Frances Cabaniss Roberts Collection: Series 4, Subseries A, Box 2, Folder 4Charter and Bylaws, 1851Image 1r04a02-04-000-0097ContentsIndexAbout

1852 (74) Charter & By-Laws Hts THE BRAAWS 8 OF THE CORPORATION OF HUNTSVILLE, REVISED AND AMENDED In the Year 1851. HUNTSVILLE: P. WOODSON, Pr.-DEMOCRAT OFFICE. 1552.

Names:

Charter & By-Laws

**Places:** 

Huntsville, AL

#### **Types:**

legislation

#### Dates:

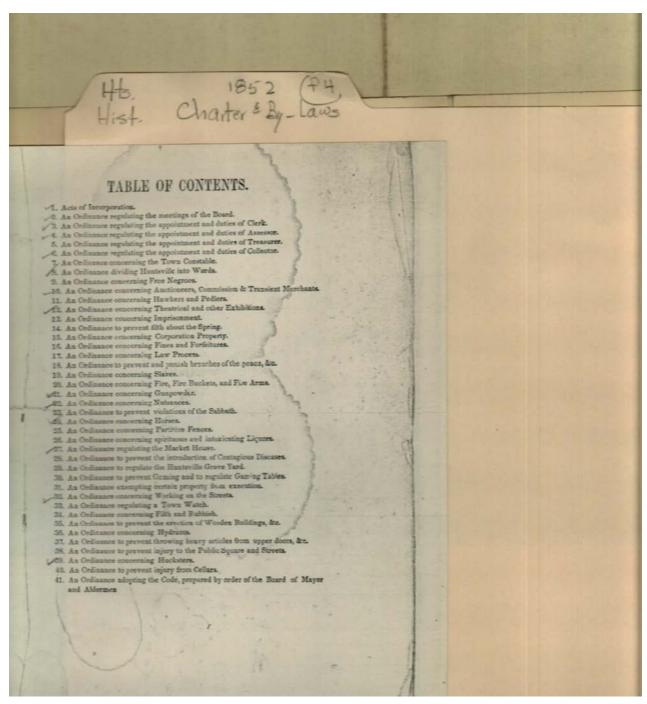
1851

Huntsville Corporation revised

1852

Woodson, P.

Frances Cabaniss Roberts Collection: Series 4, Subseries A, Box 2, Folder 4Charter and Bylaws, 1851Image 2r04a02-04-000-0098ContentsIndexAbout



Names:

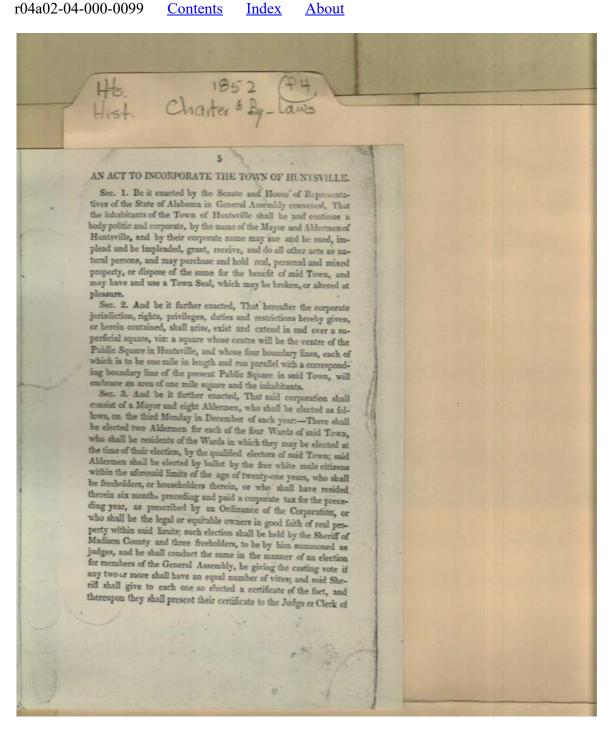
Table of Contents

#### **Places:**

Huntsville, AL

#### **Types:**

Frances Cabaniss Roberts Collection: Series 4, Subseries A, Box 2, Folder 4Charter and Bylaws, 1851Image 3r04a02-04-000-0099ContentsIndexAbout



#### Names:

Incorporation of Huntsville

#### **Places:**

Huntsville, AL

#### Types:

## Frances Cabaniss Roberts Collection:Series 4, Subseries A, Box 2, Folder 4Charter and Bylaws, 1851Image 4r04a02-04-000-0100ContentsIndexIndexAbout

the County Court of said County, and before him take the oath prescribed for eivil officers of the State, and an eash to perform the dution imposed upon them by this net, without favor or partiality, of which qualification a record shall be made in the office of said County Court. The qualified voters of said Corporation shall also at the mane time and phase sheet a Mayor, who shall before said Judge or Check take an each to perform without favor or partiality the duries of Mayor, of which a file record shall be kept, and said Mayor and Alderman shall continue in office until their successors are qualified. If shall Sheriff shall fail to hold such election, he shall alvertise in the public places of said Town another day for holding the same, not allow ten days next after the regular day, and on such other day shall open and hold an election in the manner aforesaid; and if during their term, any one of the Mayor or Aldermen dis, remove, refuse wholly to zet, or be disabled from acting, the other Aldermen shall, by balle, elect produce run in his stead, who are qualifications shall be as above described. The office of Mayor or Alderman shall, shone be filed by a freeholde, residing within the Corporation; and if my one or more who shall ne electical Aldermen, hold an election to supply the said Sheriff shall give notice for and hold an election to supply the vacancy as abave described.

6

Sec. 4. And be it further enacted. That a majority of the Mayor and Aldermen shall constitute a querma to transact the business of the Board, they fixing their own assessment, and it any three special session may be called by the summons of the Mayor, while own option, or at the request of any two of the Aldermen. Sec. 5. And he it further enacted. That the Mayor shell possess

Sec. 5. And be it further enacted. This the Mayor shell possess within the corporate limits, all the powers and juridiction of a Jusfice of the Pence, in civil and criminal cases, and he subject to all corresponding duties and responsibilities, and set his services in such cases shall be entitled to the free allowed by but to a Justice of the Pence, and then his signature or net as Mayor shall be of equil force as if done by him expressly as a Justice he shall mercover have exclusive original jurisdiction to hear, adjudge, determine all presecutions, controversies, or matters out of the orders, regulations and collamores of the Board, such as forf-tures and pendice inflicted, and the summary remedies to be given against the officers of the Corporation; Provided the sum in question does not exceed fifty dellars, and from his decision, or judgment in any case, of either branch of his jurisdiction, the party desiring it may have an appeal, or ecrtiorari, in order to have a new trial in the Coanty or Circuit Court of said County, under the rules and regulations prescribed by the laws of the State for an appeal, or certiorari, from the judgment of a Justice of the Peace.

Sec. 6. And be it forther enacted, That the Mayor and Aldermen shall have power to appoint a Constable, Clerk, Treasurer, Collector of Taxes, an Assessor, and any other officer who may become essential to the maintenance of a good pelice; the officers shall continue in office (unless removed) until the next annual election of Aldermen and until their successors be qualified. The Mayor and Aldermen shall have power to fill all vacancies that may occur in said offices, and to remove said officers at any time, a majority of the whole Board concurring in such removal; and the said Clerk, Assessor, Collector, Treasurer and Constable shall before the Judge or Clerk of said County Court tale eachan oath well and traly and faitfully to perform the duries of his office; of which also a record is to be made, and the said Collector, Treasurer and Constable, shall each before the Clerk of said County Court enter into bond with security to the Mayor or his successor, in the penalty of two thousand dollars, er any larger amount that may be required by any ordinance of the Board, with condition to discharge all the duties of his office traly and dishfully, on which bond aut and recovery may be had in any court having jurisdiction thereof, in the name of the Mayor or his successor, for the use of the Corporation, or the per a nigured, and and bond shall remain for the breaches of its conditions.

the Co

DON

Sec. 7. And be it further enacted, That the Clerk shall keep a regular record of the proceedings, orders, regulations and ordinances of the Board, which shall be read to the Board, and signed by the Mayor or presiding Chairman, and the same shall have the force of a record, and a copy therefrom certified by the Clerk shall be prima facie evidence in any Court of record or elsewhere, and and record shall at all times be open for inspection. The Clerk shall also keep a docket of all causes instituted before the Mayor as such, or as a Justice of the Peace, showing the order in which they shall be instituted, and nating or endorsing the orders and judgments, &c. therein, and in another book he shall keep a minute, or record of the orders,

#### Names:

Incorporation of Huntsville

#### **Places:**

Huntsville, AL

#### **Types:**

#### **Frances Cabaniss Roberts Collection:** Series 4, Subseries A, Box 2, Folder 4 Charter and Bylaws, 1851 r04a02-04-000-0101 Image 5 Contents Index About

judgements, &c., in said causes, and shall keep and preserve in re-gular files as well the papers in such suits, as all others belonging to ginit into a work of paper in such asis, is an other belonging to the Board, and one of the records and papers aforesaid shall be open for public inspection: in the docket the Clerk shall note the dates of the issuance and delivery of original and final process and to whom delivered, and the return thereon, or the substance thereof, and for all his books make full indexes.

R

Sec. S. And be it further enacted, That the duties and liabilities of See, 5: And be it former charged, that meaning and habitudes of the Assessor, Collector and Treasurer, as well as the liabilities, or any further duties of the Clerk, shall depend upon the ordinances of the Board; that the Constable shall possess the power, rights and fees within the incorporated limits and in pursuance and execution of this act as possessed by Constables under the laws of this State, and shall act as possessed by Constables under the laws of this State, and shall execute the orders, notices and process of the Board to him directed or delivered for that purpose, and all warrants, precepts and process, from the Mayor's Court, being subject to the liabilities and remedies which the Board by its ordinances aforesaid may prescribe. Sec. 9. And he it further enacted. That the Mayor and Aldermen

may by ordinance allow to the Constable additional compensation not in the ordinary line of the Constable and for which no specific fees are allowed; they may likewise by ordinance fix from time to time, reasonable salaries or compensation to the Mayor, Clerk, Assessor, Collector, Treasurer, or other officer. Sec. 10. Be it further enacted, That in all cases where the Con-

stable is a party, the Mayor shall in such cases direct the process to some other person to execute.

Sec. 11. Be it further enacted, That the Mayor and Aldermen seef. If, be it address enables, that the stayer and Aldermen shall have power to pass all regulations and ordinances for the com-mon good of the Corporation which may be compatible with the Con-stitution and laws of the State and with this act; they shall have the power to prevent and remove muisances, to prevent the introduction of contagious or infectious diseases within the town, and provide places for the reception of the sick; to erect a hospital or any other builthis to the receiver of the task, to be a highline of any other ban-dings, or works, for the use of the town, and to that end, to join with the County of Madison in any such ercetions, and to contract and agree with said County, or the Commissioners, or competent autho-rities thereof, for the privilege or right to erect and continue such Hospitals, or other buildings, or works, upon the Public Square, and

to accept any grant, or conveyance of said Commissioners, or authorities; to erect lamps, to provide night watches and patrols, to erect and repair bridges, to construct drains and sewers, and to keep them and repair; to establish fire words and fire companies, and to keep them in repair; to establish fire words and fire companies, and provide for the prevention and extinguishment of fire; to regulate partition fences and to determine by whom they shall be made and kept in repair; to restrain and prohibit nightly and other meetings, or disorderly assem-blies of alaves, free negroes, or mulattees, and other knavish and dis-orderly persons; to restrain and prevent trading with slaves; to pro-vide for regulating and licensing hawkers, pedlers and retailers of spirituous liquors within the corporate limits, and within one mile of the court house of Madison County, or for annulling and prohibiting the same, and, concerning them, to have and exercise the exclusive power of granting Licenses, reserving to the State and Courty forepower of granting Licenses, reserving to the State and County aforepower of granting Licenses, reserving to the State and County alore-said in all cases where the corporate authority may choose to grant Licenses, the taxes by the laws of the State imposed, to be collected from such hawkers, pedlers or retailers as the said Mayor and Alder-men may license; to license, restrain and regulate Theatrical or other exhibitions for money, whether of animals, figures, horseman-ship, activity, legerdemain, or whatever character, kind, or name; to impose and enforce fines or penalties for all riots, routs, affrays, as-alse set heurises in de addition the limits of the Constitusaults and batteries, committed within the limits of the Corporation, and for obstructing the streets, avenues, sewers, drains, \$c., or in injuring the Corporation buildings, or works, or pedling, or retailing without license; to provide for regulating and licensing auctioneers, commission merchants, and the keepers or owners of Billiard Tables; commission merchants, and the keepers or owners of Billiard Tables; to restrain and prohibit gambling, to regulate and establish markets, and to rent out the stalls in the same; and to prohibit the selling of meats, poultry, fish or game, except at the public market or markets; to take care of, preserve, remove, designate and regulate all burying grounds belonging to said Corporation; and in general to impose and enforce appropriate fines, forfeitures and penalties, for the non-performance or the violation of their ordinances, so that in no case the same shall exceed the sum of fifty dollars; such fines, &c., to be recovered by and in the name of the Mayor and Aldermen, and applied to the use of the Corporation. Sec. 12. Be it further enected, That the Mayor and Aldermen shall have full authority to cause all vagrants, idle or disorderly per-

Ø 5 -Qes non

9

#### Names:

Incorporation of Huntsville

#### **Places:**

Huntsville, AL

#### **Types:**

sone, all persons of ill iame, or evil life, and all such as have no visible means of support, or are likely to become chargeable to the town as paupers, or are found begging or drunk in and about the streets, or loitering in and about tippling houses, or whocan show no reasonable course of business, or employment in the town; all who have no fixed place of residence, or cannot give a good account of themselves; all who are grossly indecent in language or behavior, publicly in the streets, and all presitutes, er such as lead notoriously a lewd or hascivious course of life, to give security for their good behavior, for a reasonable time, and to indemnify the Town against any charge for their support; and in case of their refusal, or inability to give said security, to cause them to be confined to labor for a limited time, not exceeding four calendar months, unless such ascurity shall be soonor given, which said labor shall be such as may be designated by the alayor and Aldermen for the general benefit of the Town, and that the labor so designated by the Mayor and Aldermen, may be carried into effect, they shall have power to appoint a person, or persons, to take those so confined and sentenced to labor, form the place of custedy, and if they should be found afterwards offending, such security may be again required, and for want thereof the like proceedingsmany again be had from to time as often as may be necessary.

