

THE
PENAL CODE OF ALABAMA;

PREPARED BY

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AND

Adopted by the General Assembly at the Session of 1865-6;

TOGETHER WITH THE

OTHER CRIMINAL LAWS NOW IN FORCE.

PUBLISHED BY AUTHORITY.

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Title I. Of public offenses.

§ 198. *Burning pine forest negligently.*—Any person who, negligently, or carelessly, causes fire to be communicated to any pine forest which is used for the purpose of procuring turpentine, and thereby destroys or injures the same, must, on conviction, be fined not less than fifty, nor more than two hundred dollars.

CHAPTER X.

MISCELLANEOUS OFFENSES.

- Section 199. Illegal toll by millers.
 “ 200. Illegal toll by turnpike companies, &c..
 “ 201. Storing gunpowder in city or town.
 “ 202. Hunting wild hogs.
 “ 203. Fire-hunting.
 “ 204. Selling or giving fire-arms to minor.
 “ 205. Catching oysters otherwise than with tongs.
 “ 206. Poisoning stream for fish.
 “ 207. Misdemeanors not specially provided for.

§ 199. *Illegal toll by millers.*—Any person who, being the owner or keeper of any public mill, or the agent or servant of such owner or keeper, takes or receives for grinding corn, wheat, or any other kind of grain, either as toll, or by sale or exchange, more than one-eighth of the grain ground, or brought to the mill to be ground, must, on conviction, be fined not less than ten, nor more than one hundred dollars.

§ 200. *Illegal toll by turnpike companies, &c.*—Any person who, being or acting as an officer, agent, servant, or employee of any turnpike company, macadamized road company, or other incorporated road or bridge company, takes, receives, or demands, any greater charge or toll for travel or passage over such road or bridge than is authorized by the charter of such company; or, if the charter does not specify the amount of toll to be charged or taken, takes, receives, or demands, any unreasonable charge or toll, (to be determined by the jury,) must, on conviction, be fined not more than one hundred dollars.

§ 201. *Storing gunpowder in city or town.*—Any person who keeps on hand, at any one time, within the limits of any incorporated city or town, whether for sale, or for use,

more than fifty pounds of gunpowder, must, on conviction, be fined not less than one hundred dollars.

§ 202. *Hunting wild hogs.*—Any person who, without first giving notice to at least three householders in the neighborhood, hunts, catches, or kills wild hogs with dog and gun, or with either, must, on conviction, be fined not less than ten, nor more than one hundred dollars.

§ 203. *Fire-hunting.*—Any person who, in the night time, hunts deer by fire, and with a gun, must, on conviction, be fined not less than ten, nor more than one hundred dollars.

§ 204. *Selling or giving fire-arms to minor.*—Any person who sells, gives, or lends, to any boy under eighteen years of age, any pistol, or bowie-knife, or other knife of like kind or description, must, on conviction, be fined not less than fifty, nor more than five hundred dollars.

§ 205. *Catching oysters otherwise than with tongs.*—Any person who takes or catches oysters, by using any other implement or instrument than the oyster tongs heretofore generally used for that purpose, must, on conviction, be fined not less than ten, nor more than one hundred dollars.

§ 206. *Poisoning stream for fish.*—Any person who takes, catches, or attempts to take or catch fish, by poisoning the stream or body of water in which they are found, or by the use of any poisonous substance put in the water; must, on conviction, be fined not less than ten, nor more than one hundred dollars.

§ 207. *Misdemeanors not specially provided for.*—Any person who commits a public offense, which was a misdemeanor at common law, and the punishment of which is not particularly specified in this code, must, on conviction, be fined not more than five hundred dollars; and may also be imprisoned in the county jail, or sentenced to hard labor for the county, for not more than six months.