

ACTS

OF THE

General Assembly of Alabama,

PASSED AT THE

SESSION OF 1884-85,

HELD IN

THE CITY OF MONTGOMERY,

COMMENCING 2^D TUESDAY IN NOVEMBER, 1884,

With Separate Index to General and Local Laws.

E. A. O'NEAL, GOVERNOR.

THOS. SEAY, PRESIDENT OF THE SENATE.

H. CLAY ARMSTRONG, SPEAKER OF THE HOUSE.

MONTGOMERY, ALA.;

BARRETT & CO., STATE PRINTERS AND BINDERS.

1885.

and forfeiture fund of Wilcox county shall be fifty per centum of the fees now allowed by law.

SEC. 2. *Be it further enacted*, That all laws in conflict with the provisions of this act, are hereby repealed.

Approved February 14, 1885.

No. 299.]

AN ACT

[S. 297.

To amend sections one, five and eleven of an act to incorporate the Bienville Water Supply Company, approved February 19th, 1883.

SECTION 1. *Be it enacted by the General Assembly of Alabama*, That section one of the act to incorporate the Bienville Water Supply Company be, and the same is hereby so amended as to read :

Be it enacted by the General Assembly of Alabama, ^{Bienville water supply co.} That George A. Ketchum, Thomas Henry, Win. Butler Duncan, William J. Harron, P. Hamilton, Julien W. Whitney, David R. Dunlop, A. F. Cawthon, Dan'l P. Bestor, their associates and successors be, and the same are hereby made a body politic and corporate, ^{Body corporate.} by the name and style of the Bienville Water Supply Company, and as such corporation they are hereby vested with all the powers and privileges of private corporations under the laws of this State.

SEC. 2. *Be it further enacted*, That the fifth section of said act be so amended as to read :

Be it further enacted, That until a board of directors be elected by the shareholders as herein directed, any five of the corporators hereinbefore named, or of their associates, shall be authorized to open books in the Port of Mobile, or elsewhere, as they may direct, for subscriptions to the capital stock of said corporation, upon such terms as to payment by the subscribers thereof as said five persons may, by resolution, determine, to be placed at the head of the subscription list. When the sum of fifty thousand dollars shall have been subscribed, said corporation who have obtained such subscription, shall call a meeting of the subscribers, at such time and place as they may appoint. At such meeting said subscribers shall elect a board of seven directors to serve one year ^{Open books of subscription.} ^{Elect board of directors.}

and till their successors are elected, who shall proceed and organize said corporation, upon filing with the judge of probate of Mobile county a certificate of organization as herein directed, signed by the persons who superintended the subscriptions to the stock, or a majority of them. Said corporation may enter upon, and thereafter transact and carry on the business hereby authorized to be transacted and carried on by said corporation.

SEC. 3. *Be it further enacted*, That the eleventh section of said act be so amended as to read :

Be it further enacted, That said corporation shall have and enjoy the exclusive right of conducting and bringing water from any point, other than Three Mile Creek in the county of Mobile, for the supply of said Port of Mobile and village of Whistler, for the period of twenty years from the time when said water shall have been brought within the limits of the Port of Mobile, and be ready for distribution, and supply to the inhabitants of the Port of Mobile, and the houses and dwellings within the limits of said Port. And till the municipal authorities of said Port and village, if so by law authorized, shall purchase the water works and property of said corporation as hereinafter provided, but said corporation within four years from the passage of this act, must begin its works, and within six years from the date of the passage of this act, must cause water to be conducted into the Port of Mobile from some stream, point or place as hereinbefore named, and if and when any existing claim to conduct water into Mobile from Three Mile Creek, or any other point without the limits of said Port, has been obtained by this corporation, then said corporation shall have the exclusive right to supply said Port and village and the inhabitants thereof with water for the period and the term aforesaid. But nothing in this act shall be construed to prohibit the organization hereafter of any company for the purpose of supplying the city of Mobile or any other place with water which does not interfere with the property rights or rights of obtaining water pertaining to this company. In making contracts for labor and materials in the construction of works, by this act authorized, said corporation, by its directors, are hereby empowered to stipulate for payment in whole or in part, by the issue of shares of capital stock of said corporation to said contractors, but in no event

Right to conduct water from any point.

Must begin its works within 4 years.

Contracts.

shall the issue of certificates capital stock exceed the amount of capital hereinbefore authorized.

Approved February 14, 1885.

No. 300.]

AN ACT

[H. B. 448.

To amend an act entitled an act to amend subdivision 1 of section 13 of article 3 of the act to organize and regulate a system of public instruction for the State of Alabama, approved February 23, 1883, so far as the same relates to the counties of Franklin and Madison.

SECTION 1. *Be it enacted by the General Assembly of Alabama,* That an act entitled an act to amend subdivision 1 of section 13 of article 3 of the act to organize and regulate a system of public instruction for the State of Alabama, approved February 23, 1883, be and the same is hereby amended so as to read as follows: Subdivision 1. He must pay the teachers of the public schools on the first Saturday after the end of each month, or as soon thereafter as practicable, upon the certificate of the township superintendent in which township the school was taught; and in counties in which separate schools have been established by special laws, said county superintendent or trustees shall pay over to proper officer authorized by said special law or laws, to receive the same, its proportionate share of the school revenues therein provided at the times above designated, and said county superintendent or trustees shall take receipts in duplicate to be kept in his office and one to be forwarded with his quarterly report to the superintendent of education, as a voucher for moneys thus disbursed, and he shall also forward or deliver to the probate judge of his county a duplicate copy of his said quarterly report, and it shall be the duty of the said probate judge, at the first meeting of said Commissioners Court or board of revenue, after receiving said report, to lay the report before the Commissioners Court or board of revenue, and if found apparently correct they shall order the same recorded on the minutes of said Court, and if said account is not correct the said Court shall so report to the superintendent of education at Montgomery, whose duty it shall be to

Public schools in Franklin & Madison counties.

Payment of teachers.

Share of school revenues.