10

Sec. 13. And be it further enacted. That the said Mayor and Alderann shall have power to establish a primary school or schools, for the taition of all free white children of the Corporation, to be under the guardianship of said Corporation, and to employ the proper teachers of suitable salaries.

See. 14 And be it further enacted, That the Mayor and Aldermen shall have full power and authority to widen, extend and regulate the streets, lances or alleys, to lay our proper new streets, lances, or alleys, whenever they may deem it expedient, within the limits of said town, under the following regulations, that is to say: The Mayor of said Town shall austmon twelve freeholders, inhabitants of said Town, not directly interested in the lands or lots through which it is proposed to open and lay out the said new street or streets, who being first sworn by the Mayor to assess and value what damages would be sustained by the owners of said lots, or lands, by reason of the opening and laying out any street, lance or alley, and the damages so assessed shall be paid by the Corporation of said Town, to the own11

ers of said lots or lands; provided always that no street, lane or alley, shall be opened or laid out until the damages assessed to individuals in consequence thereof, shall have been paid. Sec. 15. And be it further enacted, That the Mayor and Alder-

Sec. 15. And be it further enacted, That the Mayor and Aldermen in their corporate capacity, shall have power and authority to contract for any loan, or loans, they may deem necessary for the purpose of raising money to improve said Town, and in effecting such loan or loans shall have power to pledge the property and revenue of said Corporation.

Sec. 16. And he it further enacted, That the Mayor and Aldermen shall have power annually to levy a tax on all property, real and personal, within said Town, provided said tax shall not exceed fifty cents on every one hundred dollars worth of such property, and the same shall be laid according to assessment and valuation of the property taxed, to be made by the Assessors in conformity with the regulations the said Mayor and Aldermen may ordain for such assessment and valuation; privided nevertheleys, that the Mayor and Aldermen shall have authority to review such assessment and valuation, and to make such alterations as they may deem just and advisable.

D

DN

ment and valuation; privided nevertheless, that the Mayor and Aldermen shall have authority to review such assessment and valuation, and to make such alterations as they may deem just and advisable. Sec. 17. And be it further enacted, That the Mayor and Aldermen shall have power annually to levy a poll tax upon each and every white make over the age of twenty-one and under sixty years, the sum of twenty-five cents; and upon each and every free person of color a poll tax not exceeding the sum of five dollars. The Mayor and Aldermen shall prescribe the mode and time of collecting the said tax, and also any speedy and summary remedies by motion before the Mayor, against the officers of the Corporation for the non-payment of taxes or other monies collected or received, or for other delinquencies in office, which remedies may extend to the securities of such officers; and upon the judgment of the Mayor and have the fore and effect of an execution from any of the Circuit Courts of this State. Sec. 18. And be it further enacted, That the free white male in-

Sec. 18. And be it further enacted, that the new while mate inhabitants, and slaves within the corporate bounds, who otherwise by the laws of the State would be subject to work: on the roads, emiseways, &c., shall be excoupt from any such service beyond said bounds, but within the same shall be liable to personal labor upon the streets, bridges, causeways, drains, &c., as well to crect or open as to repair

#### Names:

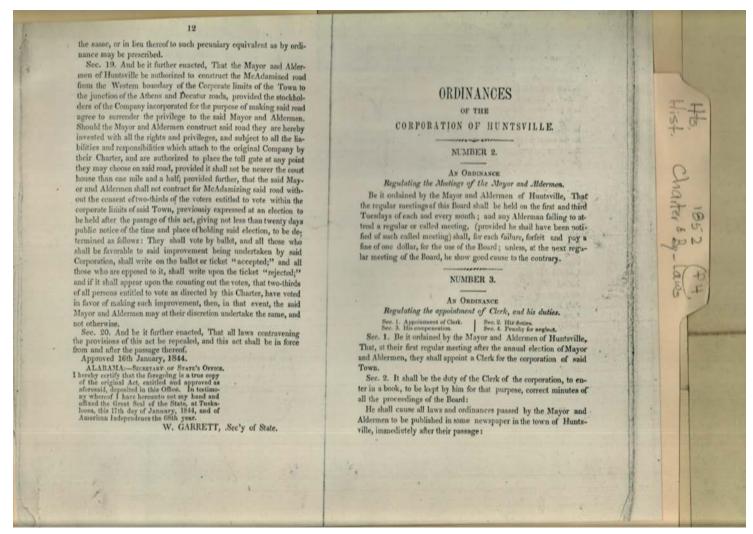
Incorporation of Huntsville

#### **Places:**

Huntsville, AL

### Types:





Names:

Clerk appointment

**Places:** 

Huntsville, AL

#### **Types:**

legislation

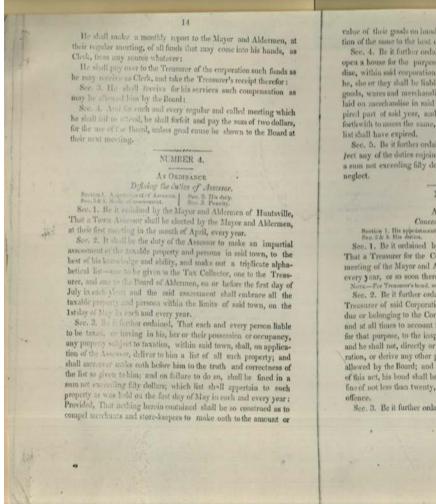
#### **Dates:**

Jan 16, 1844

Garrett, W., Sec of State Meetings of Mayor

Ordinances of Huntsville

#### **Frances Cabaniss Roberts Collection:** Series 4, Subseries A, Box 2, Folder 4 Charter and Bylaws, 1851 r04a02-04-000-0104 Image 8 Contents Index About



#### Names:

Ordinances of Huntsville

#### **Places:**

Huntsville, AL

#### **Types:**

legislation

15 value of their goods on hand; but the Assessor shall make a valuation of the same to the best of his knowledge and judgment.

See. 4. Be it further ordained, That if any person or persons shall open a house for the purpose of veading goods, wares or merchan-dise, within said corporation, after the first day of May in each year, he, she or they shall be liable to pay, on his, her or their stock of goods, wares and merchandise, such a rateable proportion of the tax haid on merchandise in said town, as shall correspond with the unex-pired part of said year, and it shall be the duty of the Assessor forthwith to assess the same, although the time for the return of his

See, 5. Be it further ordained, That if the Assessor omit or neg-Ject any of the duties enjoined by this ordinance, he shall be fined in a sum not exceeding fifty dollars, for each and every such omission or

#### NUMBER 5.

#### AN ORDINANCE

Ø per UT

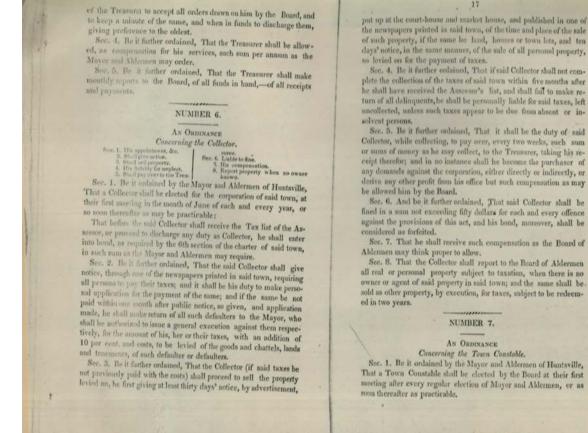
m N

Concerning the Treasurer, Beetion 1. Its spiciatment. See, 34. A list shrins. See, 1. Be it ordained by the Mayor and Aldermaga of Huntsville, That a Treasurer for the Corporation shall be elected at the first meeting of the Mayor and Aldermea, ofter their election, in each and every year, or so soon thereafter as may be practicable

Norm-Por Treasure's bond, see Sec. 6 of the Charter. Sec. 2. Be it further ordnined, That it shall be the duty of the Treasurer of said Corporation to receive and receipt for all moneys due or belonging to the Corporation, to keep a minute of the same, and at all times to account therefor; and to submit his books, kept for that purpose, to the inspection of the Board, whenever called on for that purpose, to the inspection of the head, whenever chart of and he shall not, directly or indirectly, buy any claims on the Corpo-ration, or derive any other profit from his office than such as may be allowed by the Board; and for offending against any of the provisions of this act, his bond shall be forfeited, and he shall moreover pay a fine of not less than twenty, nor over fifty dollars, for each and every

Sec. 3. Be it further ordained, That hereafter it shall be the duty

#### **Frances Cabaniss Roberts Collection:** Series 4, Subseries A, Box 2, Folder 4 Charter and Bylaws, 1851 r04a02-04-000-0105 Image 9 Index Contents



#### About

of such property, if the same be land, houses or town lots, and ten days' notice, in the same manner, of the sale of all personal property,

0

UT. Ceri

DN

#### Names:

The Collector

#### Places:

Huntsville, AL

#### **Types:**

legislation

Town Constable

#### **Frances Cabaniss Roberts Collection:** Series 4, Subseries A, Box 2, Folder 4 Charter and Bylaws, 1851 r04a02-04-000-0106 Image 10 Contents Index About

See, 2. Be it further ordained, That before said Constable shall See. 9. Be it number organicu, that before and constable share enter upon the discharge of his duties, he shall take an oath well, truly and faithfully to discharge all the duties of his office, and shall enter into bond, as is provided for in the Charter of the Corporation. Sec. 3. Be it further ordained, That it shall be the duty of the Constable of said Corporation faithfully to execute and return all summonses, stable of said corporation summary to execute and return all summonses, warrants, executions, notices, and precepts, directed to him accord-ing to the Charter and By-Laws of said Corporation, and to enforce all the Ordinances of said Corporation, for the preservation of order, or other purpose, and to arrest and bring all offenders before the Mayor, for which purpose he is authorized to summon any by-stander to his aid, and whoever shall refuse to obey such summons, shall be fined in a sum not exceeding twenty dollars.

## NUMBER 8.

AN ORDEANCE Dividing the Town of Hantsville into Wards. Sec. 1. Be it ordained by the Mayor and Aldermen of Huntsville, That said Town shall be laid off into four Wards : the first shall in-That shall fown small be find on the four wards: the first shall in-clude Gallatin and Jefferson streets, all thoge parts of Holmes and Clinton streets lying West of Washington street, and that portion of the corporate limits of said Town West of Washington street and the corporate limits of said flown West of Washington street and North of the Public Square. The second Ward shall include Wash-ington and Randolp<sup>1</sup> streets, and all that portion of the corporate limits of said town lying East of Washington and North of Eustis st. The third Ward shall include Eustis and Franklin streets, and all that The found Yoard small include Lustis and Franklin streets, and all that part of the corporate limits South of Eustis and East of Franklin st. The fourth Ward shall include Baak Row, and all that portion of the Corporate limits of said Town lying West of Franklin street, and South of the Public Square.

### NUMBER 9.

AN ORDINANCE. Concerning Free Negroes. Tax in resident Free Negross. Tax in such as remove into the periodica. To rejuite their names. When decend vagrants. See, 5. Penalty for entertaining slaves. Energister their names. See, 7. Penalty for setting layor and gam-being. See, 8. Penalty for setting layor and gam-being. See, 8. Penalty for setting layor and gam-being layor and gam.

Sec. 1. Be it ordained by the Mayor and Aldermen of Huntsville,

That each and every free male of color over the age of twenty-one years, residing within said Corporation, who is by law permitted to reside within the limits of the State of Alabama, shall pay an annual tax of two and one half dollars for the are of the Corporation.

19

Sec. 2. That each and every free mole person of color, removing within said Corporation, shall pay a tax of ten dollars for the first year, and a tax of two and a half dollars for each and every subse-quent year that he may reside within the Corporation.

See. 3. That all free persons of color, within the limits of the Cor-poration of Huntsville, shall report themselves to the Clerk of the Corporation, that their names may be registered in a book to be kept for that purpose; and all free persons of color who may bereafter re-move into the said corporate limits, shall, within one month after their removal, report themselves for registration, to the Clerk of the Cor-poration, and it shall be the duty of the Clerk to furnish the Town Constable and Night Watch with the names of all such persons residing within the Corporation, whose names are registered as aforesaid; and if any free negro represent him or herself to be free, without having in his or her possession, free papers, or shall be found within the limits of said Town without having their names registered as aforesaid, he, she, or they shall be deemed to be slaves, and shall be dealt with as such.

