ACTS OF ALABAMA

1824

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same powers, restrictions, and limitations, in [illegible] respective counties, as are provided for in the preceding sections of this act, appointing agents for the county of Shelby.

Sec. 17. *And be it further enacted*, That Thomas [illegible]derry, Joseph Turney, John M'Kenzie, Drury [illegible] M'Kinney Holderness, be, and they are hereby [illegible] agents in and for the county of Morgan, for the same purposes, with the same powers, restrictions, and limitations as are provided for in the preceding sections of this act for the agents for the county of Shelby: *Provided, nevertheless*, That a majority of the said agents for the county of Morgan shall be in any case allowed to act, and that in the event of the death, resignation, removal, or refusal to act, of any of the before named agents for the county of Morgan, then, and in that case, the remainder of the agents shall have power to fill up the vacancies, which shall be certified up to the clerk of the county court, under their hands and seals, and the said agents for the county of Morgan shall have power to appoint a treasurer, under such regulations and restrictions as they may think proper to prescribe. Morgan c'ty

Sec. 18. *And be it further enacted*, That John Massey, Amos Roling, and Moses Leister, be, and they are hereby appointed agents for the county of St. Clair, for the same purposes, subject to the same restrictions and limitations as the agents appointed under this act, for the counties of Shelby and Blount, possessing the same powers and privileges. St. Clair.

Sec. 19. *And be it further enacted*, That Dabney M'Ghee, Alexander M'Calpin and E. Clements, be, and they are hereby appointed agents for the county of Greene, who shall select a quarter section of land for said county, under the same rules and regulations as prescribed in this act, for the government of the agents in the county of Shelby; and said agents for the county of Greene shall have power and authority to draw on the county treasury of said county for such sum or sums of money, as may be necessary to procure said quarter section of land, for the benefit of the county aforesaid. Greene.

Sec. 20. *And be it further enacted*, That in case of the death or refusal to act of any of the aforesaid commissioners, the judge of the county court shall fill such vacancy.

(Approved, December 15, 1824.)

AN ACT

To alter and amend the Charter of Incorporation of the City of Mobile.

Section 1. *Be it enacted by the Senate and House of Representatives of the state of Alabama in General Assembly convened*, That the inhabitants of the town of Mobile, be constituted a body politic and corporate, by the name of the Mayor and Aldermen of the City of Mobile, and by their corporate name may sue and be sued, plead and be impleaded, grant, receive, and do all other acts as natural persons, and may purchase and hold real, personal, and mixed property, not exceeding at any one time five hundred

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thousand dollars, or dispose of the same for the benefit of the said city; and may borrow and loan money for the benefit of the said city, and may have and use a city seal, which may be broken or altered at pleasure.

Sec. 2. *And be it further enacted*, That the limits or boundaries of the city of Mobile, shall be as follows: Commencing at the north bank of bayou Chataugue at its mouth, thence running east to the east bank of Spanish river; thence down the east bank of said river, to the extreme southern point of the island; thence south, to a point which will intersect the south boundary of township numbered four; thence west to a point whence a north line will strike the bayou Chautaugue at the old portage, thence down the left bank of said bayou, to the place of beginning. City boundaries.

Sec. 3. *And be it farther enacted*, That the said mayor and aldermen, shall have full power to appoint a clerk to the corporation, a treasurer, and inspector or inspectors of streets, lanes, and alleys, fences, yards and all out-houses; as many public constables as may be necessary; three assessors, a collector of taxes; an attorney to the corporation, a city marshal, and all other officers necessary to carry into effect this incorporation. Appoint officers.

