



ACTS

OF THE

GENERAL ASSEMBLY OF ALABAMA,

OF

LOCAL OR SPECIAL CHARACTER,

PASSED AT THE

SESSION OF 1898-99,

HELD IN THE CITY OF MONTGOMERY
COMMENCING

TUESDAY, NOVEMBER 15, 1898.

JOSEPH F. JOHNSTON, Governor. *BAR LIBRARY*
R. M. CUNNINGHAM, President of the Senate.
CHARLES E. WALLER, Speaker of the House.

I, ROBERT P. MCDAVID, Secretary of State for Alabama, do hereby certify that this book containing the Acts of Local, Personal and Special Character passed at the session of the General Assembly of Alabama, which was organized November 15, 1898, is published by the authority of the State of Alabama, and in accordance with law.

ROBT P. MCDAVID,
Secretary of State.

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JACKSONVILLE, FLA.
1899.

No. 9)

AN ACT

(H. 47

To authorize the City of Mobile to provide, maintain and operate systems of Water Works and Sewerage.

Whereas, It is provided by an act entitled "An act to provide a charter for the City of Mobile," approved February 6th, 1897, section twenty-one, that the general council of said city has "the right to contract for, build, or purchase, or otherwise acquire public works, subject to the approval of the majority vote of the citizens of Mobile at a special election called therefor;" and

Whereas at a special election, duly called and held in the City of Mobile on the second day of August, 1897, the mayor and general council of the City of Mobile was by majority vote of the citizens of Mobile authorized to contract for, purchase, build, or otherwise acquire a system of water works to be owned by said City of Mobile, to cost, not exceeding five hundred thousand dollars (\$500,000.00), and a system of sewerage, to be owned by said City of Mobile, to cost, not exceeding two hundred and fifty thousand dollars (\$250,000.00), payment to be made for said works by issuing bonds, and securing the same by a mortgage upon said public works; and

Whereas, It is deemed desirable to empower said city to build, purchase, or otherwise acquire, and maintain and operate said systems of water works and sewerage, so authorized by a majority vote of the citizens of said city, therefore

Section 1. Be it enacted by the General Assembly of Alabama, That the mayor and general council of the City of Mobile be and it is hereby authorized and empowered to buy, or to build, erect and maintain, and to operate water works for the supply of its inhabitants, with water for the extinguishment of fires and for sanitary, domestic and other purposes, and said mayor and general council of the City of Mobile is also hereby authorized and empowered to buy, or to build, erect and maintain,

Water works

Sewerage	and operate a system of sewerage for the use of said city and its inhabitants.
Location	<p>Sec. 2. Be it further enacted, That full power be and is hereby given to said mayor and general council to enter into and make all needful contracts for acquiring a location or locations for machinery and standpipes, reservoirs, pumps, pipes, hydrants, and valves, buildings, and all other parts of such system of water works; and also for laying sewer pipes, syphons, manholes, flush tanks, pumping engines, and all other parts of such system of sewerage, and</p>
Rights of way	<p>also for rights of way for the erection of said water works and said sewerage systems, and for this purpose full power and authority is hereby given to said mayor and general council to use any and all of the streets or alleys of the City of Mobile, and any or all of the public roads of Mobile county; and in the event said mayor and general council are unable to contract for other rights of way, or the land necessary for securing a location or locations for standpipes, reservoirs, pumps, buildings, and all necessary machinery needed in erecting and constructing water works and sewerage systems authorized by this act, the said mayor and general council is hereby authorized and empowered in order to obtain the same, and the water supply for its standpipes, reservoirs, pipes, sluiceways and canals, to condemn the waters of any stream, creek, spring or river, and the lands adjacent thereto, and also the lands forming what is known as the water</p>
Eminent domain	<p>shed, if the same are situated in Mobile county, by the exercise of the rights of eminent domain, in the manner provided by law for the condemnation of land for public uses: Provided, however, that nothing in this section shall be applied or be construed to fix a limit of time within which said mayor and general council shall exercise the rights of eminent domain herein conferred; and provided further, that the provisions of this section shall not apply or be construed to authorize said mayor and general council to condemn or appropriate to the use of said water works the water in what is known as Clear creek, in said Mobile county.</p>

Sec. 3. Be it further enacted, That the said mayor and general council shall and it is hereby invested with full authority and power to make all proper regulations for preserving, maintaining, and operating such water works and sewerage systems when established, and to collect such rates for waters supplied for the use of said sewerage system as shall be sufficient to pay the interest on any bonds issued by said city for the purpose of providing said water works and sewerage systems, and the expenses necessary for operating the same, and to collect the dues for water so supplied and used and for the use of said sewerage system, and to apply the same to the payment of such interest, provided, that such rates shall not exceed the usual and customary rates charged by other cities, similarly situated, for like service. And the mayor and general council shall be and it is hereby authorized and empowered to extend such water works and sewerage systems in any part of the County of Mobile it may deem proper, and in such event all the powers conferred upon and given to the said mayor and general council shall apply to such portions of such water works and sewerage systems.

Regulations

Sec. 4. Be it further enacted, That the said mayor and general council are hereby authorized and empowered to buy, or to build, erect and maintain said water works; and said mayor and general council is also hereby authorized and empowered to buy, to build, erect and maintain and operate said system of sewerage without holding a special election for the approval of the purchasing or building of said water works and said sewerage systems by the majority vote of the citizens of Mobile.

No election

Sec. 5. Be it further enacted, That this act shall take effect and be in force on and after its passage.
Approved November 30th, 1898.

No. 10)

AN ACT

(H. 28

To prohibit stock from running at large within certain limits in Lauderdale county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That the lands lying within the follow-