D m U. m N

Sec. 4. That if any free person of color, male or female, who has See. 4. That if any free person of color, male or temate, who has no apparent means of subsistence, shall be found sauntering about, or endeavoring to maintain him or hereeff by any undue means, it shall be lawful for the Mayor, on due proof made, to issue his war-rant for such offending person, and cause him or her to be brought before the Mayor, who is hereby empowered, on conviction, to de-mand security for his or her good behavior for the space of six months, and in case of his or her refusal or neglect to give said secu-rity, to fine the person so offending in the sum of five dollars. And rity, to fine the person so offending in the sum of five dollars. And if such person shall be guilty of the like offence after the space of twenty days after paying said fine, he or she, so offending, shall be deemed a vagrant; and if the person so offending shall neglect or refuse to pay the fine aforcsaid, or he convicted a second time of the same offence, then it may be lawful for the said Mayor to direct the Town Constable to hire the person so offending for any term not exceeding four months, to make satisfaction for all costs; but if the per-

#### Names:

**Concerning Free** Negroes

#### **Places:**

Huntsville, AL

### **Types:**

legislation

Wards established

## Frances Cabaniss Roberts Collection:Series 4, Subseries A, Box 2, Folder 4Charter and Bylaws, 1851Image 11r04a02-04-000-0107ContentsIndexAbout

son so offending be of such ill fame that he or she cannot be hired for the costs, nor give sufficient security for the same, and his or her good behavior, in that case, it shall be lawfol for the Mayor to cause the offender to receive not exceeding thirty-nine lashes on his or her bare back; after which, he or she shall be set at liberty: which punishment may be inflicted as often as the person so offending may be guilty, allowing twenty days between the punishment and the offence. See, 5. That if any free person of color shall entertain or permit any slave to visit or remain in his or her house, during the Sabbath day, or between sun set and sun rise, he or she so offending, shall for each and every offence forfeit and pay the sum of ten dollars. See, 6. That if any free person of color, shall sell or barter ardent

20

Sec. 6. That if any free person of color, shall sell or barter ardent spirits or any intoxicating drink, to any slave, or shall be seen gambling with any slave, in the limits of said Corporation, the person so offending shall be fined in the sum of twenty-five dollars for the first offence and fifty dollars for the second offence. Sec. 7. That a poll tax of five dollars shall be assessed upon eve-

Sec. 7. That a poll tax of five dollars shall be assessed upon every free person of color over the age of eighteen years and under the age of sixty years—and that free persons of color under eighteen or over sixty years of age, shall pay a poll tax of two dollars.

#### NUMBER 10.

#### AN ORDINANCE

Concerning Auctioneers, Commission Merchants and Transient Merchants.

Sec. 1. Anciencera-their appointment, Are. Sec. 3. Commission Merchants. 2. Penalty for violating the law. Area Sec. 3. Commission Merchants. 4. Transvert Merchants. 5. Who desmed transient Merchants. 5. Who desmed transit Merchants. 5. Who sessor, of all sales of goods, wares and merchandiae, or other property subject to auction duties, made by him up to the 1st day of May, in each and every year; and that he shall pay over to the Collector of taxes of said corporation the amount of duties or taxes accruing upon such sales, in the same manner as other taxes are paid: Provided, however, that no person whatever shall be so licensed, except those appointed auctioneers by the Commissioners' Court of Madison county. Sec. 2. Be it forther ordnined, That any person violating the provisions of the first section of this ordinance, shall forfeit and pay for each and every offence the sum of fifty dollars.

21

See. 3. Be it further ordained, That each and every commission merchant, or any other person or persons selling any goods, wares and merchandise, or any other property on commission, or permitting the sale of the same to be done by any person or persons whatever, upon his, her or their premises, shall pay to the use of the corporation, a tax of fifty cents on every hundred dollars amount of sales so made and sold by him, her or them, as aforesaid; and if any person liable to pay, under the provisions of this section, shall fail or refuse to give in a true account, hereby required to be assessed, when called on by the Assessor of taxes of said corporation, is shall be the daty of the said of fifty dollars, and the Collector of the Corporation shall proceed to collect the same, in the same manner as other taxes are collected.

SEC. 4. Be it further ordained, That all transient merchants or transient dealers in drugs or patent or other medicines, goods, wares and merchandise, orany drugs or patent medicines, in said corporaand merchandise, orany drugs or patent medicines, in said corporaion, apply to the Clerk thereof and obtain a License, for which the person so applying shall pay, for the use of the corporation, the sum of ten dollars, besides a tax of one half of one per cent. on all his, her or their amount of stock on hand of such goods, wares and merchandise, drugs or patent medicines; and if any transient merchant or transient dealer as aforesaid, without license as aforesaid, shall offer to sell or vend any goods, wares and merchandise, or drugs, patent or other medicines, such person or persons so offending shall be proceeded against in the same mancer as is now provided for proceeding against hawkers and peddlers for selling without license; and all persons who shall sell any goods, wares and merchandise, or

austy. groey for ission wares a tax e and le to ive in on by e said : sam de to ed. is or wares porah the : sam his, merchant ission (Chanter & B-(Chanter & B-(Chanter

#### Names:

Merchants and Auctioneers

#### **Places:**

Huntsville, AL

#### Types:

#### **Frances Cabaniss Roberts Collection:** Series 4, Subseries A, Box 2, Folder 4 Charter and Bylaws, 1851 r04a02-04-000-0108 Image 12 Contents Index About

medicines, as described in this section, shall be deemed to be transient merchants, who do not settle for the year to carry on the trade of buying and selling such goods, wares and merchandise, drugs or medicines : Provided, that all articles manufactured and made up in the State of Alabama be exempt from taxation.

SEC. 5. Be it further ordained, That all persons shall be deemed and held to be transient merchants who exercise control over and sell their own goods, wares and merchandise, notwithstanding they may have deposited the same in the house of a commission merchant or auctioncer or other person.

#### NUMBER 11.

AN ORDINANCE

Concerning Hawkers and Peddlers. Sec. 1. Be it ordained, by the Mayor and Aldermen of Huntsville, That it shall not be lawful for any Hawker or Peddler to sell, or offer for sale within the corporate limits of said town, any goods, wares or merchandise, or small commodities, of any description or denomination whatever, unlesshe shall previously obtain from the Clerk of tion whatever, unleasthe shall previously obtain from the Clerk of said corporation, a license for that purpose, for which he shall pay to the said Clerk de rum of ten dollars, besides one dollar for issuing said license, for the pivilege of selling for six months; and if any Hawker or Peddler shall violate the foregoing provisions of this act, he, she, or they, so offending, shall forfeit and pay for the use of the corporation, the sam of twenty dollars, for each and every offence: the sub-rest the sam of twenty dollars, for each and every offence: Provided, that nothing manufactured or made up in the State of Alabama shall be subject to faxation, or require a license for the sale thereor.

Sec. 2. That any person hawking or peddling within the corporate limits without license, shall be subject to the fine in the foregoing section, notwithstanding said hawker or peddler may have made a deposit of his wares or articles with a commission merchant or auctioneer or other person.

## NUMBER 12.

Ая Аст To regulate Theatrical and other exhibitions in the town of Huntsville. Bee, 1. Managars of Theatre to obtain ferense.
 Bee, 4. To employ peace of Markettile.
 Managars of Cirsus, Xe. Xe. to obtain herease.
 Pensity for permitting estimition without for permit rest.
 Net and the second second

That if any person shall exhibit any theatrical representation within said town, or be concerned therein, without having first obtained a license therefor from the Clerk, by order of the Mayor, he shall forfeit and pay, for the use of the corporation, the sum of fifty dollars. The tax for such license shall be ten dollars for the first night and five dollars for each succeeding night; and the Mayor shall in such licens prescribe such restraints as he may judge beneficial to the town: Pro-vided, that nothing in this ordinance shall be so construed as to authorize the Mayor to prohibit performances on Saturday evening as late as the hour of 12 o'clock, P. M.: and, provided, also, That any Thespian Company may at any time perform without license. Sec. 2. Be it further ordained, That if any person shall exhibit any descent the second second license minutes or the like without for

Ø 500

Ner

show, wax figures, puppets, living animals, or the like, without first obtaining from the Clerk of said corporation a license therefor, for which he shall pay the sum of fifteen dollars, for the use of the corporation, and one dollar to the Clerk for issuing said license, he shall forfeit and pay the sum of fifty dollars; and no circus rider, mountebank, or juggler shall be permitted to perform within said corporation, without first obtaining a license as atoresaid, for which he, she or they shall pay a sum of not less than fifteen dollars, nor more than fifty dollars, at the discretion of the Mayor; and whosever so offending herein, shall, for every such offence, forfeit and pay to the use of the corporation, the sum of fifty dollars. Sec. 3. Be it further ordained, That if any person or persons shall

suffer or permit any show, exhibition or any performance whatever within the contemplation of this ordinance, in his, her or their house, without such exhibiter or performer having first obtained a license therefor, he, she, or they, so offending, shall torfeit and pay to the use of the corporation, the sum of five dollars for each and every such offence.

#### Names:

Hawkers and Peddlers

#### **Places:**

Huntsville, AL

#### **Types:**

legislation

Theatrical exhibitions

#### **Frances Cabaniss Roberts Collection:** Series 4, Subseries A, Box 2, Folder 4 Charter and Bylaws, 1851 r04a02-04-000-0109 Image 13 Contents Index About

S.o. 4. Be it further ordained, That managers of Theatrical perback 4. be it indice endowing. That managers of Theatrical per-formances, circuses and other exhibitions, shall, at their own ex-pense, employ two peace officers, at such allowance as the Mayor shall fix, not exceeding two dollars per day or night, to attend in and at the door of the theatre, circus or exhibition, for the purpose of pre-serving order, and suppressing all ristons and disorderly conduct, who shall remove all dimension and disorderly conduct, who shall remove all drunken and disorderly persons from the same, and carry such persons before some magistrate, to be disposed of according to law. And if the manager or managers of the Theatre, circus, or other exhibition, shall fail to employ or pay the said peace officers, it shall be the duty of the Mayor to revoke the said license. Sec. 5. Be it forther ordained. That if the proprietor or proprie-

24

tors, manager or managers, owner or owners of any theatre, circus, meangerie or other exhibition, of any kind soever, should permit or suffer any person or persons to vend or retail spirituous, malt or oth-er fermented liquous at the place occupied by him, her or them, for carrying on said exhibition, without a license therefor, duly obtained, according to law, he, she or they shall be liable to a penalty of twenty children for every such off-any dollars for every such offence, to be recovered by warrant, in the name and for the use of the corporation. Sec. 6. Be it further ordained. That all musical performances

See. 6. Be if further ordnined. That all musical performances and concerts shall be taxed in a sum not exceeding fifteen dollars, nor less than five, in the discretion of the Mayor; and any person or per-tons performing as musicians, or giving concerts, in said town, with-ent a license, issued by the Clerk, by the order of the Mayor, shall forficit and pay twenty five dollars, to be recovered by warrant, as in other cases; and the Clerk shall be entitled to one dollar for issuing add license.

#### NUMBER 13.

## AN ORDINANCE

Concerning Imprisonment

See, 1. Be it ordained by the Mayor and Aldermen of Huntsville, That in all cases of the conviction of any person or persons before the Mayor, for graming of any description whatever, prohibited by the laws of this corporation, or for any rictuus or disorderly conduct, or for any breach of the peace, if the said person or persons, so convicted, shall be unable to pay the fine assessed, the said Mayor shall have power to imprison him, her or them in the common jail of Madison County, for any ' ngth of time not exceeding five days, as a punishment for the crime or crimes for which the said offender or offenders shall have been convicted.

25

Sec. 2. Be it further ordained, That the Mayor shall have power in all cases, where any person or persons shall be found guilty and fined by bim, for any of the above named offences, to commit any, or all such offenders to the common jail of Madison County, until the said fine or fines so assessed, with costs, shall be paid, or be otherwise discharged according to law.

#### NUMBER 14.

AN ORDINANCE

0

To suppress filthiness about the Spring and Bluff at the head of the Spring.

Sec. 1. Be it adained by the Mayor and Aldermen of Hintsville, That if any person or persons shall, after the publication of this act, bathe in the Spring between its head and the dam across said Spring, or shall wash clothes, flesh, fish, or vegetables, or any thing therein, calculated to impregnate the water with filth, he, she or they so offending, if a free person, shall forfeit and pay five dollars, for each and every such offince; if a slave, shall receive on his or her bare back ten lashes, well laid on by the Constable

Sec. 2. Be it further ordained, That if any person shall cut down, skin, or otherwise injure my tree growing around about the head of the Spring, he, she or they so offending, shall forfeit and pay the sum of ten dollars, and if a slave shall receive on his or her bare back ten lashes, well laid on by the Constable. Sec. 3. And be it further ordained, That, whereas sundry persons

Sec. 3. And be if further ordained, That, whereas sundry persons of the town, as well as visitors, having no regard for common decen-cy, have been in the habit of using the Blaff over the Spring as a ne-cessary—for remedy whereof. Be it ordained, that if any person or persons shall make such use of said Bluff, he, she or they so offending shall forfeit and pay for every such offence, if a free person, the sum of five dollars, one half to the use of the Corporation, the other half to the informer; and if a slave, he, she or they shall receive ten lashes, upon his or her bare back, well laid on by the Constable.