Sec. 4. *And be it further enacted*, That the said corporation of the city of Mobile, consisting of a mayor and aldermen, shall be constituted of seven members residents of the city, over the age of twenty-one years, and each of whom shall be possessed of a freehold estate, within the limits of said city; the said aldermen to be elected annually by ballot in a general ticket, by the free white male inhabitants of the age of twenty-one years, being freeholders, within the city, or who have resided in the city twelve months, and paid taxes therein the year preceding that in which the election shall be held, and have rented a tenement, or separate room, six months immediately preceding the election: The mayor and aldermen for the time being, shall appoint three inspectors or judges, to preside at the election of aldermen, whose certificate stating the number of votes taken, and who are the seven highest on the list, and said certificate being filed with the clerk of the mayor and aldermen of the said city of Mobile, shall be conclusive as to those who are elected aldermen for said city. And the said inspectors or judges shall have full power and authority to keep order at the place of holding said elections, and to commit to the jail of the county, for a term not exceeding forty-eight hours, any person who shall attempt to make, or make any disturbance at the place of holding the elections, so as to interfere with the peaceable and orderly conducting of said elections; And the sheriff of the county of Mobile, the city marshal, and the police constables appointed by the mayor and aldermen of the city of Mobile, are hereby commanded to obey and carry into execution all process issued by the said judges or inspectors as aforesaid, in pursuance of this act: And the said judges or inspectors shall give ten days public notice, by advertising in some public newspaper printed within said city of Mobile, or by posting up such notice, in two or more of the most public places within said city, of the time and place of holding said elections, which said place must be within the incorporated limits of the city of Mobile; and if there should be an equal number of votes between any two persons, or more, who shall be voted for at the regular elections for aldermen so as to prevent the election of the whole number designated by this act, the said judges and inspectors shall declare the fact; and issue notice for a new Qualifications for aldermen. Judges of elections. Powers. Notice of elections.

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election, in the same mode as for the regular election, to supply the places of those who may have an equal number of votes; and in case of the death, continued absence of four months, resignation or removal of any one who shall be elected alderman, an election in the mode prescribed by this act, shall take place to supply the vacancy.

Time of election.

That the said election for aldermen, shall take place on the first Monday in August in each and every year, and that on the next day subsequent to each election, each person who shall be elected, shall

Oath of aldermen.

take the following oath, before any justice of the peace, or judge of any court within the county of Mobile. I, do solemnly swear, that I will truly execute the duties of alderman as prescribed by the act, incorporating the city of Mobile. And that immediately after the said oath shall be taken, the said aldermen shall meet in some convenient place, within the incorporated limits of the said city of Mobile, and there organize, and by vote *viva voce*, shall proceed to elect a mayor from their number, and he who shall have the highest number of votes, shall be declared mayor for the succeeding year; and that four members present shall constitute a quorum to do business.

Sec. 5. *And be it further enacted*, That the polls for said election for aldermen, shall be kept open from eight o'clock in the morning, until four o'clock in the evening, and no longer, for the reception of ballots; and on closing the polls, the judges shall proceed immediately, and in a public manner to count the ballots, and when the certificate of the said judges or inspectors as aforesaid, shall be as aforesaid filed, the clerk with whom the said certificate shall be filed, shall immediately give a written notice to each person, certified of his having been elected as aforesaid.

Polls open.

Sec. 6. *And be it further enacted*, That the said mayor and aldermen, or a majority of them, shall have power to adjourn their meeting from time to time, unless sooner called together by a written notice from the mayor, designating the time and place of holding such meetings: they shall keep a journal of their proceedings, and enter the yeas and nays on any question, resolve or ordinance, at the request of any member, and their deliberations shall be public.

Meetings and proceedings.

Sec. 7. *And be it further enacted*, That the mayor and aldermen aforesaid, or a majority of those present, shall have full power and authority to pass all by-laws and ordinances, to regulate the stationing, anchorage and mooring of vessels within their jurisdiction, to prevent and remove nuisances, to prevent the introduction of contagious or infectious diseases within the said city, by regulating the approach of vessels having sick on board, and the landing of the sick, or of articles calculated to produce disease, and by providing one or more places for the reception of the sick, or by any other lawful means whatsoever, to establish night watches or patrols, and erect lamps, to provide for licensing and regulating retailers of liquors, within the limits of the said incorporation, and the annulling the same on good and sufficient complaint being made against any person holding such license; for the regulating hackney carriages, wagons, carts and drays, and for licensing the same and for the regulating of pawnbrokers within the said city; to restrain or prohibit gambling, and to provide for licensing and regulating theatrical and other public amusements within the city; to regulate and establish markets, and to rent out the stalls in the same, saving and reserving however, at least two stalls in each and every market for the use of country people, who may attend the same with marketable supplies,

