

SEC. 36. *Be it further enacted*, That the present charter of the town of Cullman, and all amendments thereof, and all laws and parts of laws in conflict with the provisions of this act, be and the same are hereby repealed; *Provided*, that no prosecution whatever, pending or to be brought under the existing laws, shall in any manner be affected, impaired or altered by the passage of this act, and all existing by-laws, resolutions and ordinances of the town of Cullman, adopted in pursuance of law, shall be and remain in force until repealed or modified by the mayor and councilmen of the city of Cullman, and all powers granted under this act shall be liberally construed in favor of the power of the city to pass such law. This act shall take effect from the date of its passage.

Approved Dec. 12, 1890.

79]

AN ACT

[s. 76

An act to establish a new Charter for the Town of Roanoke.

SECTION 1. *Be it enacted by the General Assembly of Alabama*, That the inhabitants of the town of Roanoke, in the county of Randolph, in the state of Alabama, shall be and continue a body politic and corporate, by the name of Roanoke, and by this corporate name may sue and be sued, grant, receive, and do all other acts as all natural persons in respect to the powers herein granted; may purchase and hold real, personal and mixed property, and dispose of the same for the benefit of said town, and may have and use a town seal, which may be broken or altered at pleasure.

SEC. 2. *Be it further enacted*, That the corporate limits of said town of Roanoke shall embrace all of section 35, the south half of section 26, the southeast fourth of section 27, and the east half of section 34, all in township 21, of range 12, in Randolph county, Alabama.

Town gov-
ernment

Election

SEC. 3. *Be it further enacted*, That the government of said town shall consist of a mayor and five councilmen, who shall exercise the corporate power of said town, and said mayor and councilmen shall be elected on the first Tuesday in June, 1891, and every two years thereafter on the first Tuesday in June, by ballot of the qualified electors under the general election laws of this state, who have resided within the corporate limits of said town for three months next preceding the said election. The first election held under the provisions of this act shall be held and conducted by the marshal of said town, at the date of said election, who shall appoint three qualified electors who reside within the corporate limits of said town of Roanoke, as managers of said election; said managers shall be duly sworn in all things to conduct said election as prescribed by the general election laws of this state, and according to the provisions of this act. The polls of said election shall be opened between the hours of eight and nine o'clock A. M., and shall be kept open until five o'clock P. M.; the said managers shall count the votes cast, make up a poll list of the persons who voted, and indorse their certificate thereon, showing the persons voted for and for what office voted for, and deliver the same in a sealed box to the mayor of said town holding office at the time of said election, who shall, within forty-eight hours thereafter, open said box in the presence of the council or three of the councilmen holding office, and with said councilmen in writing, declare the result of said election. The persons receiving a plurality of the votes cast shall be the mayor and councilmen for the next ensuing two years, and until their successors are elected and have qualified. All elections for mayor and councilmen thereafter shall be held by three managers, appointed by the mayor and councilmen, who shall qualify, make returns, and the results shall be declared, and mayor and councilmen elected as in the first election. No person shall be a qualified voter or elector at any election held under this act who has not been duly registered in said town of Roanoke, as required by this act. *Provided*, that persons otherwise qualified as electors may be registered at the polls by the marshal

or registrar appointed by the mayor on the day of said election. In all elections where there is a tie between two of the highest candidates voted for, for the same office, it shall be the duty of the marshal, in the presence of the mayor and such other electors as may choose to be present, to decide the tie by lot, and the mayor and councilmen, or three of said councilmen, shall declare the result as above provided. At any election held under this act, any person offering to vote may be challenged by either of the managers or by any qualified elector. The person so challenged may be examined under oath by the managers or any one of them, as to his qualifications. In all such cases the managers are authorized to administer the oath until their successors are elected and have qualified; the present intendant and councilmen shall continue in and exercise the duties of their respective offices, and exercise the corporate powers as vested in this act in the mayor and councilmen of said town as such mayor and councilmen.