#### Names:

Filthiness about Spring

#### **Places:**

Huntsville, AL

#### **Types:**

legislation

Imprisonment



#### AN ORDINANCE Concerning Corporation Property.

Sec. 1. Constable to take charge of it. Bec. 2. Penalty for histoing bornes and charmening adde walks. Bec. 3. Penalty for highring shade trees, Bec. 4. Loundy for highring shade trees, Bec. 4. Penalty for injuring Square or strets by removing the rock, &c. Sec. 1. Be it ordained by the Mayor and Aldermen of Huntsville, That it shall be the duty of the Constable to take charge of the hooks and ladders belonging to the Corporation, and have them securely put away under a shelter, to take care of all the Tools and other property belonging to said Corporation, and if any person or persons shall use or abuse any such property, he, she or they, so effending, shall forfeit and pay a sum not exceeding five dollars, and shall moreover be lia-ble to pay the value of the article so used or abused, to be recovered by summary before the Marce

by warrant before the Mayor. Sec. 2. Be it further ordained. That hereafter it shall not be law-ful for any person to hitch or fasten horses or other animals to the posts or other fixtures on or near the side walks of the public square or side walks of the streets of said town, or the trees on or near the side walks of said town, in such manner as to enable said animal to obstruct a free passage along said walks; nor to leave any chips or straw or oth-Free passage along sind weaks; nor to feave any chips or straw or oth-er substance whatever, that may accumulate fifth and impede the free passage of water along the side welks or McAdamized parts of said town; and any person so offending, if a white person of free per-son of color, shall be fined in a sum not exceeding five dollars, and if a slave, shall receive fifteen lashes, to be inflicted by the Constable of the Constable of the Corporation.

of the Corporation, Sec. 3. Be it further ordained, That it shall hereafter not be law-ful for any person to cut, break, or otherwise destroy or injure any of the shade trees planted on the korders of the side walks of the streets of said town, and any person ho offending, if a white person or free negro, shall be fined in a sum not exceeding ten dollars, and if a slave, shall receive twenty limbes, to be inflicted by the Town Council.

Sec. 4. Be it further ordained, That any person who shall wilfully injure or deface any part of the public property of this Corporation, or public or County buildings within the corporate limits of said town, or the water works, or the reservoir, or any hydrant, or any fixtures or erections made pursuant to any law or resolution of the Mayor and Aldermen; or who shall alter, deface, or destroy any handbill, publication or alterrisement of this Corporation, or any of the officers publication or atternsement of this Corporation, or any of the Oncers-thereof, made pursuant to any law or resolution of the Mayor and Al-dermen, shall forfeit and pay for each and every offence, not less than one nor more than twenty dollars. Sec. 5. Be it further ordained, That my person who shall wilful-

ly ride or lead any heres or mule, or drive any wagon or other vehicle on the side walks of the public square, or streats of said town, shall forfeit and pay for each and every offence not less than one nor more than twenty dollars; and if the offence shall be committed by a slave, he shall receive twenty lashes, to he inflicted by the Town Constable.

Sec. 6. Be it further ordained, That any person who shall remove the stone with which the public square and the streets of said town are paved or McAdamized, without permission from the Board of Al-dermen, shall forfeit and pay a fine not less than five dollars, oor more than fifty, to be recovered by warrant before the Mayor, as in other cases.

D

U. Ter-

N

#### 10000 NUMBER 16.

AN ORDINANCE

Concerning Fines and Forfeilures. Sec. 1. Be it ordained by the Mayor and Aldermen of Huntsville, That all fines and forfeilures not otherwise directed, shall be to the use of the Corporation and shall be paid over to the Treasurer, and by him be accounted for. -----

NUMBER 17.

AN ORDINANCE Concerning Law Process.

Sec. 1. Be it ordained by the Mayor and Aldermen of Huntsville, That it shall be lawful for the Mayor to issue all warrants, writs, executions, subprenas and other process in use in this State, whether original, mesne or final, so far as may be necessary to carry into effect the laws of the Corporation.

#### Names:

**Corportation Property** 

#### **Places:**

Huntsville, AL

#### **Types:**

legislation

Fines and Forfeitures

#### Law Process

#### Series 4, Subseries A, Box 2, Folder 4 **Frances Cabaniss Roberts Collection:** Charter and Bylaws, 1851 r04a02-04-000-0111 Image 15 Contents Index About

gas. 2. Be it further ordained. That if any person duly summon-ed to appear before the Mayor as a witness, shall fail to attend and give testimony, he shall forfeit and pay a sum not exceeding twenty dollars, to the use of the Corporation, for each and every such offence, unices he show good cause to the contrary, on a day to be given him

28

by new anayor, Sec. 3. Be it further ordained, That in all cases when an execu-tion what be levied on goods and chattels, lands and tenements, it shall be the duty of the Constable to advertise the sale thereof, for at shart we the unity or the Constable to advertise the sale thereof, for at least ion days, by posting up advertisements at the court house door, the market house, and other public places; and all property within the Carporation, whether real or personal, shall be liable to execution

#### NUMBER 18.

#### AN ORDINANCE

To prevent and punish breaches of the peace, disturbances, disorderly assemblies, and other misdemeanors.

Assumption of the state manufacture of the state of the s

See. 1. Be it ordained by the Mayor and Aldermen of Huntsville, That if any person shall be found quarreling, wrestling, fighting, or otherwise misbehaving in a disorderly manner, within the limits of the Corporation, he, she or they, on conviction thereof, shall forfeit and pay to the use of the Corporation, if a free person, a fine not exceeding any dollars; and if a slave, shall receive on his or her bare back, any number of lashes not exceeding thirty-nine, well laid on by the Constable; and it shall be the duty of the Constable, in all such cases, to arrest the offenders ex officio, and bring them before the Mayor. ayor. Sec. 2. Be it further ordained, That it shall be the duty of the

Sec. 2. He if further ordained, That if shall be the duty of the Constable to disperse all collections of persons of color who shall at any time be found behaving in a notous or disorderly menner, and for that purpose, if necessary, to inflict upon any slave, moderate chas-tisement, and if a free person of color, bring him before the Mayor,

and he may also command the assistance of the citizens for that purpose. and he may also communit the assistance of the chizen's for that purpose. See. 3. Be it further ordained. That it shall be the duty of the Con-stable, to chastise any slave, who shall in his presence, use insolent language to a white person, or who shall be heard swearing, orusing profines or obscene language in the streets or other public place. See. 4. Be it further ordained, That in all cases, where a slave shall be paid by the Constable, (by order of the Mayor.) the fees shall be paid by the owner of such slave, if to be found within the

29

Corporation; if not, then by the person in whose possession or employ he or she may be.

See. 5. That any person who shall wilfully expose any part of his or her body in an unusual or indecent manner, or make use of any vulgar, profane, or indecent language within the hearing of any reviligat, protane, or indecem language within the hearing of any fe-male, or in any public manner, or who shall, by any rude, obscene, or profane words, gestures or actions, wilfully insult any female, or paint, carve or in any manner exhibit in any public place any ob-scene or valgar representation, writing, painting or engraving, such person shall forfeit and pay for any such offence, not less than one nor more than twenty dollars.

Sec. 6. That any person who shall be guilty of cruelty to any beast of burthen by violent or unusual treatment, by beating or oth-erwise, within the limits of this Corporation, shall be subject to a penalty of not less than one, nor more than twenty dollars.

D

Ur. DN

Sec. 7. That any person or persons, who shall on Sonday, be en-gaged in any game or games whatsoever, within the limits of this Corporation, shall forfeit and pay the sum of ten dollars for each and every offence, to be recovered by warrant issued by the Mayor as in other cases,

Sec. 9. That any person or persons who shall keep within the li-mits of this Corporation a house of ill-fame, or who shall wilfully or knowingly permit any house owned by him, her or them, to be kept in a disorderly manner, viz: a house to which men resort for the purpose of criminal intercourse with lewd women, such person or per-sons shall be subject to a fine of not less than twenty nor more than fifty dollars for such offence, and a like sum for every day such house may be so continued to be kept; to be recovered by warrant issued by the Mayor as in other cases; and it is hereby declared to be sufficient evidence of such person or persons keeping a bawdy house or

#### Names:

Breaches of Peace & Disorder

#### **Places:**

Huntsville, AL

#### **Types:**

#### **Frances Cabaniss Roberts Collection:** Series 4, Subseries A, Box 2, Folder 4 Charter and Bylaws, 1851 r04a02-04-000-0112 Image 16 Contents Index About

hence of ill-fame, that notoriously lewd women either reside at, or are in the habit of visiting such house at night, such house being at the same time visited by mea other than those who reside therein.

30

Sec. 9. That any persons, male or female, who shall, within the li-Nor, 9. That any persons, male or tentile, who shall, which the n-tains of the Corporation, live together as man and wife, not being law-fully matried, he or she so offending, shall, upon conviction thereof, if a free person, pay a fine not exceeding fifty dollars; and if a slave, shall receive thirty-nine lashes on his or her bare back, and a like penalty for every day they may so continue to offend.

See, 10. That any person or persons who shall in any manner hin-der or obstruct the Town Constable, or any other officer of the Corporation, in the discharge of his lawful duties, or who shall, when summoned by the Constable or other officer, fail to render all the necossary assistance which he or they, in execution of all lawful pro-coss, or in the discharge of the duties of his or their office, may require, he or they so offending or failing, shell, upon conviction before the Mayor, be fined in a sum not exceeding fifty dollars; and may, at the discretion of the Mayor, be committed to jail for six hours, and until all fines and costs are paid.

Sec. 11. That hereafter no person shall play at long bullets, or any game of an usement dangerous to the inhabitants of said town; nor shall any one be permitted to throw turpentine balls, or reckets, or Mail any one be permitted to throw turpentine balls, or rockets, or my other thing calculated to endanger the property or persons of said town; nor shall any one be permitted to raise a balloon or fly a kite within the corporate limits of said town; and any person offending against this ordinance shall be fined in a sum not less than one, nor more than twenty dollars for each offence; and if a miner, to be paid by the parent, guardian, or employer.

Sec. 12. That any person or persons, who shall in the night time See, 12. That any person or persons, who shall in use night units be guilty of removing goods boxes, signs, wagons, carts or any other, species of property belonging to other persons, or piling them toge-ther, or placing them before the doors or windows of any house or houses, or in the streets, or square, or on the side walks, shall on con-viction be fined in a sum not less than five dollars nor more than twenty-five, to be recovered by warrant before the Mayer as in other

NUMBER 19. AN ACT Concerning Slaves. 5. Master to be notified. 6. Hiring house to slave. 7. Blaves from the country Baves biring their own the 9. Constable's duty.
 Attempt to avade this law.
 Punintment of shaves.

31

Sec. 1. Be it ordained by the Maydr and Alderinen of Huntsville, That, whereas, many persons are in the practice of permitting their shaves to hire their own time, and to keep houses for their own use and benefit, which become places of resort and shelter for persons of ill fame and tend to the corruption of slaves, in the town and its vi-cinity i--For remedy whereof, Be it ordained, That if the owner or parent in according of any data that point him or here or person in possession of any slave, shall permit him or her to go at large, and hire him or herself, or shall permit such slave or slaves to keep a house separate and distinct from the tenement of the owner, or person having the control of such slave, he, she or they, so offend-ing, shall forfeit and pay a sum not exceeding twenty dollars, and a like sum for every week any slave shall be permitted to keep ahouse as above described.

00 U. Cry.

N

Sec. 2 That it shall be the duty of the Town Constable and Night Watch, whenever they are informed or have reason to believe that watch, whenever mey are innormed or alive rearry to this act, or any slave or slaves are occupying any house, contrary to this act, or are harbored or concealed within the limits of this corporation, to ar-rest the same, and commit him, her, or them, immediately to jail, or bring them before the Mayor, who, on proof of the fact, shall order

bring them before the Mayor, who, on proof of the fact, shard orner the said slave or slaves to be whipped by the Town Constable, with any number of lashes, not exceeding thirty-nine. Sec. 3. That any person who shall pretend to hire any slave, or in any manner combine with such slave, or owner thereof, by standing as security for said slave, or is any other manner attempt to evade or assist in the evasion of this act, such person or persons shall for-feit and pay ten dollars for each and every oflence, to be recovered by warrant, before the Mayor of said town, as in other cases. by warrant, before the Mayor of said town, as in other cases.

Sec. 4. That when no mention is made in any of the ordinances of said town, of the punishment to be inflicted on slaves for violations of said ordinances, the Mayor, in his discretion, may order any num-ber of lashes, not exceeding thirty-nine, to be inflicted. See 5. That when up they shall be exceed for any violation of

Sec. 5. That when any slave shall be arrested for any violation of

Names:

Slaves

#### **Places:**

Huntsville, AL

#### **Types:**

#### Series 4, Subseries A, Box 2, Folder 4 **Frances Cabaniss Roberts Collection:** Charter and Bylaws, 1851 r04a02-04-000-0113 Image 17 Contents Index About

adiatance of the said town, it shall be the duty of the Town Consuble to give notice of the trial of said slave, to the owner or employ-

32

and the to give nonce of the that of same starter to the owner or employ-in at raid slave, if such notice can be given, from 0. That any person who shall hire any house or room to any person, knowing him or her to be a slave, shall forfeit and pay the sum of ten dollars, to be recovered by warrant from the Mayor, as in

me. 7. That if any slave from the country shall be and remain in parts on Nanday after sundown, without a permit from his master or parts person authorized, unless said slave shall be on special busithe his master or the person in whose employ he may be, the period we shall be subject to receive ten lashes on his or her bare hand, at the discretion of the Town Constable.

