

ACTS

OF THE

GENERAL ASSEMBLY OF ALABAMA,

PASSED AT THE

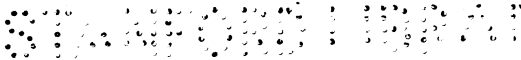
SESSION OF 1878-9.

HELD IN

THE CITY OF MONTGOMERY,

COMMENCING 2^d TUESDAY IN NOVEMBER, 1878.

RUFUS W. COBB, Governor.
W. G. LITTLE, Jr., President of the Senate.
DAVID CLOPTON, Speaker of the House.



MONTGOMERY, ALA. :
BARRETT & BROWN, STATE PRINTERS.
1879.

To amend section six (6) and section nine (9) of an act entitled "An act to amend section four (4), section six (6), section seven (7), section nine (9), section twelve (12), and twenty-eight (28), of an act entitled 'An act to amend the charter of the city of Montgomery and the various laws heretofore passed amending the said charter,'" approved March 3, 1870.

SECTION 1. *Be it enacted by the General Assembly of Alabama,* That sections six (6) and nine (9) of an act entitled "An act to amend section four (4), section six (6), section seven (7), section nine (9), sections twelve (12) and twenty-eight (28) of an act entitled 'An act to amend the charter of the city of Montgomery, and the various laws heretofore passed amending said charter,'" approved March 3, 1870, be amended so as to read as follows :

Section six
amended.

General pow-
ers and duties.

"Sec. 6. *Be it further enacted,* That said mayor and aldermen, in council assembled, shall have power and authority to pass by-laws and ordinances necessary and proper to prevent contagious and infectious diseases from being introduced into said city, and to preserve the health thereof, and to ordain all regulations necessary for an effective quarantine, and to prevent the introduction of any contagious or infectious disease into said city, and to enforce the same within ten miles from the corporate limits of said city, and to punish violations of such ordinances committed within ten miles from said city, by fine or imprisonment or hard labor for the city, either or any, at the discretion of the city council; to prevent and remove all nuisances, at the expense of the person causing such nuisance, or upon whose property it may be found; to establish, set up, build, and regulate hospitals, poor-houses, work-houses or houses of correction, and to make and pass laws, rules, and regulations for the same, not inconsistent with the laws of the State; to license, tax, and regulate theatrical and other amusements and shows and other exhibitions; to restrain and prohibit gaming and keeping gaming houses and houses of ill fame; to alter old, make, and ascertain new streets and alleys; to clean and keep in repair the streets and alleys; to require the owners of property to keep the sidewalks in front of the same in good order, and to pave the same in such manner and at such time as shall

be ordered by the city council; to repair, keep in good order, and pave the sidewalks in front of such property, the owners of which shall, after being so ordered, fail or refuse to repair, keep in good order, or pave said sidewalks for five days after notice, and to tax the same against such property, which tax shall have the lien of and be enforced and collected as other taxes; to regulate the stationing, mooring, and anchorage of steamboats and other boats and crafts within their jurisdiction; to have general control and superintendence over the wharf, wharves, ferry, ferriages, public springs and wells; to establish necessary inspections; to erect and regulate markets and the assize of bread; to regulate the conveyance of water from the vicinity into said city; to contract with the Montgomery Water Works Company, or any other water works company or companies now or hereafter organized, for a supply of water for the city for fire and sanitary purposes; to appoint auctioneers, and regulate sales at auction—*Provided*, The same shall not extend to sales under execution by order of court, or by executors or administrators;—to appoint a lumber and wood inspector; to erect public scale houses, with proper scales, weights, and measures, and to appoint weighers and measurers to weigh and measure in case of disagreement between buyer and seller; to license and regulate wagons, carts, and drays and hacks and carriages running from one part of the city to another for hire; to enact an ordinance or ordinances to prohibit the wearing of any uniform adopted for the police force for the city by any person except those belonging to said police force, under a penalty of fine, or imprisonment, or hard labor on the streets, either or any, at the discretion of the city council, and, generally, to pass such by-laws and ordinances, not contrary to the constitution and laws of this State, or of the United States, as said mayor and aldermen shall, from time to time, deem necessary and proper to carry into effect the true intent and meaning of this act, and the same to enforce, alter, and repeal.

“Sec. 9. Be it further enacted, That the mayor and aldermen shall have power and authority, for the ordinary expenses of said city, to assess, levy, and collect, annually, a tax on real estate, not exceeding one-half of one per cent. on the cash value thereof, and no more, in any one year, and the city council shall not contract any

Licenses.