SEC. 4. *Be it further enacted*, That at every election held under this act there shall be one polling place, and it shall be the duty of the present intendant and councilmen to provide for the opening of said polls at the first election under this act, and to give ten days notice, by publication in some newspaper published in said town, or if no newspaper is published in said town, by posting in three public places in said town, written notice of the time and place of holding said election. And the inspectors provided for in this act shall have full power and authority to keep order at the place of holding said election, and to commit to the calaboose of said town for a period of time not exceeding twenty-four hours, any person or persons who shall make, or attempt to make, any disturbance at the place of holding said election so as to interfere with the peaceable and orderly conduct of said election, and the town marshal is hereby commanded to put into execution all orders or processes issued by said inspectors.

SEC. 5. *Be it further enacted*, That the present intendant or mayor for the first election and the mayor for all other elections shall appoint some persons to act

as registrar for each election held under this act : that such appointment shall be made at least ten days before the election for which such registrar is appointed, and such registrar shall give notice by publication or by posting three written notices in said town five days before said election that on the day preceding the election, his registrative books will be open at a place to be specified in said notice for the registration of qualified electors, and on the said day preceding said election, said registrar must register all qualified electors who shall apply to him for registration : *Provided*, That said registrar shall require such persons to make oath to be by said registrar administered that they are qualified electors under this act and said registrar is hereby empowered to administer such oath. The said registrar in placing the name of any applicant upon his registration list must also write his age, and color : and immediately after closing such registration, such registrar shall make an alphabetical list of all the voters registered by him and certify said original list and copy over his signature to the clerk of said town, who shall file the original in his office and deliver the certified copy to the inspectors of the election.

SEC. 6. *Be it further enacted*, That any person who obtains registration when he is not entitled in his own name or in the name of another, or by an assumed name and thereby casts a vote, or who swears falsely when challenged, or who after having voted once at any election held under this act votes a second time, shall in each and every case be guilty of a felony, and shall on conviction be punished by imprisonment in the penitentiary or hard labor for the county for a term of not less than six months nor more than one year.

SEC. 7. *Be it further enacted*, That any election held under this act may be contested in the same manner as is, or may be provided by the laws of this state for the contest of the election of judge of probate, and said laws for the contest of the election of judge of probate shall govern contests of elections held under this act so far as such laws are applicable.

SEC. 8. *Be it further enacted*, That the mayor and councilmen shall take and subscribe an oath to be administered by any person authorized to administer

Registrar
and his duties

Felony

Contests

Oath of
office

an oath, to support the constitution and laws of the State of Alabama, and of the town of Roanoke, and to faithfully discharge their official duties, before they enter upon the discharge of their duties. A majority Quorum of the board of councilmen shall be required, to transact any corporate business, but any number may assemble at the time and place of meeting, adjourn from day to day, and compel the attendance of absent members under such penalties as said board may adopt or prescribe. The council may adopt such rules of procedure as they see fit for the transaction of business; may fine its members for absence or disorderly behavior, and may fill all vacancies that may occur by death, or removal, or resignation. The mayor when present, shall preside at all meetings of said council, and when absent, the councilmen present shall select one of their number to preside, who shall perform the duties and exercise the powers of mayor during the mayor's absence. In case of the office of mayor becoming vacant by death, removal, or resignation, the councilmen shall elect a mayor from their number to fill the vacancy for the unexpired term. The mayor may call a meeting of the council whenever in his judgment the interest of the municipality demands it. The council shall have one regular meeting in every month for the transaction of business.