#### NUMBER 20.

#### AN ORDINANCE

Concerning Fire, Fire-buckets and Fire-arms. Chimneys on fire. Wandep chimneys thorekenither shops, free thing grows, squads, dee Crackers, reekets, dre, Lighted candles in stables.
 Lighted candles in stables.
 Hay and straw exposed to sparks.
 Stoves and neones.
 Poing cansus.

Be it onlined, by the Mayor and Aldermen of Huntsville, my clinney in town shall take fire, except when, from the wetas weather there can be so danger to property therefrom, the eccoupant thereof shall forfeit and pay, to the use of the cores a som not exceeding \$5 for each and every case that may

. Be it further ordained, That if any person build, or permit such on his, her or their lot, a chimney of any other materials are blick and mortar, he, she or they, so offending, shall and pay to the use of the corporation, a sum not exceeding and every offence.

Be is further ordained. That if any person or persons shall small to remain on his, her or their premises, within said to with the state of the stat and either from its situation or condition, shall render any part so sycceed to the ravages of fire as to be deemed a nuievery vertion, a fine not exceeding fifly dollars, besides

33 costs, for each and every month such nuisance shall be suffered or permitted to remain, after such conviction.

initial to remain, after such conviction. Sec. 4. That if any person or persons shall fire a gun, pistol or other fire arms, or cost when on fire any squib, cracker or other com-bustible fore works, within the limits of said town, every such person shall forfeit and pay not less than one, ... or exceeding five dollars; and if a slave, he or she shall receive not less than five nor more than thir-ty-nine lashes, in the discretion of the Mayor: and if the said offence with the values in the discretion of the Mayor: and if the said offence shall be committed by a minor, the aforesaid fine shall be paid by the parent, guardian or employer of said minor.

Sec. 5. That any person who shall give or sell to any minor or slave, any squib, rocket, cracker, or other combustible for works, within the limits of said town, shall, for every such offence, forfeit and pay the sum of twenty dollars, to be recovered by the warrant of the Mayor, as in other cases.

Ø

m U.

no N

Sec. 6. That if any person shall carry a lighted candle or lamp in-to any stable, or make use of it, at such stable, unless the same is secured in a tu, born or glass or other secure lantern; or shall keep ashes in barrels, boxes, or woeden vessels of any kind, in any dwelling-house, ware-house or other building, or coetiguous thereto, or on any woeden fleor, such person shall furfit and pay a sum not less than five nor more than ten dollars for each and every offence, to be recov-ered by warrant before the Mayor; and if a slave shall be guilty of said offence, said slave shall be punished with any number of stripes,

said offence, said slave shall be punished with any number of stripes, in the discretion of the Mayor, not exceeding thirty-nines, See, 7. That no person shall, within the corporate limits of said town, have, put or keep any hay straw or fodder in stack or nile, without having the same enclosed or secared, so as to protect it from dying sparks of fire, under a penalty of not less than five dollars. See, 8. That if any stove or formace shall be set up or placed so as to endanger the building in which it is situated, or any adjoining building, the same shall be removed or made secure, upon notice, even by the Town Constable or any Alderman of said town; and if

given by the Town Constable or any Alderman of said town; and if not so made secure, after notice, the same shall be reported to the Mayor, who shall issue his warrant, and fine the said offender in any sum not exceeding ten dollars. Sec. 9. That no cannon shall be discharged within the corporate limits of said town without a permit from the Mayor, designating the

#### Names:

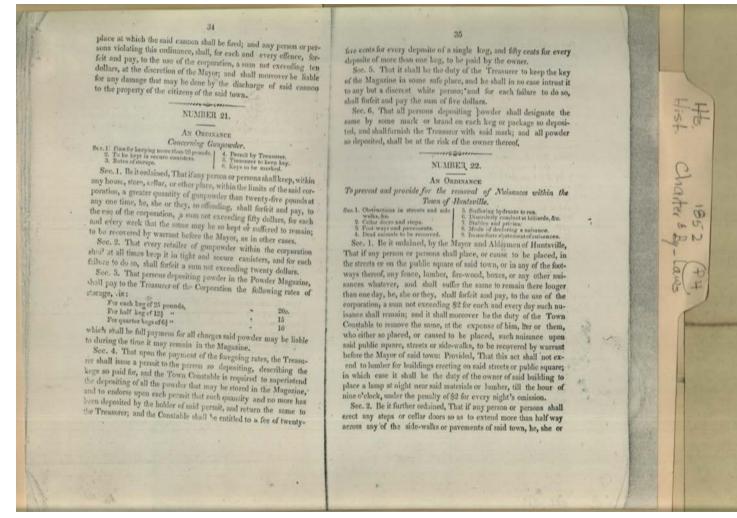
Fire and Fire-Arms

#### **Places:**

Huntsville, AL

#### **Types:**

## Frances Cabaniss Roberts Collection:Series 4, Subseries A, Box 2, Folder 4Charter and Bylaws, 1851Image 18r04a02-04-000-0114ContentsIndexAbout



Names:

Gunpowder

#### **Places:**

Huntsville, AL

#### **Types:**

legislation

Nuisances Removal

#### Frances Cabaniss Roberts Collection: Series 4, Subseries A, Box 2, Folder 4 Charter and Bylaws, 1851 Image 19 r04a02-04-000-0115 Contents Index About

they shall be deemed guilty of a nuisance, and on conviction thereof, shall pay a fine not exceeding  $\Im 2$  for each and every week such steps or cellar door shall be sufficient to remain.

36

Sec. 3. Be it further ordained, That if any person or persons shall throw or cut wood or timber on any of the foot-ways or pavements in said town, or shall ride any horse or null thereon, or shall drivethereon any wagon, curt or dray, he, she or they, so offending, if a free person, shall pay a flice not exceeding \$2, and if a slave, shall receive, on his, her or their bare back, ten lashes, well laid on by the Constable. Sec. 4. Be it further ordained. That when any animal shall die of the state order of the state of the state

See 4. Be it further ordained, That when any animal shall die within, suid corporation, the owner of such animal shall, within twelve hours thereafter, remove the careas thereof beyond the limits of the town; and in case of failure to do so, he, she or they shall forfeit and pay, to the use of the Corporation, the sum of two dollars for every subsequent twelve hours said carease shall remnin; and it shall moreover be the duty of the Constable to cause such careas to be removed at the expense of the owners—and wheever shall permit any putrid matter or other muisance to remain in the street fronting his, her or their premises, for a longer time than twelve hours without informing the Constable thereof, shall forfeit and pay the sum of two dollars; and wheever shall permit any putrid matter or other nuisance to remain oh his, her or their premises, for a longer time than twelve hours, shall forfeit and pay the sum of two dollars, and a like sum for each and every subsequent twelve hours such muisance is suffered to remain.

See. 5. Be it further ordained, That whereas aundry citizens within this Corporation are in the habit of suffering the Hydrants, standing on their lots, or in their yards, to get out of repair, and of suffering the water to run therefrom so as to become a nuisance, and greatly to injure the side-walks and streets of said town-for remedy whereof, Be it ordained, That if any person or persons shall suffer the water to run from his, her or their Hydrant or Hydrants, so as to injure any of the side-walks or streets, or to cause any obstructions to persons passing thereon, he, she or they so offending, shall, on conviction thereof, be fined in a sum not exceeding five dollars for each and every such offence, and shall moreover pay a fine not exceeding five dollars for each and every week thereafter his, her or their Hydrant or Hydrants shall be suffered to remain out of repair, contrary . 37 to the provisions of this orthannee; and it shall be the special duty of the Constable to notice and report each and every violation of the provisions herein contained.

Sec. 6. Be it further ordained, That it shall not be lawfal for any person or persons whatever within the corporate limits of said town, to suffer or permit in any house or on any premises owned or occupied by them and used for the purpose of playing at billiards or at the game known or called the game of nine pins or ten pins, or at any game with any other number of pins, any disorderly conduct, or any playing for wagers or stakes of any description, or any unusual or loud noises, to the disturbance of the eitzens of said town; and any person or persons who shall occup such house or premises, or have the same under his or their controul, either as occupant, agent or owner, and shall shifter or permit disorderly conduct, playing for wagers or stakes of any description, or unusual noises, to the disturbance of the citizens of said town, shall forfeit and pay to the Mayor and Aldermen of said town, the sum of twenty dollars for each and every offence, to be recovered by warrant, returnable before the Mayor upon one day's notice.

on one day's notes. See, 7. That if any person shall erect within said town any stable, privy or other building which shall be deemed and declared a nuisance, according to the provisions of this act, he or she so offending shall, on conviction thereof, forfeit and pay, to the use of the Coryoration, a fine not exceeding fifty dollars, for each and every month such nuisance shall be suffered to remain after such conviction. CD.

Ser UT.

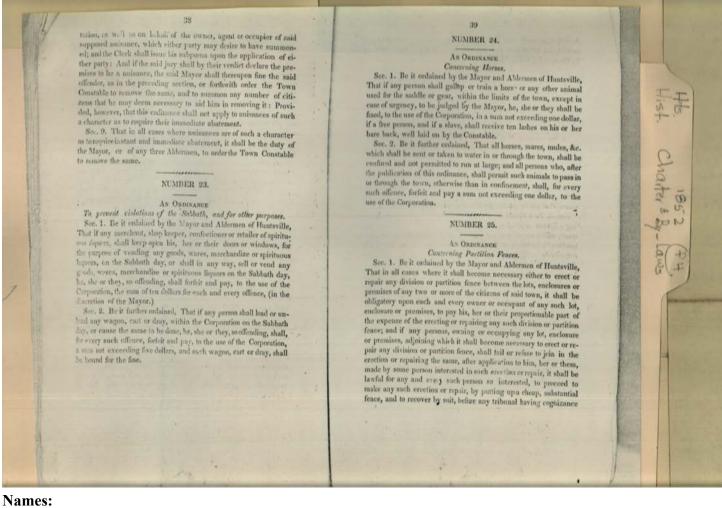
DN

Sec. 8. That it shall be the duty of the Mayor, whenever, in his opinion, or in the opinion of the Board of Alderneen, it may be necessary to try the question of nuisance, or to remove or abate a nuisance, to order the Town Constable to summon a jury of twelve householders, of lawful age, within said corporate limits, to appear before said Mayor, at a time and place appointed by him, to hear the evidence that may be offered, or, if necessary, to inspect personally with the said Mayor, the premises supposed to be a nuisance; and it shall be the duty of the Town Constable to give one day's notice of the said trial or inspection, to the owner of said supposed nuisance, or, in his absence, to his agent, if there be one, or if none, then to the person occupying and controlling said supposed nuisance. And the Town Constable shall summon any witnesses on behalf of the Corpo-

Places: Huntsville, AL

#### **Types:**

#### **Frances Cabaniss Roberts Collection:** Series 4, Subseries A, Box 2, Folder 4 Charter and Bylaws, 1851 r04a02-04-000-0116 Image 20 Contents Index About



Horses

**Places:** 

Huntsville, AL

#### **Types:**

legislation

Partition Fences

Violations of Sabbath

#### **Frances Cabaniss Roberts Collection:** Series 4, Subseries A, Box 2, Folder 4 Charter and Bylaws, 1851 r04a02-04-000-0117 Image 21 Contents Index About

thereof, from each and every person so failing or refusing to join therein, his, her or their proportionable part of the expense incurred by the creeting or repairing of any such fence.

40

#### 15000 NUMPER 26.

AN ORDINANCE Concerning the Retailing of Spirituous Liquors, Sc. See, 5. Attempts to evade the law, 6. Solling more than a quart. 7. Selling more tas avea and evi-dence of the fact.

Tax for License. Toru of License. Node of obtaining License. May appeal from Mayor. Sec. 1. Be it ordained by the Mayor and Aldermen of Huntsville, That the tax for License to retail Spirituous Liquots in the town of Hantsville, shall be two hundred and fifty dollars, for the term of twelve months, and a fee to the Clerk for issuing the same of one dollar

Sec. 2. Be is further ordained, That license to retail spirituous liquors shall not be granted for a shorter term than one year.

quers shall not be greated for a shorter term than one year. See, 3. Be it further ordefaued, 'that any person desirous of obtain-ing a literate to retail spiritous liquors in quentities less than one quart, which one mite of the public square of mid town, shall first produce to the Mayer of the Corporation the recommendation of six respectable freeholders or housefoldlers, residing within the corporate limits of shill town, and enter into bond with scentrity, for a performance by the Mayor, in like manner as bonds are executed for retailing under the laws of the State of Alabaroa, and shall pay the sum of two hundred and fifty dollars, to the use of the Corporation, when the said license shall be issued, and one dollar to the Clerk for issuing the same; and shall also take and subscribe the oath required by the laws and, second second and a matching are call required by the laws of the Saire of persons who obtain a license from the County Court to retail in the County. And if any person shall retail spiritu-ous or feasented liquors, contrary to the provisions of this act, he shall, on convortion, forfeit and pay twenty-five dollars for each and every offence, to be recovered by warrant before the Mayor, as in other ea-ses, and a default of payment of said fine and costs, shall be inpurses, and in default of payment of said fine and costs, shall be imprisoned until legally discharged. Sec. 4. Be it further ordained, That if the applicant for license to

retail spicious or fermented liquors, shall be dissatisfied with the de-

41 cision of the Mayor, he may appeal to the Bourd of Aldermen for li-

cense. See, 5. Be it further ordained, That if any person shall evade or attempt to evade the provisions of this ordinance, by selling any arti-cle of little or no value and giving to the purchasers spirituous or intoxicating liquors, or shall in any other manner evade this law, and be thereof coavieted, he shall forfeit and pay the sum of twenty-five dollars for each and every offence, to be recovered by warrant before the Mayor, as in other cases. Provided, that this law shall not apply to druggists who, in good faith, sell ardent spirits and fermented liquors as medicines, &c.