Make by-laws

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and to prohibit the selling of meats, poultry, fish or game, except at the public market or markets; to erect and repair bridges; to keep in repair all necessary streets, avenues, drains and sewers, and to pass regulations necessary for the preservation of the same; to provide for the licensing chimney-sweepers, and regulating the sweeping of chimnies, and fixing the rates thereof; to establish and regulate fire wards and fire companies; to sink wells, and erect and repair pumps in the streets; to impose and appropriate fines, penalties and forfeitures, for the breach of their ordinances or by-laws; to enact by-laws for the prevention and extinguishment of fires, and if necessary, to remove or pull down buildings or fences for the prevention of the spreading of the same; to erect or establish hospitals or pest houses, work houses, houses of correction, penitentiary and other buildings for the use of the city; or to join with the county of Mobile in the erection of the same; and to have a joint control over the same, with the public authorities of the county; and to levy and collect taxes as prescribed by this act for defraying the expenses thereof, and of all other necessary purposes; to regulate party and other fences, and determine by whom the same shall be made and kept in repair; to restrain and prohibit the nightly and other meetings, or disorderly assemblies of slaves, free negroes and mulattoes; and to punish such slaves by whipping, not exceeding twenty stripes, and to punish such free negroes and mulattoes, and other persons for such offences, by fixing penalties not exceeding fifty dollars, for any one offence, and in the case of the inability of such free negro or mulatto or other person, to pay and satisfy any such penalty and cost thereon, to cause such free negro, mulatto or other person to be confined to labor, for such a reasonable time, not exceeding three calendar months for any one offence, as may be deemed equivalent to such penalty and costs; which said labor shall be such as shall be designated by the said mayor and aldermen, for the general benefit of the said city; to cause all vagrants, idle or disorderly persons, all persons of evil life or ill fame, and all such as have no visible means of support, or are likely to become chargeable to the city as paupers, or are found begging or drunk in or about the streets, or loitering in or about tippling houses, or who can show no reasonable course of business, or employment in the city; all who have no fixed place of residence, or cannot give a good account of themselves; all who are grossly indecent in language or behaviour, publicly in the streets, and all public prostitutes, or such as lead a notorious, lewd or lascivious course of life, to give security for their good behaviour for a reasonable time, and to indemnify the city against any charge for their support, and in any case of their refusal or inability to give such security, to cause them to be confined to labor, for a limited time, not exceeding four calendar months, unless such security shall sooner be given; which said labor shall be such as shall be designated by the said mayor and aldermen, for the general benefit of the said city; and that the labor so designated by the mayor and aldermen may be carried into effect, they shall have power to appoint a person or persons, to take those so confined and sentenced to labor from their place of confinement to the place appointed for their working, and watch them while at labor, and return them before sundown to the place of confinement; and if they shall be found afterwards offending, such security may again be required, and for want thereof, the like proceedings may again be had from time to time, as often as may be necessary; to take care of, preserve, re-

Inflict penalties.

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move, designate and regulate all burying grounds within the city; to license bakers and regulate the weight and price of bread, and prohibit the baking for sale, except by those licensed: The said mayor and aldermen shall have power to regulate weights and measures, appoint inspectors of lumber, fire wood, flour, beef, pork, [illegible] all other salt provisions; and to pass all other by-laws, ordinances and regulations for the good government of the said city, not conflicting the laws of the state of Alabama.

To license bakers and regulate weights, &c

Sec. 8. *And be it further enacted*, That the said mayor, before he enters on the duties of his office, shall take an oath, or affirmation, in the presence of the board of aldermen, lawfully to execute the duties of his office, to the best of his skill and judgment, without favor or partiality: And the said mayor and each of the said aldermen shall, *ex-officio*, have and exercise the powers of a justice of the peace, within the city of Mobile, so far only as it relates to carrying into effect all the ordinances, by-laws, and regulations of the said corporation. The said mayor and board of aldermen shall elect by ballot all officers recognised by this act, except those otherwise provided for; and any such officers shall be removed from office on the concurrent remonstrance of two-thirds of the aldermen: the said mayor shall also see that the laws of the corporation be duly executed, and shall report the negligence or misconduct of any officer to the board of aldermen; he shall lay before the board of aldermen from time to time, in writing, such alterations in the laws of the corporation as he shall deem necessary or proper, and shall receive for his services, annually, a just and reasonable compensation, to be allowed and fixed by the board of aldermen, which shall neither be increased nor diminished during the period for which he shall have been elected. In case of the refusal of any alderman to accept the office of mayor, upon his election thereto, or, of his death, resignation, inability, or removal from the city, the said board of aldermen shall elect another in his place, to serve the remainder of the year.

Aldermen ex-officio justices.