SEC. 9. *Be it further enacted*, That the mayor, or in his absence, the councilman selected to act in his stead as hereinbefore provided shall hear and determine all cases of violations of the by-laws or ordinances, or of the charter of Roanoke, and punish offenders in such manner as may be prescribed by the by-laws and ordinances and the charter may direct, and he shall receive such fees as the board may direct. The mayor shall possess within the corporate limits of said town of Roanoke all the powers and jurisdiction of a justice of the peace, and shall be subjected to all the corresponding duties and liabilities of a justice of the peace; *Provided*, that he shall not be required to take jurisdiction, try or determine any cause, civil or criminal, as ex officio justice of the peace, that has not already come before him as mayor of said town. From any judgment or decision of said mayor as such, an appeal

Appeals

may be taken a defendant to the next term of the circuit court of Randolph county, upon the defendant entering into bond payable to the town of Roanoke, with two good and sufficient securities for such sum as the mayor may require, not less than twice the amount of the fine, judgments and costs, conditional to prosecute said appeal to effect and to pay and discharge such judgment as the circuit court may render against said defendant; *Provided*, that such appeal be taken and fully perfected within five days from the rendition of the mayor's judgment, on which the appeal is sought. The said appeal when so taken shall stand for trial at the first term of the circuit court of Randolph county, and shall there be tried and determined *de novo*, unless good cause be shown for a continuance. In case the appellant make default, the appellate court may affirm the judgment of the mayor, and render judgment against the defendant and his sureties on the appeal bond for the amount of the fine imposed by the mayor, and the costs of the appeal, and in case defendant appears to prosecute his appeal the trial shall be *de novo*, and if judgment be rendered against the defendant for money, the court must also render judgment against the sureties on the appeal bond for the amount of said judgment, and for the costs which have accrued, both in the mayor's court and the appellate court and in addition thereto, if the judgment be imprisonment, or hard labor, the defendant shall be remanded to the municipal authorities of Roanoke for punishment. When the judgment of the court shall be only imprisonment or hard labor, then the court shall render judgment against the defendant and his sureties, on the appeal bond for costs of the appeal, and for the costs imposed by the mayor, and remand the defendant to the municipal authorities at Roanoke for punishment. The mayor or councilman acting as mayor, shall have power when so authorized by ordinance upon the trial and conviction of offenders, to impose fines, imprisonment or hard labor on the streets. In all cases where a person is accused of the violation of ordinance, he may give bail with good and sufficient sureties for his appearance before the mayor for trial, and if he make default, the mayor may declare his bail forfeited and

Powers of
mayor

enter judgment after notice to his sureties against the defendant and his sureties for the amount of the bond, or in such sum less than the amount of the bond as in the opinion of the mayor, the circumstances may demand.

SEC. 10. *Be it further enacted*, That in addition to the jurisdiction set out heretofore, the police jurisdiction of the mayor and council shall extend in all directions one mile beyond the corporate limits, and the said mayor and councilmen shall have the same power and authority to ordain and enforce by-laws and ordinances in said police limits for the preservation of peace and good order that they have in the corporate limits. The mayor, or in his absence, the acting mayor, shall have the power and jurisdiction in said police limits that he has in the corporate limits of the town of Roanoke.

SEC. 11. *Be it further enacted*, That no person shall hold the office of mayor or councilman of said town who has not resided therein one year next preceding the election, and no person shall hold the office of mayor or councilman who is not a qualified elector of said town.

SEC. 12. *Be it further enacted*, That in addition to the powers and duties heretofore conferred in this act, Duties the mayor and councilmen of Roanoke shall have the right, when the good or safety of the town may require it, to demand the aid of the sheriff of Randolph county for the protection of said town; and the said mayor may punish any contempt while holding his court or while the council is in session, by fine not exceeding ten dollars, and by imprisonment for not longer than five days. He shall, at least once in every six months, make a written statement to the council of the financial condition of the town, which statement shall be published in a newspaper in said town. He may also compel the attendance of witnesses in his court by fining them not exceeding twenty dollars, to be enforced as other fines are enforced if they fail to appear and testify before him after being duly served with subpoena.