Sec. 6. Be it further ordained, That if any person shall sell ardent spirits or intexicating liquors, in larger quantities than one quart and permit the same to be drunk on his premises, he shall forfeit and pay the sum of twenty-five dollars for each and every offence, to be reco

> O In US DON

vered by warrant before the Mayor, as in other cases. Sec. 7. Be it further ordained, That if any person within one mile of the public square of said town of Huntsville, shall sell or give, to any slave, or barter or traffic to any slave, any spirituous or intoxicating liquors, in quantities either smaller or greater than one quart, without permission of the owner of said slave, and whether the said liquors shall be drunk on the premises or not of the person so selling, the person so offending shall forfeit and pay a sum not exceeding fifty dollars, to be recovered by warrant before the Mayor as in other ca-ses—and on default of payment of said fine and costs, such offender shall be imprisoned until duly and legally discharged : and it shall be sufficient circumstantial evidence of the offence aforesaid, to be judged of by the Mayor, that negroes and slaves frequent the premi-ses of the person so offending, that he admits free negroes and slaves into his premises by indirect and secret ways; and that he has ardent spirits or intoxicating drinks on his premises, in such quantities or under such circumstances as warrant the conclusion that he traffics in them: and it shall devolve upon the person so charged with selling to slaves, to show that the owner or person having charge of said slave or slaves, gave permission to said slave or slaves to buy, receive or traffic for said liquors.

#### Names:

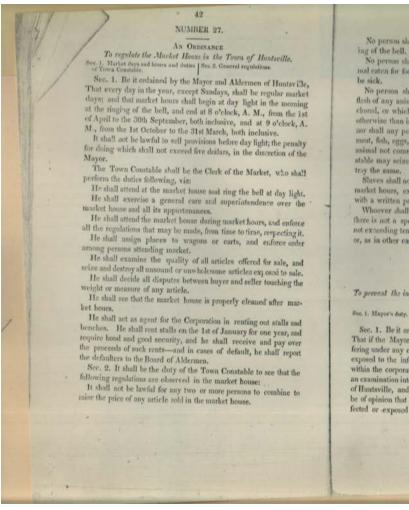
Spirituous Liquors

#### **Places:**

Huntsville, AL

#### **Types:**

#### **Frances Cabaniss Roberts Collection:** Series 4, Subseries A, Box 2, Folder 4 Charter and Bylaws, 1851 r04a02-04-000-0118 Image 22 Index About Contents



43

No person shall buy or sell any article of provision before the ringing of the bell. No person shall sell or offer for sale any sick or diseased live ani-

mal eaten for food, knowing or having reason to believe the same to be sick.

No person shall sell or offer for sale, in market or elsewhere, the flesh of any animal that was sick or diseased at the time of being but-chared, or which died a natural death, or was killed by accident or otherwise than in the usual manner of slaughtering animals for food: nor shall any person offer for sale any blown, stale or unwholesome meat, fish, eggs, poulity or other articles of food, or the flesh of any animal not commonly deemed wholesome for food. The Town Constable may seize any such article he may find in the market and destroy the same.

Slaves shall not be permitted to come into the market house during market hours, except in company with their owner or employer or

with a written permission from them. Whoever shall violate any provision of this ordinance, to which there is not a specific penalty attached, shall forfeit and pay a sum not exceeding ten dollars, to be recovered by warrant before the Mayor, as in other cases.

D U Sev

m N

#### NUMBER 28.

AN ORDINANCE \*

To prevent the introduction of contagious diseases into the Town of Huntsville.

See 2. Duty of Physicians, and penalty for failure.

Sec. 1. Be it ordained by the Mayor and Aldermen of Huntsville, That if the Mayor shall have reason to believe, that any person suffering under any contagious disease, or who may have been recently exposed to the infection of any contagious disease, is about to come within the corporate limits of said town, it shall be his duty to order an examination into the facts by two or more physicians of the Town of Huntsville, and if upon such examination such physicians should be of opinion that it would be unsafe to the town to permit such infected or exposed person to enter said town, the Mayor shall order

#### Names:

**Contagious Diseases** 

**Places:** 

Huntsville, AL

#### **Types:**

legislation

Market Houses

#### Series 4, Subseries A, Box 2, Folder 4 **Frances Cabaniss Roberts Collection:** Charter and Bylaws, 1851 r04a02-04-000-0119 Image 23 Contents Index About

the Town Constable to prevent the entrance of such person or per-

44

the Town Constable to prevent the chirance of such person or per-sons within the corporate limits, until, in the opinion of the physici-jus aforesaid, it would be safe to permit them to enter. Sec. 2. That it shall be the duty of every physician in the Town of Huntsville, to report to the Mayor, every case of small pox or other contagious disease which he may be called on to attend within the limits of said town, or within ten miles of the same, within twelve hours after he shall have examined the patient, under a penalty for failure to do so, of fifty dollars, to be recovered by warrant, returnable before the Mayor, as in other cases.

#### NUMBER 29.

#### AN ORDINANCE

To regulate the Huntsville Grave Yard. Bec. 5. Constable's fees. 9. Price of Lots. 7. Penalty for first driving

Town Constable's duty. Penalty for neglect or failure. Non-residents may select Lots Burial of non-residents.

4. Burnard Bourdenness. Sec. 1., Be it ordained by the Mayor and Aldermen of Huntsville,-That the Town Constable shall have charge of and superintend the rounds, fences, monuments and other property pertaining to the Huntsville grave yard. That it shall be his duty to report to the Board of Aldermen any

To keep the walks and arenues in the grave yard, clear and free freen trash, weeds or other incumbrances. To collect all monies in payment of lots, and designate the same

in such manner as to secure the same to the purchasers thereof. To report every three months to the Clerk of the Corporation, what

lots have been selected and paid for-with the names of the purchasers, and the time of payment.

To prevent all trespasses upon the said grave yard, and the tomb-stones, vaults and monuments and palings from being injured or defaced.

To keep a register in an appropriate book, of all persons who may be buried in the grave yard, giving, as far as practicable, the name, age, color, sex, place of birth, place of residence, and disease or manner of death.

To furnish the Clerk, quarterly, a list of deaths, taken from his register, as aforesaid. To dig, or cause to be dug, all graves, and to attend to the burial

16

of all persons in the grave-yard, and to fill up and preserve all graves therein

To deliver to his successor the register and all the books and property relating to the said grave-yard. Sec. 2. That if the said Constable shall fail, neglect or refuse to

dig or fill up any grave, or shall improperly treat any dead body, or shall otherwise fail or refuse to attend to any of his daties, herein be-fore expressed, he may be dimissed from office by the Mayor and Aldermen, as well as be subject to a fine not less than twenty-five dol-lars for each neglect or refusal, in the discretion of the Mayor.

Sec. 3. That non-residents of the corporation may select and have set apart, lots in said grave-yard, upon paying ten dollars for each lot of ten by eighteen feet; and such lots shall only be used for the purpose of burial.

Sec. 4. That if any person shall desire to bury a single corpse of a non-resident of the corporation in the grave-yard, he shall pay to the Town Constable the sum of three dollars for the ground, who shall se-Town Constable line sum of three dollars for the ground, who shall se-lect such ground as he may think proper. But if any non-resident of the corporation shall die in said town, and not leave money to pay said price, then his burial shall not be delayed, but he shall be bu-ried in some unoccupied lot, to be selected by the Town Constable. Sec. 5. The Town Constable shall be allowed the sum of three dol-bur field internet functions and functions.

0

5 Tr. 10N

hars for digging and furnishing graves. Sec. 6. That the prices for ground wanted for graves for citizens of the corporation shall be as follows, viz : Ten dollars, for all lots beyond one lot, often by eighteen feet, to which every head of a family is entitled.

Sec. 7. That it shall not be lawful for the driver of any carriage or other vehicle to go faster than a walk in the Huntsville grave-yard, under a penalty of five dollars, to be recovered before the Mayor, and ten stripes, if a slave.

#### Names:

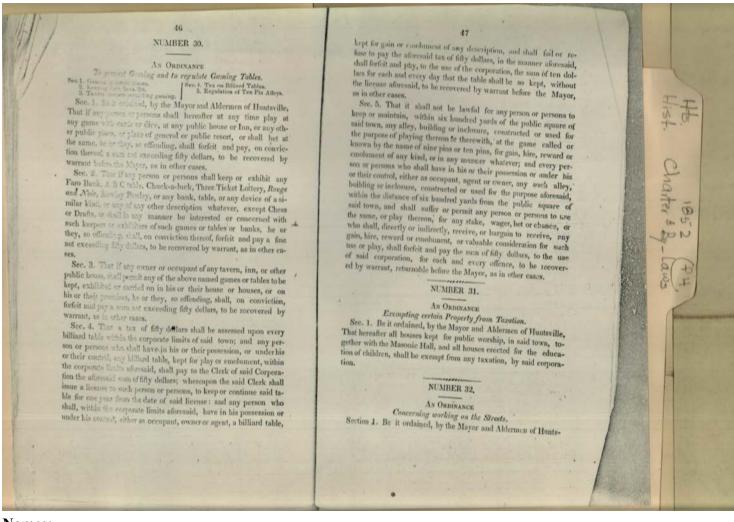
Huntsville Grave Yard

#### **Places:**

Huntsville, AL

#### **Types:**

## Frances Cabaniss Roberts Collection:Series 4, Subseries A, Box 2, Folder 4Charter and Bylaws, 1851Image 24r04a02-04-000-0120ContentsIndexAbout



#### Names:

Preventing Gaming

**Places:** 

Huntsville, AL

#### Types:

legislation

Taxation of Property

Working on Streets

ville, That all persons who shall be liable to work on the streets in the town of Huntaville, shall, hereafter, be bound to pay the sum of two dollars in lien of such service; and the owner of any slave in said town, who shall be liable to perform the like duty, shall pay, in lieu of the services of said slave, a like sum of two dollars, to the Constable of the town.

48

#### NUMBER 33.

### AN ORDINANCE

Providing for and regulating a Town Watch, See 1. Who compose Town Watch, and Bare 1. Mine compose Town Watch, and Bare 1. Interference and the second dense to subsep. 3. Doverse of Watchmens. 5. Doverse of Watchmens. 5. Doverse of Watchmens.

Sec. 1. Be it ordained, by the Mayor and Aldermen of Huntsville, That the Town Watch shall consist of the Town Constable and one or more assistants.

It shall be the duty of the Town Constable, who shall be regarded as the Ouptain of the Watch, to maintain strict order in the Town, and to see that all the corporate laws are enforced.

The Assistant Watchmen shall constitute a part of the police of the town, by day as well as by night; and in all cases where the Town Constable may require their aid, they shall come premptly to his assistance

It shall be the especial duty of the Captain of the Watch and his-assistants to use all lawful means to break up unlicensed groceries, and to see that all retailers of liquors observe faithfully and scrupalously the laws of the corporation.

It shall be the duty of the Assistant Watchmen to patrol thorough-It shall be long only of the Assistant vectories to partor informing by and faithfully the town, from nine o'clock at night to the ringing of the bell at day light in the morning. The Assistant Watchmen shall report themselves to the Captain of the Watch at the ringing of the bell at 9 o'clock and at day light from the 21st of September to the 21st of March; and shall, during the night, at 11, 1, 3 and 5 o'crock, strike the hour on the bell at the Town Hall; and from the 21st of March to the 21st of September, shall attend at the ringing of the bell is 10 March to the 21st of September, shall attend at the ringing of the bell at 10 o'clock, and shall strike the hours at 12, 2 and 4 o'clock:

The Watchmen shall have the discretion of punishing, according to the patrol laws of the State, or putting in jail, any negro taken up by

them; and it shall further be their duty to arrest and take up all disorderly white persons and bring them before the Mayor or some Justice of the Peace, to be dealt with according to law.

49

It shall be the daty of the Assistant Watchinen, every morning, to report their proceedings to the Captain of the Watchmen, every morning, to report their proceedings to the Captain of the Watch, who shall re-port to each regular meeting of the Board; and in all cases of disor-der and violation of the laws, where immediate action is required, if the aid of the Mayor is needed, report shall be made forthwith to the start of the Mayor is needed.

It shall be the duty of the Captain of the Watch, in conjunction with one of his assistants, to patrol the town regularly every Sabbath

and see that order is observed. . In the event of the failure of the watchmen to perform their duty, the Board of Aldermen shall have the right to dock the wages of the delinquent, provided they act only on such cases as are reported by the Captain of the Watch, and in no case make the penalty exceed

If from sickness or any other cause, one of the assistant watchmen should be unable to perform his duty, he shall be authorised, with the consent of the Mayor or the Captain of the watch, previously ob-tained, to employ a substitute to act during his inability.