Shall elect officers.

Duty and compensation of mayor.

Sec. 9. *And be it further enacted*, That the said mayor and aldermen shall have power to lay taxes on both the personal and real estate, within the said city, as well as a poll tax upon all the inhabitants: *Provided*, That the said tax, upon the personal and real estate, be laid in pursuance of an assessment and valuation of the said personal and real estate, to be made by some discreet person or persons thereto appointed as assessor or assessors, by the said corporation, and which tax shall be laid in the manner following: The said assessment or valuation when completed, containing all the property as well as the names of the owners thereof, shall be lodged with the clerk of the corporation, and the mayor and aldermen shall assess so many cents on the dollar, making no distinction as to any person; and which assessment or valuation, together with the names of the persons liable to taxation, with the tax laid thereon, shall be open to inspection to all and every person interested therein; and the mayor and aldermen shall give ten days public notice in some public newspaper printed within the limits of the city of Mobile, that the said assessment or valuation, together with the tax laid thereon, is ready for inspection: And if any person shall be dissatisfied with the said assessment or valuation, or tax laid thereon, shall give notice to the mayor, and the said mayor shall convene the board of aldermen and give notice to the dissatisfied person or persons of the meeting, who shall have liberty to appear and be heard, before the said

City taxes.

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meeting, touching his objections, and the said mayor and aldermen shall take into consideration the objections so to be made, and shall have power to alter the assessment or valuation, together with the tax assessed thereon, as to them shall seem meet; but their decision shall be final as to all questions or objections that may be brought before them, in reference to the said assessment or valuation, and the tax assessed thereon as aforesaid; and after twenty days have elapsed from giving the notice that the said valuation or assessment, together with the tax assessed thereon, as aforesaid, are ready for public inspection, the said mayor shall make out a tax list, annexed to which shall be a warrant, directed to the collector of the corporation, containing a description of the real estate taxed, together with its valuation, and the tax assessed thereon, and also the amount of personal property valued or assessed to each person, together with the tax assessed thereon, and the name of each person liable to a poll tax, with the amount of such poll tax laid: and it shall be the duty of the said collector to call on each person so taxed, if they can be found within the city, and leave a written notice of the amount of taxes due by such respective individual; and if within six days after the said notice shall have been left with the said individual as aforesaid, the said tax shall not be paid, the said collector shall proceed to distrain the personal property of said individual by virtue of said warrant, and to advertise the same for sale, by giving six days public notice, in some public newspaper printed within the city, to the highest bidder, at public auction: and if there be any overplus money, after paying the tax and costs of seizure and sale, the said overplus shall be returned to the said person whose personal property was seized and sold; and if the taxes on any real estate shall remain unpaid for the space of ten days after the delivery of the tax list to the said collector, the said collector shall proceed to publish a description list of the said real estate, together with the names of the owners, if known, as well as the valuation of the said real estate, together with the tax assessed thereon, for the space of two months, in some public newspaper printed within the limits of the said city; and if at the expiration of the said two months, the tax shall remain unpaid, the collector shall return the same to the clerk of the corporation, and the mayor of the said corporation shall give one month public notice, by publishing in some public newspaper printed within the limits of the said city of Mobile, that the said real estate, or so much thereof as may be necessary to satisfy the tax or taxes so remaining unpaid, will be leased and let at public auction, to the highest bidder, for such term of time as may be necessary to satisfy the said tax. And the said mayor is hereby empowered to convey the said real estate so leased or let to the highest bidder, by conveyances good and sufficient in law: and the said collector in twenty days after the said warrant and tax list as aforesaid shall have been delivered to him, shall make return of his proceedings thereon, and pay over all monies collected by him to the treasurer of the said corporation, retaining so much as shall be allowed by the said mayor and aldermen as a compensation for his services, and shall receive a receipt from the said treasurer for the same; and at the expiration of the necessary notice as to the real estate on which taxes shall remain unpaid, the said collector shall return his warrant to the clerk of the said corporation, together with a specific return of his proceedings thereon: and further, the said taxes when collected and paid in, shall be appropriated by the said mayor and aldermen, for the benefit and improvement of the said city, and the comfort, con-

Mayor, &c. may alter assessment.

Mode of collecting city taxes.

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venience and safety of the inhabitants thereof: *Provided, nevertheless*, That the taxes so to be levied and collected, shall not exceed, in any one year, forty cents for every hundred dollars worth of property.