SEC. 13. *Be it further enacted*, That the council Appointed officers may appoint a town marshal, clerk and treasurer of

Police jurisdiction

Qualifications of mayor and councilmen

said town, and such other officers as may be necessary for the good government of the town, and prescribe the duties of such officers and their liabilities and powers, and may require them to give bond in such sum as they see fit for the faithful discharge of their duties, and may discharge and remove such officers at pleasure and fix their salaries. For any breach of the bonds of such officers, suit may be brought and recovery had before any court having jurisdiction, and such suit shall be governed in same manner as other like suits. The town council shall keep a regular record of all proceedings, orders, regulations and ordinances of the council which shall be read to the council and signed by the mayor or acting mayor, and the same shall be of the force and effect of a record, and a copy thereof, duly certified by the clerk, shall be *prima facie* evidence in any court of record or elsewhere, and said record shall at all times be open to public inspection.

Appointed
officers

SEC. 14. *Be it further enacted*, That the marshal shall have in the corporate limits of said town, and in the police limits of said town, all the powers of a constable, and shall be entitled to all the fees of such officer: in said town and in said police limits he shall possess all the powers of a peace officer; he shall execute the orders, notices, and process of the mayor or council, and may arrest without warrant for all violations of town ordinances; he shall perform such other duties as may be prescribed by the council.

Duties and
powers of
marshal

SEC. 15. *Be it further enacted*, That the mayor and council of Roanoke shall have full power and authority; 1st. To make and adopt by-laws in whatever manner and upon whatever subject they deem proper to carry out the powers herein granted for the good government and order of said town, and generally and in addition to the powers herein specifically enumerated, which are no limitation upon the powers included in this general grant of powers, to ordain and pass such ordinances and by-laws not inconsistent with the laws of the state, as shall be needful for the government, police interest, welfare and good order of said town; and to affix thereto such penalties for the violation of the same by fine not exceeding one hun-

Powers of
mayor and
council

dred dollars and by imprisonment or hard labor for the town, not exceeding thirty days; and all persons convicted of any breach of the by-laws or ordinances of said town, failing to pay or secure the fine and costs imposed, may be imprisoned for such failure or placed at hard labor for the town as the town council may direct, not longer than thirty days; *Provided*, That any person shall have a right to give a stay bond, with two good and sufficient sureties, to be approved by the mayor, to pay such fines and costs within thirty days from the rendition of the judgment imposing the same, and if after such bond and surety is given, such fine and cost be not paid in thirty days, execution must be issued by the mayor against the obligors on the bond for said fine and costs. The council may pass all needful laws to compel any person to work on streets or elsewhere in the town, who refuses to work when under the mayor's sentence for violating any town ordinance; but no female must be punished by subjecting her to work on the streets.

2. To pass all laws and ordinances necessary to prevent the introduction of contagions or infectious diseases into said town, and to preserve the health thereof; to establish and regulate quarantine in said town, and within five miles thereof, and to punish breach of quarantine law. 3. To prevent and remove all nuisances at the expense of the person causing the same, or on whose premises the same may be found; to remove all decayed and dilapidated houses or structures calculated to produce disease, or dangerous or unfit for habitation, at the expense of the owners of the same, when they fail or refuse upon reasonable notice to remove or renovate or repair such houses or structures.

4. To license, tax, regulate or restrain theatrical and other amusements, and to license any business not otherwise taxed which is carried on in said town. 5. To prohibit the sale, retailing, giving away or otherwise disposing of spirituous, vinous, malt or other intoxicating liquors. 6. To restrain or prohibit gambling, gaming houses, houses of ill fame disorderly conduct, breaches of the peace, riots and all unlawful assemblies and public indecencies, racing, prize-fighting, cock-fighting, and everything else which may be hurtful to

