

CONSTITUTION

OF THE

STATE OF ALABAMA,

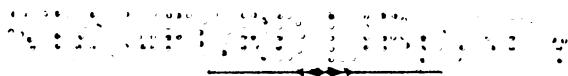
AS REVISED AND AMENDED

BY THE

CONVENTION ASSEMBLED AT MONTGOMERY,

ON THE

FIFTH DAY OF NOVEMBER, 1867.



MONTGOMERY, ALA.:
W. W. SCREWS, STATE PRINTER.
1871.

in* section two (2), township seventeen (17), range eighteen (18), or in sections one (1) and two (2), as the directors may deem best; and that no ferry shall be established across said river, in less than two miles of any ferry now established and licensed; *And provided*, that the said directors are authorized and empowered to change said road, where it has been located between Montgomery and Pickett Springs, and locate the same as if it were a new road.

SEC. 2. *Be it further enacted*, That the said act, entitled "An act to amend an act to incorporate the Montgomery and Pickett Springs Gravel Road Company," is hereby repealed.

Approved, March 8, 1871.

No. 220.]

AN ACT

To amend an act to incorporate the Montgomery Water-Works Company for the city of Montgomery.

Original character.

SECTION 1. *Be it enacted by the General Assembly of Alabama*, That an act of the legislature of this State, entitled "An act to incorporate the Montgomery Water-Works Company for the city of Montgomery," approved February 15th, 1867, and which act reads as follows: "Section 1. Be it enacted by the Senate and House of Representatives of the State of Alabama in General Assembly convened, That John E. Hukill, Wiley J. Bailey, and such other persons as they may associate with them, their successors and assigns, be, and they are hereby created and constituted, a body politic and corporate under the name and style of the 'Montgomery Water-Works Company,' and by this name may sue and be sued, plead and be impleaded; to have and use a common seal, which they may alter, or renew at pleasure; and may enact and execute such by-laws, rules, and regulations for the government and management of the affairs of said company, as they may deem ex-

*NOTE.—There is an omission here which cannot be supplied from the enrolled bill. The amended act is not correctly set out, and the amending clause of the new law is omitted.

pedient. Section 2. Be it further enacted, That the object and business of the Montgomery Water-Works Company shall be to establish and construct water-works, within or near the corporate limits of said city of Montgomery, and to send and distribute water throughout the said city; and said corporation may purchase and hold real estate within the county of Montgomery, and any other property that may be necessary and expedient for the carrying on of said business, or to secure any debt that may be due said company. Section 3. Be it further enacted, That it shall be the duty of said company, after it shall have been organized, and gone into operation, under the provisions of this act, to establish water-works as aforesaid, of sufficient quantity to supply all necessary demands. Section 4. Be it further enacted, That the capital stock of said company shall be divided into shares of one hundred dollars each, amounting to one hundred thousand dollars, to be extended by additional shares to three hundred thousand dollars, as the wants of the city may require, and at the option of the stockholders; the capital stock to be paid in as said stockholders may demand. Section 5. Be it further enacted, That the president and directors of said company may borrow money to carry into effect the object and provisions of this charter, and to pledge the property of the company for the payment of the same. Section 6. Be it further enacted, That if any person or persons shall willfully injure or destroy any portion of the water-works, or fixtures, or other property of said company, or shall willfully deposit any offensive or unwholesome substance or matter in the reservoir, pipes, or streams supplying the same, or shall open a communication into any of the streets, or other pipes conveying the same, otherwise than by authority of said corporation, for their lawful or authorized agents, such person or persons shall be guilty of a misdemeanor, and subject to indictment in the city or circuit courts of Montgomery county, and, on conviction, shall be fined in a sum not exceeding five hundred dollars, and may be imprisoned in the county jail, not exceeding one year, at the discretion of the jury trying the same. Section 7. Be it further enacted, That said company is in-

incorporated for the term of twenty-five years from the approval of this act, provided the provisions of the same are faithfully observed and complied with; *And provided*, That the privileges hereby given shall not be held to exclude any other person or corporation from supplying the citizens, or any portion of them, with water. Section 8. Be it further enacted, That nothing contained in this act shall be so construed as to authorize the said corporation, or their agents or employees, to make any excavations for laying pipes or aqueducts, through any of the streets, lanes, or alleys, or public grounds of the city of Montgomery, only on such terms and conditions as may be agreed upon with the mayor and common council of said city,"—be, and the same is hereby amended, by adding the following proviso to section eight of said act: *Provided*, said company shall have until the fifteenth day of February, eighteen hundred and seventy-three (1873), to organize and go into operation under said act.

Time of organization extended.

Approved, March 2, 1871.

No. 221.]

AN ACT

In relation to the Bienville Water-Works Company of the city and county of Mobile.

Whereas, It has been represented that it would greatly promote the healthfulness and prosperity of the city of Mobile and its suburbs to have an ample supply of good and wholesome water, and that the same is greatly needed; *And whereas*, George A. Ketchum, Levi W. Lawler, John Reid, jr., Braxton Bragg, Nelson W. Perry, and others, have formed a company, and, with their associates and successors, become incorporated as a body politic of this State, under and by the name of "The Bienville Water-Works Company of the City and County of Mobile," for the purpose of furnishing such supply of water from the creek in said county known as "Eight Mile Creek," or from some or one of the streams flowing into it; Therefore—

SECTION 1. *Be it enacted by the General Assembly of*