Physicians to give opinion as to contagion.

Sec. 10. *And be it further enacted*, That all physicians who may be appointed by the said mayor and aldermen to carry into effect their ordinances in reference to the preservation of the health of the said city of Mobile, shall be obliged to give their opinions in writing, when thereto requested by the said mayor and aldermen, touching any contagious or malignant fever, prevailing within the said limits of the city of Mobile; or any disease, matter or thing, which affects the health or lives of the inhabitants of said city.

For breach of by-laws how proceeded against

Sec. 11. *And be it further enacted*, That the said mayor or either of the said aldermen, shall issue his process as justice of the peace for the city of Mobile, for all offences committed under this act, and for a breach of all or any of the by-laws and ordinances of the said corporation, to the marshal or police constables, appointed by the said corporation, who shall bring the offenders, in pursuance of the said process, before the said mayor or said alderman, as aforesaid; and the said mayor or the alderman who may have issued the said process, shall proceed to try the offenders, and examine all witnesses that may appear or be subpœnaed before him, both on the part of the corporation and the delinquent, and give judgment as to him shall appear just and legal; and shall receive the same compensation for the same, as other justices of the peace for like duties; and if the said person or persons who may be brought before the said mayor or the said alderman, shall be dissatisfied with the decision of the said mayor, or the said alderman, he, she or they may forthwith appeal to the circuit court of Mobile county, in all cases where the judgment shall exceed twenty dollars; and the said person or persons shall give a bond, with good and sufficient security, to pay and satisfy the judgment with costs, in case the said judgment of the said mayor, or said alderman, should be affirmed by the said circuit court, together with five dollars additional costs, and the proceedings thereon shall be as are prescribed by law in other cases of appeal.

Compensation.

Sec. 12. *And be it further enacted*, That the said mayor and aldermen shall have power to fix the compensation of all officers under this act, to be by them appointed.

Collector, &c. to give bond.

Sec. 13. *And be it further enacted*, That the said marshal, collector, constables and treasurer, appointed by the mayor and aldermen, before they enter on the duties of their respective offices, shall give bonds with good security to the said mayor and aldermen, in the penalty of five thousand dollars, conditioned for the true and faithful performance of the duties of their respective offices; and which said bond, for any breach of covenant, contained in said bond, may be prosecuted in the name of said mayor and aldermen as bonds usually are, which are given to incorporate bodies, in any court of record in the county of Mobile.

Survey of city authorised.

Sec. 14. *And be it further enacted*, That the corporation of the said city of Mobile, shall be, and they are hereby authorised and directed to cause a complete and accurate survey to be made of the said city agreeably to the courses and limits prescribed in this act, and to establish, and fix from time to time, permanent boundaries at such places as they may deem necessary and proper, for perpetuating the boundaries of the said city, and to cause the squares into which the city now is, or may hereafter be divided, to be numbered, beginning at such point as the corporation may designate, and

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possessing with the same, in the manner they may purposed and also to cause the front and depth of each lot so numbered, to be measured and specified on the survey of the said city; and after the said survey shall have been so made and approved by the corporation, the same shall be admitted to record, in the office of the clerk of the county court of Mobile county, or in such office as at the time of completing said survey, shall, or may by law be appointed for recording deeds. To be recorded.

Sec. 15. *And be it further enacted*, That the said corporation shall have power to widen, extend and regulate the streets, lanes and alleys, within the limits of said city: *Provided*, that no street, lane or alley, now existing, shall be widened or extended so as to infringe upon, or interfere with, any dwelling house, or other houses of any inhabitant of said city, without the consent of the owner or claimant thereof: *and provided further*, that in all cases where the location of any street, lane or alley, may or shall, by the changing or altering the same, as aforesaid, prejudice the right or interest of any individual or individuals, the clerk of the board, under the direction of the mayor or of any alderman in the absence or incapacity of the mayor, shall draw a jury of twelve freeholders, resident within the corporate limits of the said city, from a ballot box to be provided for that purpose, in which the names of all freeholders within the corporate limits aforesaid, written on separate pieces of paper, shall be deposited, who shall be summoned by the city marshal or some one of the police constables, and forthwith proceed to assess the damage sustained by, or the advantage accruing to, the owner or owners of property which may be affected, injured, or benefited by the said changing, or altering any street, lane or alley, as aforesaid; and the said amount, so assessed, shall be paid by the individual or individuals so benefited, to the owner or owners of property, so prejudiced; and in case of the refusal, of any person or persons to pay the amount so assessed; the said mayor shall have power and authority, to lease out, and let, so much of the real estate so benefited, for such term as may be necessary to pay said assessment: in the same mode and manner as is prescribed and authorised by the ninth section of this act; providing for the collection of taxes on real estate within the said city of Mobile. *And provided, moreover*, that the street called and known by the name of government-street, shall be, and the same is hereby declared to be one hundred feet wide: and it shall be the duty of the said corporation to designate and distinctly to mark out the northern limits of said street, according as the same were established by the Spanish Government, as nearly as can be ascertained by the Spanish records, by the records of the land office, or by any other evidence which they may deem satisfactory; and the limits when so ascertained, marked out, and designated, shall be the permanent northern boundary of said street. Streets may be extended under certain regulations.