Powers

the good order and morals of society, and all misdemeanors; all gambling implements and devices of any kind shall be subject to seizure and forfeiture under such rules as the council may prescribe, when such implements and devices are found in Roanoke to be used for gaming purposes. 7. To establish, regulate and control markets and market houses, and to license the same; and to pass by-laws for the sale of meats, vegetables and other like articles. 8. To appoint and regulate night and day watchmen, police, patrol, and officers thereof. 9. To sink, repair and regulate public wells; to establish and regulate fire-plugs and public hydrants, and to make needful provision to supply the town with water and to light the streets. 10. To open, locate, regulate and establish alleys, and streets, and to change, alter, abolish or vacate the same, or any part or parts thereof; to establish pavements and sidewalks and regulate the same, and to make salutary by-laws respecting the use of the streets. 11. To establish and build drains and sewers, aqueducts and reservoirs and regulate the same; and to compel owners of lots of real property to drain the same, and to drain and ditch the same when the owner fails or refuses, after five days notice, to drain and ditch it, and to tax the expense of said ditching and draining against the property drained and ditched; which said tax shall have the lien of and be enforced and collected as other taxes. The council may extend drains and sewers beyond the town limits as they deem necessary. 12. To establish and regulate or change fire limits, within said town, and to pass all by-laws necessary for the protection of said town against fire, and for this purpose may remove wooden buildings or structures, paying the owner a reasonable price therefor. To require all owners of theatres, opera houses, and all other houses where the public assemble in mass, to provide said houses with fire escapes and suitable exits. 13. To lay out, and control a town cemetery and sell burial lots in the same. 14. To prevent the running at large on the streets of all dogs, cows, hogs, horses, or other animals, and to pass all by-laws, which in the judgment of the council, are necessary for the impounding and sale of

said animals on proper notice to the owners thereof. 15. To regulate and control the running of cars on or across the streets or alleys of said town, and to control the speed of such cars and locomotives in said town. 16. To pass all necessary by-laws for the arrest with or without warrant of all offenders against town ordinances or state laws, and to confine such persons until tried, convicted or discharged by law. 17. To pass all laws and ordinances relative to photographers, auctioneers, traveling dealers in live-stock, itinerant vendors of any sort of goods, wares, merchandise or other tradesmen plying their vocation on the streets and to prohibit or regulate the same, and to prohibit or regulate pawn brokers. 18. To make and ordain all necessary laws concerning idlers, tramps, prostitutes, gamblers, disorderly or vicious persons, to correct or restrain their vicious habits, and to compel such persons to give bond and security to be approved by the mayor, for good behavior for a reasonable time, or upon their failure or refusal to give such bond and security, for their condemnation to imprisonment or hard labor for the town for a limited time, not exceeding thirty days. 19. To punish all persons who obstruct the marshal or other officers, in the arrest of any person in said town or in the police limits of said town, or in the lawful discharge of any duty in said town; and to punish all persons who, when called upon to aid in arresting any person, fail or refuse to give such aid. 20. To regulate and control the manner of building partition walls and fences; to regulate the keeping and storage of guns, gun-powder, dynamite and other dangerous explosives, kerosene oil, guano, or other commercial fertilizer, within said town; to regulate and control the sweeping of chimneys, the use of lights, stove pipes and flues, in all shops, stores, kitchens and other places; to cause the removal or pulling down of houses to prevent the spread of fire, and to extinguish the same. 21. To exercise the powers of eminent domain and condemn private property for streets, alleys, drains, sewers, to supply the town with pure water, and for all other public municipal purposes, proper, on making just compensation to owners of land condemned; and the general laws of the state applicable

Powers

to *ad quod damnum* suits and proceedings shall apply in all such cases. To build drains and sewers, and to supply the town with water, the corporate authorities may exercise the eminent domain powers as aforesaid outside of the city limits when necessary. 22. To have and exercise full police power in said town; to prevent crime and arrest offenders; to protect the rights of persons and property; to preserve the public peace; and for this purpose may command the aid and assistance of the sheriff of Randolph county, whenever the board of councilmen may deem the same necessary. 23. To grant the right-of-way through the streets of said town for street or other railroads, telephones, telegraph, and for laying pipes for water companies. 24. To punish injuries to streets, sidewalks and trees, and to private and town property.