D

-1

m U

DON

The Board shall have the right at any time to dismiss the assistant watchmen, by paying the salary due up to the time of dismissal, and they shall also have the right at pleasure to change their rules. Sec. 2. That it shall be the duty of the Captain of the Watch and the assistant watchmen, to cause the alarm bell to be rung in case of fire, and to make known the place where it may be

fire, and to make known the place where it may be.

fire, and to make known the place where it may be. Sec. 3. That the watch, while on duty, spreeably to this act, shall have and possess all the power and authority, in matters of a crimi-nal nature, which Constables appointed under the laws of the State, have by law; and if said watch, or any of them, shall meet with any resistance when in the discharge of their duties, they shall call for the aid of citizens and bystanders, whose duty it shall be to assist the watch immediately in the execution of their duties, and if any mercan watch immediately in the execution of their duty; and if any person shall fail or refuse to give such assistance or aid to the watch, as may and that of remse to give such assistance or aid to the watch, as may be in his power, when so requested, every such person shall, for each and every such offence, forfeit and pay the sum of five dollars, to be recovered by warrant before the Mayor.

#### Names:

Town Watch

#### **Places:**

Huntsville, AL

#### **Types:**

#### **Frances Cabaniss Roberts Collection:** Series 4, Subseries A, Box 2, Folder 4 Charter and Bylaws, 1851 r04a02-04-000-0122 Image 26 Contents Index About

50

Sec. 4. That if any person shall prevent or interfere with the watch in the execution of his duty, by law and ordinance, such per-son, so offending, shall forfeit and pay for each and every such of-fence, not less thun one, and not more than fifty dollars, to be recovered by warrant before the Mayor.

Sec. 5. That if any watchman shall be found guilty by the Board

Sec. 5. That if any watchman shall be found guilty by the Board of Mayor and Aldermen, of laxing, while on duty, been found drunk or asleep, or for any dereliction of duty, or improper conduct, such watchman, so offending, besides being expelled, shall forfeit all pay that may be due him up to the time of his committing said offence. Sec. 6. That, when in the opinion of the Mayor or of two Alder-men, the safety of the Town may require an increase of the number M watchmen for a short time, he or they are authorized and required to employ such additional number as the exigencies may demand, who shall receive the same compensation us the regular watch; and the appointment of said additional watchmen shall in every instance be reported to the Board of Aldermen at their next meeting after such appointment.

be reported to the Board of Aldermen at their next meeting after such appointment. Sec. 7; That all persons appointed watchmen, shall take and sub-scribe the following oath, to be administered to them by the Clerkrof the Corporation, and filed away among the papers of the office, viz: "I, A. B. do swear that I will faithfully and impartially do my duty as watch in the Town of Huntsville, agreeably to the laws of the Corporation of Huntsville, and to the best of my skill and abi-lity. So help me Gol." lity: So help me God."

#### NUMBER 34.

## AN ONDERANCE Concerning Fillh, Rubbish, Sc. Sec. 1. Be it ordained by the Mayor and Aldermen of the Town of Huntsville, That on Saturday after the first and third Fridays in each month, the Corporation carts shall be employed so long as may each month, the Corporation carts shall be employed so long as may be necessary, in removing all rubbish, filth, &c., from the streets within the Corporation of Huntsville, and that it shall be lawfal for the cirizens of said Corporation to deposit any rubbish, filth, &c., in the streets on the first and third Fridays in each month, so that the same may be removed.

Sec. 2. That any person who shall deposit or cause to be deposi-ted, in any of the streets aforesaid, any rubbish, fifth, &c., except on the said first and third Fridays, shall be liable to pay a fine not exceeding ten dollars, at the discretion of the Mayor. 10001

51

#### NUMBER 35.

#### AN ORDINANCE

To prevent the erection of Wooden Buildings on or near the Public Square in the Town of Huntsville.

Sec. 1. Be it ordained by the Mayor and Aldermen of the Town of Hunitwille, That hereafter it shall not be lawful for any person or persons to creet or cause to be creeted, on the Public Square of said Town, or within three hundred feet of the same, any frame building Town, as while inter-monter levels the same, any many many or buildings, constructed of wood, and any person or persons who shall hereafter erect or cause to be erected, on the Public Square of said Town, or within three hundred feet of the same, any frame builting the same builting of the same builtin rand town, or which there handred lect of the same, any frame buil-cing or buildings constructed of wood, shall forfeit and pay the sum of fifty dollars, for each and every day that sail building is allowed to stand, either in process of erection, or when completed, after the same shall be declared a muispice and dangerous to contiguous or adjacent buildings. buildings.

Ø

Ur, Dev DN

### NUMBER 36.

AN ORDINANCE

ť

Concerning Hydrants.

Sec. 1. Be it ordained by the Mayor and Aldermen of Huntsville, That if any person shall use and take water from any Hydrant or Hy-drants in the corporate limits, without having first obtained authority drants in the corporate mans, wannow maying mist obtained authority to do so, from the proprietor of the Water Works of said Town, such person so offending, shall forfeit and pay a sum not less than five, nor more than ten dollars, for each and every offence, to be recovered by warrant, before the Mayor; and if a slave, shall be punished by the more chast of the Mayor. Town Constable, in any number of lashes, to be ordered by the Mayor, not exceeding thirty-nine.

#### Names:

Erection of Wooden **Buildings** 

#### **Places:**

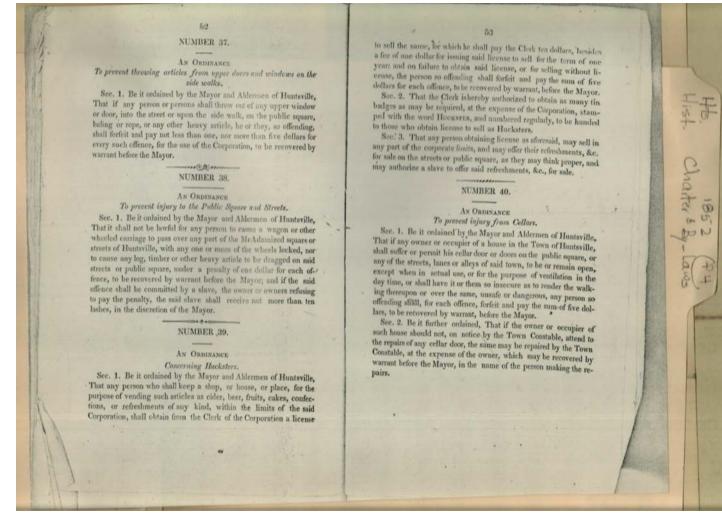
Huntsville, AL

#### **Types:**

legislation

Filth and Rubbish Hydrants

## Frances Cabaniss Roberts Collection: Series 4, Subseries A, Box 2, Folder 4Charter and Bylaws, 1851Image 27r04a02-04-000-0123ContentsIndexAbout



Names:

Hucksters Injury from Cellars

#### **Places:**

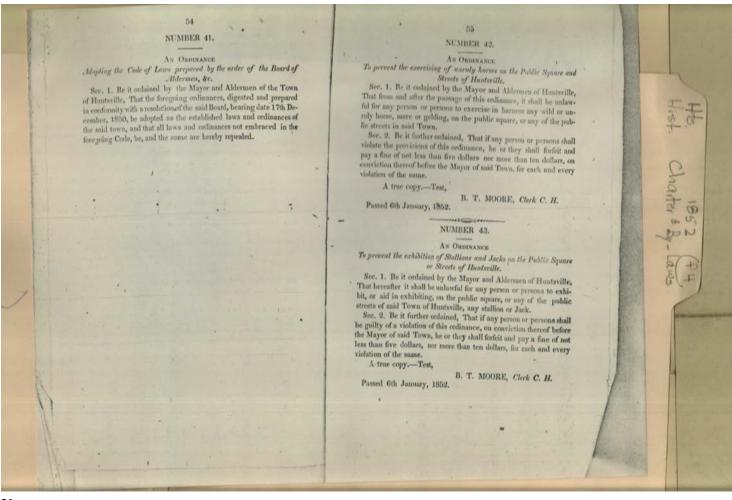
Huntsville, AL

#### Types:

legislation

Injury on Public Streets Throwing from Upper Floors

# Frances Cabaniss Roberts Collection: Series 4, Subseries A, Box 2, Folder 4Charter and Bylaws, 1851Image 28r04a02-04-000-0124ContentsIndexAbout



#### Names:

Adopting Code of Laws

#### **Places:**

Huntsville, AL

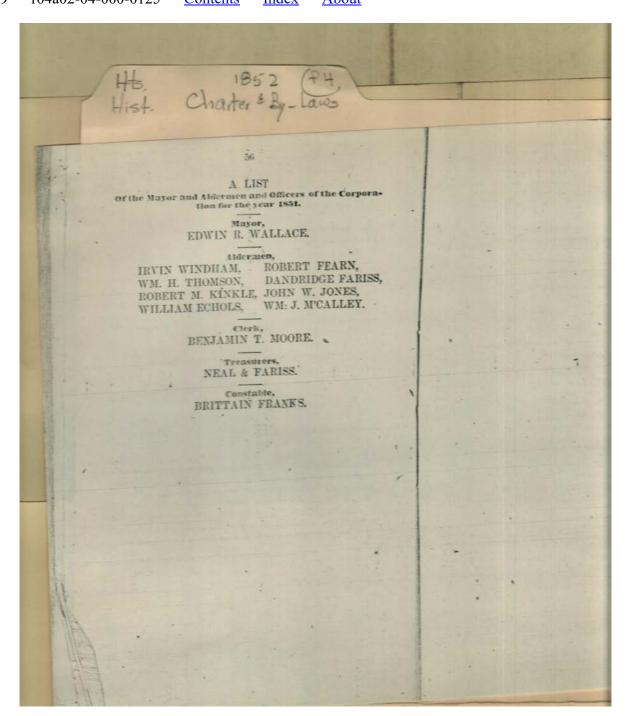
#### **Types:**

legislation

#### **Dates:**

Jan 06, 1852

Exercising Unruly Horses Exhibiting Stallions and Jacks Moore, B. T., Clerk C.H. Frances Cabaniss Roberts Collection: Series 4, Subseries A, Box 2, Folder 4Charter and Bylaws, 1851Image 29r04a02-04-000-0125ContentsIndexAbout



#### Names:

Echols, William, alderman Fariss, Dandridge, alderman Farris, treasurer Fearn, Robert, alderman

#### **Places:**

Huntsville, AL

#### Types:

legislation

Franks, Brittain, constable Jones, John W., alderman Kinkle, Robert M., alderman McCalley, William J., alderman Moore, Benjamin T., clerk Neal, treasurer Thomson, William H., alderman Wallace, Edwin R., Mayor Windham, Irvin, alderman

## **Dates:** 1851

Frances Cabaniss Roberts Collection: Series 4, Subseries A, Box 2, Folder 4Charter and Bylaws, 1851Image 30r04a02-04-000-0126ContentsIndexAbout



#### Names:

Huntsville Madison County Chamber

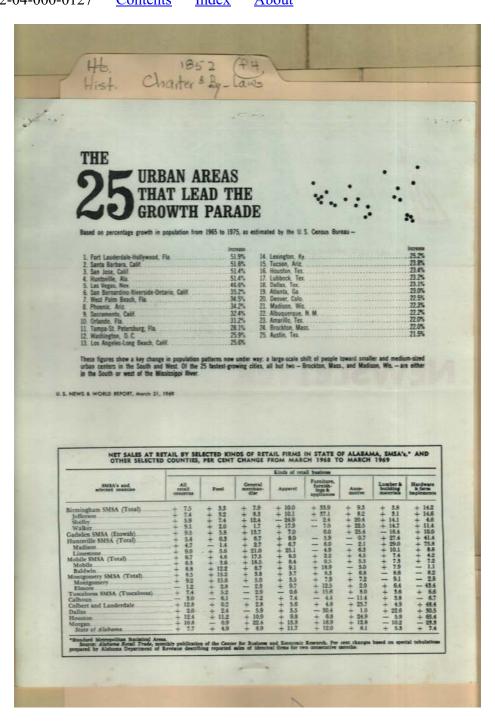
#### **Places:**

Huntsville, AL

### **Types:**

newsletter

Frances Cabaniss Roberts Collection: Series 4, Subseries A, Box 2, Folder 4Charter and Bylaws, 1851Image 31r04a02-04-000-0127ContentsIndexAbout



#### Names:

Urban Areas Growth

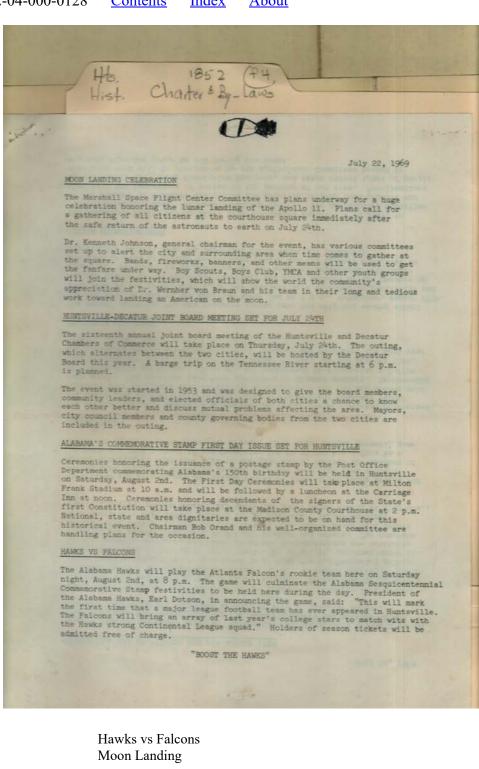
#### **Places:**

Huntsville, AL

#### **Types:**

newsletter

# Frances Cabaniss Roberts Collection:Series 4, Subseries A, Box 2, Folder 4Charter and Bylaws, 1851Image 32r04a02-04-000-0128ContentsIndexAbout