Sec. 16. *And be it further enacted*, That the said corporation shall have power, and they are hereby authorised to alter and change the present names of streets of said city, whenever they may deem it expedient, and they shall mark the names when so altered and changed, together with the original names thereof, on the map of the said city. Names of streets may be changed

Sec. 17. *And be it further enacted*, That the said corporation shall have power, and they are hereby authorised, to lay out and open new streets, lanes or alleys, whenever they may deem it expedient, within the limits of the said city, under the restrictions herein New streets may be opened.

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before e and nd under the following regulations, that is to say, the mayor of the city shall summon twelve freeholders, inhabitants of the said city, not directly interested in the lands or lots through which it is proposed to open and lay out the said new street or streets, who being first sworn to assess and value what damages would be sustained by the owners of said lots or lands, by reason of the opening and laying out of any street, lane or alley, and the damages so assessed, shall be paid by the corporation of said city, to the owner or owners of said lots or lands: *Provided always*, that no street, lane or alley shall be opened, or laid out until the damages assessed to individuals in consequence thereof, shall have been paid.

Jury to assess damage.

Sec. 18. *And be it further enacted*, That the act, entitled an act to incorporate an aqueduct company in the city of Mobile, passed December twentieth, eighteen hundred and twenty, be, and the same is hereby declared null and void; the said corporation having failed to comply with the requisitions of said act; and all the rights, privileges and immunities, powers, prerogatives and authority which appertained to the said company by virtue of the aforesaid act, are hereby transferred to and vested in, the corporation of the city of Mobile, for the use and benefit of the inhabitants thereof.

Aqueduct corporation transferred.

Sec. 19. *And be it further enacted*, That the mayor and aldermen for the city of Mobile, shall hereafter, on the first Monday of November, in each and every year, publish in the newspapers printed in said city, a report which shall contain a true statement of the receipts of any and all monies into the treasury of the corporation, together with an exact and methodical account of the appropriations and disbursements made of such monies: and for the purpose of carrying into effect the true intent and meaning of this act the said mayor and aldermen shall keep a book or books, in which shall be entered a statement of all monies received by them in their corporate capacity, proceeding from taxation or otherwise, as well as an account of all expenditures incurred, or disbursements made, by the said corporation, which said books shall be at all times subject to the inspection of all persons interested therein.

To publish report of receipts and expenditures.

Sec. 20. *And be it further enacted*, That all other acts and parts of acts, heretofore enacted for the government of the said city of Mobile, are hereby repealed, saving so far as the said repeal may interfere with the unfinished business commenced and progressing under the aforesaid acts.

Repealing clause.

(Approved, December 24, 1824.)

AN ACT

To exempt the members of the Neptune Fire Companies, Nos. 1, and 2, of the City of Mobile from militia and patrol duty; and for other purposes.

Section 1. *Be it enacted by the Senate and House of Representatives of the state of Alabama in General Assembly convened*, That John F. Pagles, and Thomas Walsh, and their associates, members of the Neptune Fire Companies, numbered one and two, of the city of Mobile, and their successors, be, and they are hereby exempted from militia and patrol duty, so long as they continue members of the said company or association, and no longer, except in cases of actual rebellion or invasion.

Sec. 2. *And be it further enacted*, That it shall and may be lawful for the commissioners of roads, highways, bridges, and ferries for said county, to exempt the members of the aforesaid companies from road tax, if they deem the same expedient.

[Approved, December 24, 1824.]

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