SEC. 16. *Be it further enacted*, That the mayor and councilmen of said town of Roanoke, to provide public revenues, are authorized to levy taxes on real and personal property, capital employed in business in said municipality, auction sales, sales of merchandise, gross amount's of commissions, or sums received during the preceding year by any factor, commission merchant, broker or buyer; on the gross receipts of each trade or occupation conducted within said municipality; and on all salaries, whether from public or private employment, after deducting the expenses of carrying on such trade, occupation or employment. *Provided*, that where capital is invested in goods, wares or merchandise, a tax shall not be levied upon the capital, and at the same time upon the property in which the same is invested; and that it shall not be lawful to impose a double tax upon any subject of taxation. The mayor and councilmen are authorized to establish regulations to insure correct returns to the proper officer or officers or agents, of all subjects of taxation, and for listing the same by the tax payer for taxation; and if the tax payer fails to list his property for taxation, to provide that the same may be assessed by the officer appointed to assess property within the corporate limits; and to make all needful regulations to equal the valuations of property assessed for taxation, and to provide that the same be assessed at its proper valuation, in accordance with law.

Taxes

SEC. 17. *Be it further enacted*, That the mayor and councilmen are empowered to make all needful regulations, and to enact all by-laws and ordinances necessary to enforce the prompt collection of the taxes assessed. The marshal shall be tax collector of said town, and he shall take an oath to faithfully perform his duties as such, and shall give bond in such sum as the council board may require for the faithful discharge of his duties.

SEC. 18. *Be it further enacted*, That when the book of assessments shall be completed and returned to the mayor and councilmen, and they have levied a tax on the property so listed and assessed, the mayor shall issue his warrant, annexed to the tax list or book of assessments, to the collector of the corporation tax, which list shall contain the names of the tax payers, a description of the property, real and personal, assessed, and the taxes assessed thereon to each tax payer, and such tax list, with the warrant annexed, shall have the force and effect of an execution, and shall be a preferred lien on all of the property within the corporate limits, of every person assessed with the same, over all incumbrances, except the state and county taxes, from the date of the assessment.

SEC. 19. *Be it further enacted*, That all taxes assessed and levied within the corporate limits of the town of Roanoke shall have the force and effect of judgments at law; and in addition to the remedy hereinafter given, the corporation of Roanoke may bring suit in any court of law or equity against the person or persons assessed jointly or severally, and recover such sums as may be found to be due for taxes and charges.

SEC. 20. *Be it further enacted*, That after giving notice by advertisement, by posting, or in a newspaper published in Roanoke, for twenty (20) days, that the corporation taxes are required to be paid to him on or before a certain day, it shall be the duty of the tax collector to enforce the collection of the same by a levy upon and sale of the personal property of the delinquent tax payer, at public auction, first giving five days notice, by posting of the time and place of sale. If, after the taxes have been assessed, the tax collector

Marshal to
be tax col-
lector

Tax book

Lien for
taxes

Sale of per-
sonal prop-
erty

shall become satisfied that the taxes due from any person are in danger of being lost by delay, he is authorized and required, without delay, to seize, levy upon and sell, any personal property liable for the payment of taxes.

SEC. 21. *Be it further enacted*, That the failure of Sale of real estate to collector to seize and sell personal property for the payment of taxes in default shall not be a defence or ground of objections to the sale of real estate for taxes in default or arrears. The mayor and councilmen are hereby authorized to adopt the procedure for the sale of real estate for the collection of taxes as set forth in Article III, chapter 5, title 7, part 1, Code of 1886 of the State of Alabama, by ordinance, and jurisdiction to that end is hereby conferred upon the probate judge of Randolph county, State of Alabama, to hear and determine and enter decrees of sale for the amount of taxes due, with the costs and charges thereupon. The purchaser of land at such sale shall receive a deed therefor executed by the tax collector of the town of Roanoke, conveying the estate the taxpayer had at the date of assessment of the land for taxation. By virtue of the deed so executed the purchaser may sue for at law, and recover possession of the real estate thereby conveyed, with the rents thereof from the date of execution of the deed. In all suits brought under this act for the possession of real estate, the decree of the probate judge ordering the land to be sold and the deed therefor executed by the said tax collector shall be *prima facie* evidence of the right of the purchaser or those claiming under him to recover the real estate sold.

