten dollars; each meat market, twenty dollars; sewing ma-

Licenses

chine agents, not including merchants who pay license tax, each, ten dollars; drays, where any charge is made, \$20.00; telegraph companies sending messages from or receiving messages at Grayville, ten dollars; transient physicians, or vendors of patent medicines, or spectacles, each five dollars; undertakers, each, five dollars; watchmakers and jewelers, each, five dollars; keeping stud horses and jacks, each, five dollars; each store, range or clock company, or their agents, each, ten dollars, except merchants or jewelers who pay license tax; each person or firm engaged in merchandising, twenty dollars; each shoemaker, harness-maker or saddler, five dollars.

Fines

Sec. 11. Be it further enacted, That the mayor and councilmen, by ordinance, may impose such fines and penalties within the limitations of this act, as they may deem advisable for the doing of any business or carrying on any trade or practicing any profession by any party who shall fail to take out license provided for in this act: Provided, That no tax shall be levied on persons selling country produce, fowls, live stock or meat grown or raised by such persons.

Taxation

Sec. 12. Be it further enacted, That the mayor and councilmen shall, at their regular meetings in each year, make an estimate for the expenses for the current year and fix the rate of taxation, the price of license and the rate of street tax, and shall cause the same to be published in the same manner that the ordinances of said town are published; and that the mayor and councilmen shall, on the first of October of each year, cause the clerk to make out a statement of their receipts and disbursements of all moneys that have been received and expended for the preceding fiscal year, and have the same published in the same manner that the ordinances of said town are published.

Education

Sec. 13. Be it further enacted, That one-third of all revenues paid into the treasury of said town shall be used in the interest of education in said town.

Sec. 14. Be it further enacted, That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

Repeal

Approved February 23d, 1899.

No. 898)

AN ACT

(H. 869

To establish a separate school district at Langdale, in Chambers County, in this State.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as the Langdale School District, be established, subject to the public school laws of the State of Alabama, to be composed of the following territory, to-wit: One and one-half miles in each and every direction from Sears Hall except on the east side of said Hall and said district to extend one quarter of a mile on the east side to the Chattahoochee river in Chambers county. That the said separate school district shall receive its proportionate share of the public school funds of said township including its pro rata share of the sixteenth section fund and it shall also receive all the tax collected from the white people as poll tax within the limits of the territory set forth, and the trustees of said school district to be appointed as hereinafter provided shall have the management of said school district under their control and shall employ and pay teachers for said school district.

School district

School funds

Sec. 2. Be it further enacted, That within thirty days after the passage of this act, the Probate Judge of Chambers county shall appoint five trustees who shall serve as such for said school district, a period of one year from the time of their appointment, and said judge of probate shall also appoint a superintendent who shall serve as such for said school district a period of one year from the time of his appointment; and said superintendent shall receive from the county superintendent of education all the moneys or funds hereinbefore provided for, and he shall turn over said moneys or funds to the said trustees of said school district, taking their receipt for the same.

Trustees