## Names: Alabama Postal

Stamp Places:

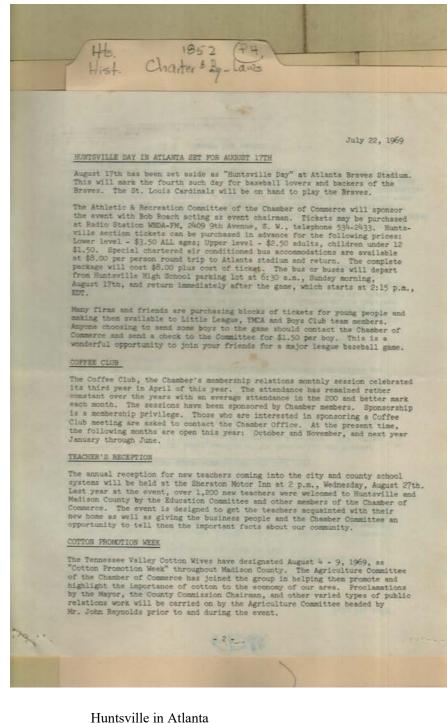
### Huntsville, AL

#### **Types:**

newsletter

### Dates:

Jul 22, 1969



#### Names:

Cotton Promotion Week

#### **Places:**

Huntsville, AL

#### **Types:**

newsletter

#### **Dates:**

Jul 22, 1969

# Frances Cabaniss Roberts Collection: Series 4, Subseries A, Box 2, Folder 4Charter and Bylaws, 1851Image 34r04a02-04-000-0130ContentsIndexAbout

Hts 1852 (74) Charter & By-Laws Hist. 21 21 31 18, 29, 31, 34 34 88 515 13. Ċ OMMERION MERCHANT HER NEGROES STRP8 LIGTTONS. IRE ARMS 0.AMINO i. នតត 594 2 \* 2 2 2 Z Z 89999999 R **NDEX** 89 BILLIARD TABLES. CODE OF LAWS AUCTIONEERS CELLARS.... CHARTER. CLERK

#### Names:

Index to Huntsville Ordinances

#### **Places:**

Huntsville, AL

## Types:

# Frances Cabaniss Roberts Collection: Series 4, Subseries A, Box 2, Folder 4Charter and Bylaws, 1851Image 35r04a02-04-000-0131ContentsIndexAbout

218	60		L'Internet and the second se
	GAMING TABLES.		61. Contraction of the second se
1.	Keeping Faro Bank, &o		Staves punished for swearing, &c. 20
11 6	Tavern Keepers permitting, &e.	46	
1 6	Tax on Billiard Tables,	46	
	Tax on Ten Pin Alleys,	46, 47	Gaming in public places, 29 Gaming in public places, 46
	Penalty for keeping without license,	47	Gaming on Souday.
	GRAVE YARD To be in charge of Constable,	46, 47	Houses of ill fame, 29
	His duty.	44, 45	Adultary and Londonsa
	Penalty for neglect,	45	Hindering or obstanting Town Constants
	Non-residents may select lats.	45	Turpenting halls, do head thing
W. C.	Barial of non-residents,	45	Removing and nilling horses to
	Constable's fees for these services,	45	Throwing heavy articles from upper windows, Ac. 52
	Price of lots in grave yard.	45	N
	Penalty for fast driving in	45	NUISANCESObstructions in streets and side walks, 35
1. 1	GUNPOWDER	34	i Cellar doors and story.
8	To be kept in canisters, Rates of storage,	34	
	liates of storage, Treasurer to give permits,	34	Dead animals to be removed, 30 30
18	Treasurer to give permits, Treasurer to keep key of Magazine,	34, 35	Supering hydrania to puo
1	Kegs and packages to be marked,	35 .	Deorderly conduct at hillionic pinentus to an in the
18	H	35	Stables and privies, 37 37
112	HAWKERS & PEDDLERS,		Mode of declaring a nuisance, 37, 38 Abatement of nuisances, 37, 38
8			Administration of maintainees, 38
	See Peddlers. HORSESPenalty for galloping in barness,		
	Not to run at large,	39, 55	_ OFFICERS
14	HUCKSTERS	39	P
18	To use badges,	52, 53	PARTITION FENCES.
I Contraction	May cell in now must of the time	53	PERDIT KING Ordinance regulating 30
	HYDRANTS Penalty for using without authority,	51	PEDDLERSShall obtain licenze, 22
		01 4	Penalty for violating ordinance, 22 Attempt to evade ordinance, 22
	IMPRISONMENT Ön failure to pay fine,		PUBLIC SQUARE & STREETS. 22
	L'	24, 25	Provident 1.1
	KITES		R 52
	and a standard of the standard and s	30	RETAILING LIQUORS.
	LAW PROCESS Mayor to issue,	the second second	License for
	Dan I Hourses Mayor to issue,	27	Term of license, 40
	Penalty for disobedience,	28	Male of Abdulate
1	MARKET HOUSE MALLA		Applicant may appeal
100	MARKET HOUSE. Market days, &c.	42	Attempts to evade this ordinance.
117	Constable to superintend,	42	Selling more than a quart at
111	General regulations, MEETING OF THE BOARD,	42, 43	Setting to slaves and evidence of such selling. 41, 42
111 1	MISDEMEANORS. Fighting and disorderly conduct,	13	8
111	Constable's duty,	28	SABBATH
111	communication and t	28	Wagons loaded, &c.
111			
111		Care and the second	
1 All			•
1914 1.			
1 1 31			
1211			

#### Names:

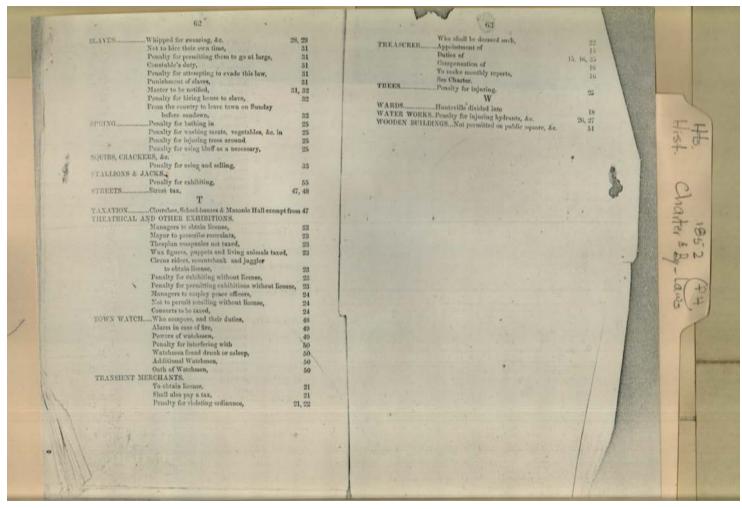
Index to Huntsville Ordinances

### **Places:**

Huntsville, AL

## Types:

# Frances Cabaniss Roberts Collection: Series 4, Subseries A, Box 2, Folder 4Charter and Bylaws, 1851Image 36r04a02-04-000-0132ContentsIndexAbout



#### Names:

Index to Huntsville Ordinances

#### **Places:**

Huntsville, AL

#### **Types:**

## **Table of Contents**

Image 1 (r04a02-04-000-0097)
Image 2 (r04a02-04-000-0098)
Image 3 (r04a02-04-000-0099)
Image 4 (r04a02-04-000-0100)
Image 5 (r04a02-04-000-0101)
<b><u>Image 6</u></b> (r04a02-04-000-0102)
Image 7 (r04a02-04-000-0103)
Image 8 (r04a02-04-000-0104)
Image 9 (r04a02-04-000-0105)
<u>Image 10</u> (r04a02-04-000-0106)

 Image 11
 (r04a02-04-000-0107)

 Image 12
 (r04a02-04-000-0108)

 Image 13
 (r04a02-04-000-0109)

 Image 14
 (r04a02-04-000-0110)

 Image 15
 (r04a02-04-000-0111)

 Image 16
 (r04a02-04-000-0112)

 Image 16
 (r04a02-04-000-0112)

 Image 17
 (r04a02-04-000-0113)

 Image 18
 (r04a02-04-000-0114)

 Image 19
 (r04a02-04-000-0115)

 Image 20
 (r04a02-04-000-0115)

 Image 21
 (r04a02-04-000-0117)

 Image 22
 (r04a02-04-000-0118)

 Image 23
 (r04a02-04-000-0119)

 Image 24
 (r04a02-04-000-0120)

 Image 25
 (r04a02-04-000-0121)

 Image 26
 (r04a02-04-000-0122)

 Image 27
 (r04a02-04-000-0123)

 Image 27
 (r04a02-04-000-0123)

 Image 28
 (r04a02-04-000-0124)

 Image 29
 (r04a02-04-000-0125)

 Image 30
 (r04a02-04-000-0126)

 Image 31
 (r04a02-04-000-0127)

 Image 32
 (r04a02-04-000-0128)

 Image 33
 (r04a02-04-000-0129)

 Image 34
 (r04a02-04-000-0130)

 Image 35
 (r04a02-04-000-0131)

 Image 36
 (r04a02-04-000-0132)

 Table of Contents
 Name & Place Index

 About the Collection
 About the Collection

## Name & Place Index

Adopting Code of Laws 28 Alabama Postal Stamp 32 Breaches of Peace & Disorder 15 Charter & By-Laws 1 Clerk appointment 7 Concerning Free Negroes <u>10</u> Contagious Diseases 22 Corportation Property 14 Cotton Promotion Week 33 Echols, William, alderman 29 Erection of Wooden Buildings 26 Exercising Unruly Horses 28 Exhibiting Stallions and Jacks 28 Fariss, Dandridge, alderman 29 Farris, treasurer 29 Fearn, Robert, alderman 29 Filth and Rubbish 26 Filthiness about Spring 13 Fines and Forfeitures 14 Fire and Fire-Arms 17 Franks, Brittain, constable 29 Garrett, W., Sec of State 7 Gunpowder 18 Hawkers and Peddlers 12 Hawks vs Falcons 32 Horses 20 Hucksters 27 Huntsville Corporation revised 1 Huntsville Grave Yard 23 Huntsville in Atlanta 33 Huntsville Madison County Chamber 30 Huntsville, AL <u>1</u>, <u>2</u>, <u>3</u>, <u>4</u>, <u>5</u>, <u>6</u>, <u>7</u>, <u>8</u>, <u>9</u>, <u>10</u>, <u>11</u>, <u>12</u>, <u>13</u>, <u>14</u>, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 Hydrants 26 Imprisonment 13 Incorporation of Huntsville 3, 4, 5, 6

Index to Huntsville Ordinances 34, 35, 36 Injury from Cellars 27 Injury on Public Streets 27 Jones, John W., alderman 29 Kinkle, Robert M., alderman 29 Law Process 14 Market Houses 22 McCalley, William J., alderman 29 Meetings of Mayor 7 Merchants and Auctioneers 11 Moon Landing 32 Moore, B. T., Clerk C.H. 28 Moore, Benjamin T., clerk 29 Neal, treasurer 29 Nuisances Removal 18 Ordinances of Huntsville 7, 8 Partition Fences 20 Preventing Gaming 24 Record, James 30 Slaves 16 Spirituous Liquors 21 Table of Contents 2Taxation of Property 24 The Collector 9 Theatrical exhibitions 12 Thomson, William H., alderman 29 Throwing from Upper Floors 27 Town Constable 9 Town Watch 25 Urban Areas Growth 31 Violations of Sabbath 20 Wallace, Edwin R., Mayor 29 Wards established 10 Windham, Irvin, alderman 29 Woodson, P. 1 Working on Streets 24

## **Frances Cabaniss Roberts Collection**

**Preferred Citation:** Frances Cabaniss Roberts Collection, Archives and Special Collections, M. Louis Salmon Library, University of Alabama in Huntsville, Huntsville, AL.

**Collection Scope and Content:** The Collection of 114 Linear ft. includes a total of 156 Archival Boxes. The Frances Cabaniss Roberts collection covers the historical records of the Cabaniss Roberts family. This collection contains extensive correspondence records of the Cabaniss Roberts family circa 1830 to 1930.

## Archives/Special Collections Access Restrictions: None

**Conditions Governing Use:** This material may be protected under U. S. Copyright Law (Title 17, U.S. Code) which governs the making of photocopies or reproductions of copyrighted materials. You may use the digitized material for private study, scholarship, or research. Though the University of Alabama in Huntsville Archives and Special Collections has physical ownership of the material in its collections, in some cases we may not own the copyright to the material. It is the patron's obligation to determine and satisfy copyright restrictions when publishing or otherwise distributing materials found in our collections.

Provenance: Gift of Johanna Shields on October 28, 2006.



The UAH Archives and Special Collections M. Louis Salmon Library