SEC. 22. *Be it further enacted*, That any real estate Real estate sold pursuant to the provisions of this act, may be re- may be re- deemed within two years from the date of the execution deemed of the deed made by the tax collector, by the owner, or any person interested in the same, paying, or tendering to the purchaser or his vendee, the amount of the purchase money with interest at the rate of 15 per cent. per annum, and all taxes, state, county and municipal paid by the purchaser. When the vendee does not reside in Roanoke, the owner or any one interested therein, may redeem the same by making payment as

aforesaid into the treasury of Roanoke for the person entitled thereto, who shall be promptly notified thereof. When the purchaser is in possession of said land, and the said land is not delivered to the taxpayer on his compliance with the foregoing provisions, he may recover possession of the same by an action of *unlawful detainer* before a justice of the peace, or an action of ejectment.

SEC. 23. *Be it further enacted*, That from every person, firm or corporation conducting or carrying on any business, trade, occupation or profession within the corporate limits of Roanoke, the mayor and council are authorized to collect a license tax, the amount thereof to be, as far as may be, regulated by the volume of the business or trade, and the value of the occupation or profession, and to enforce the collection of such license tax by penalties fixed by ordinance.

SEC. 24. *Be it further enacted*, That the tax rate on real and personal property shall not exceed one-half of one per cent. in the municipality of Roanoke.

SEC. 25. *Be it further enacted*, That the present incorporation of the town of Roanoke is hereby repealed; *Provided*, that the present municipal government of Roanoke is continued in force until the officers elected under this act have qualified as required. *And provided further*, that all laws and ordinances now in force shall continue until repealed or modified by the mayor and council of the town of Roanoke, and that no prosecution, suit or claim now pending, shall be affected in any manner whatever by the adoption of this act.

SEC. 26. *Be it further enacted*, That all the provisions of this act shall be liberally construed to enable the mayor and council to carry into effect all the powers conferred hereby.

SEC. 27. *Be it further enacted*, That for any service rendered by the probate judge and sheriff of Randolph county, they shall receive fees and compensation as paid by the State of Alabama and Randolph county for similar service, to be paid by the town of Roanoke.

SEC. 28. *Be it further enacted*, That the board consisting of the mayor and councilmen, is authorized to require whatever additional qualification, including

License tax

Rate of tax

Incorporation repealed

Act to be liberally construed

Fees

Authority of mayor and councilmen

bonds for mayor and councilmen as it sees fit, and two-thirds of said board may remove the mayor or any other officer of the town, for mal-conduct or disorderly behavior, or for malfeasance or non-feasance in office.

SEC. 29. *Be it further enacted*, That this act is declared to be a public act, and may be read in evidence in all the courts of law and equity, and all ordinances, resolutions and proceedings of the town of Roanoke may be proved by the seal of said town, attested by the town clerk, and when printed, purported to be published by authority of said town, the same shall be received in evidence in all courts and judicial proceedings without further proof.

Approved December 11, 1890.

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AN ACT

[s. 51

To provide for the purchase of lands and to provide additional accommodation for the patients of the Alabama Insane Hospital.

SECTION 1. *Be it enacted by the General Assembly of Alabama*, That the trustees of the Alabama Insane Hospital are authorized to purchase additional lands for said hospital to be used for farm purposes, and for such other purposes as are needed to more successfully carry on the operations of said hospital.

SEC. 2. *Be it further enacted*, That said trustees are authorized to erect on said lands so purchased, suitable buildings for the proper accommodation and keeping of such of the patients of said hospital as in the opinion of the superintendent and trustees, will be benefited by out-door work and who may be safely kept there.

SEC. 3. *Be it further enacted*, That said lands so purchased, with all buildings and improvements that may be placed on the same shall constitute a part and portion of the present Alabama Insane Hospital, and shall be under the control of the trustees and superintendent of the Alabama Insane Hospital, without additional compensation, and under the same rules and regulations as govern the rest of that institution.