debt or incur any liability in the future, for or on account of the city of Montgomery, except such as shall be paid out of the ordinary current revenue collected in the year the debt or liability is contracted; to enact and ordain that all claims or debts against said city, except coupons on bonds, shall be presented to said city council within two years from the accrual of such claim or indebtedness, or be forever barred; *Provided always*, That this section shall not affect any liability already incurred by said city. The mayor and aldermen shall have power and authority to pass laws for the assessment, levy, and collection of taxes, not exceeding the following rates: A tax on all pleasure carriages, carryalls, and rockaways, not exceeding twenty dollars per annum; on all buggies, chaises, or otherwise, a tax not exceeding ten dollars per annum; on all horses, a tax not exceeding five dollars each per annum; on every cart, dray, wagon, and other vehicle used for the transportation of goods and commodities from one part of the city to another for hire, a tax not exceeding fifty dollars per annum; on every retailer of spirituous liquors, a tax not exceeding five hundred dollars per annum, and on every retailer of vinous or malt liquors, a tax not exceeding two hundred and fifty dollars per annum—*Provided*, That said city council shall have the power and authority to regulate and fix the tax imposed under the last two preceding sections upon each such retailer in proportion to the value of the location where such retailer shall carry on his business, in no case to exceed the amounts fixed by said two sections;—on every vendor of goods, wares, and merchandise, drugs and medicines, or either of them, a tax of two hundred dollars per annum; on all goods sold at auction, a tax not exceeding one per cent. on amount of sales; on each livery or sale stable, a tax not exceeding seventy-five dollars per annum, and one dollar per head for each mule or horse sold at public auction or private sale in said city; on all offices or agencies of gift enterprises, lotteries, or business of like character, a tax not exceeding one thousand dollars per annum; on all insurance offices or agencies for insurance on life or otherwise, foreign or domestic, for each company represented, a tax not exceeding two hundred dollars per annum; on all banks or bank agencies, or brokers or dealers in exchange, a tax not exceeding five hundred dollars per annum; all persons buying cotton on commission, shall pay, for a license to engage in such

business, a tax not exceeding one hundred dollars per annum ; keepers or proprietors of hotels, eating houses, restaurants, boarding houses, or taverns where the public are fed for a consideration, shall pay a tax not exceeding five per cent. on the annual value of the rent of the building so used or employed by them per annum ; theatres, for each exhibition, or any public exhibition in the nature, a tax not exceeding ten dollars ; circuses, for each day, a tax not exceeding fifty dollars ; on all lectures, where an admission fee is charged, except for charitable or benevolent purposes, a tax not exceeding twenty-five dollars for each day's performance ; all transient persons engaged in the business of selling merchandise, a tax not exceeding twenty-five dollars per day ; lawyers, doctors, dentists, photographers, and daguerreian artists, a tax not exceeding fifty dollars per annum ; billiard, pool, bagatelle, and other tables kept for playing, a tax not exceeding one hundred dollars per annum for each table ; on ten-pin alleys, a tax not exceeding fifty dollars on each alley ; concerts for profit, a tax not exceeding five dollars each ; auctioneers, a tax not exceeding one hundred dollars per annum ; warehouses, kept for the storage of cotton, a tax not exceeding five cents per bale on all cotton stored ; on all public scales, a tax not exceeding twenty-five dollars per annum ; on all furniture and silver-plated ware above the value of five hundred dollars, a tax not exceeding one per cent. on the value thereof ; pistol or shooting galleries, a tax not exceeding fifty dollars per annum ; gold watches, a tax not exceeding one dollar each ; gold safety or fob chains, a tax not exceeding fifty cents each ; companies for the manufacturing of gas, a tax not exceeding two hundred dollars, independent of the value of their property, per annum ; on all steamboats lying at the wharf, per day or any part thereof, a tax not exceeding fifteen dollars ; all telegraph companies, a tax not exceeding two hundred and twenty-five dollars per annum ; on all other business, of every kind, where a commission is charged for the service performed, a tax not exceeding one-fourth of one per cent. on the gross sales or receipts ; on all receipts by cotton presses for compressing cotton, a tax not to exceed two hundred dollars per annum ; on all planing, flouring, grist mills, and all other establishments run by steam, a tax not exceeding one hundred and fifty dollars per annum ; on

all manufacturing establishments, builders, and contractors, a tax not exceeding fifty dollars per annum; cotton pickeries and establishments for ginning cotton, a tax not exceeding one hundred dollars per annum; all other manufacturing establishments, a tax not exceeding one hundred dollars per annum; on each ice cream saloon, a tax not exceeding ten dollars per annum; on soda fountains, a tax not exceeding two dollars per annum; on all express companies, a tax not exceeding five hundred dollars per annum; on intelligence offices, a tax not exceeding fifty dollars per annum; pawnbrokers, a tax not exceeding one hundred dollars per annum; on all railroad companies, a tax not exceeding five hundred dollars; on coal and lumber yards, for the sale of coal, lumber, shingles, or other building materials, a tax not exceeding one hundred dollars per annum; on all itinerant peddlers, a tax not exceeding two hundred dollars per annum; on all public balls, a tax not exceeding five dollars per night; on every person who engages as a runner or drummer in the city, who, for a compensation, drums or undertakes to do business for others, a tax not exceeding fifty dollars per annum; on all real estate agents who buy, sell, lease, or engage in the business of dealing in real property, a tax not exceeding fifty dollars per annum; on all gross sales by auctioneers, a tax of one-fourth of one per cent. on the amount sold; on all commissions received by any person or persons for any service or labor performed in any business other than the sale of merchandise, a tax not exceeding one-fourth of one per cent.; on all printing offices, a tax not exceeding one hundred dollars per annum. And said city council shall have the right to levy a tax on all business, etc., not above enumerated.

Approved February 13, 1879.

No. 304.]

AN ACT

[S. B. 345.

For the relief of township 2, range 2, east, Madison county.

Preamble.

WHEREAS, The county superintendent of education of Madison county by oversight or inadvertence, made a wrongful return in 1876, of the number of children in