ORDINANCES OF THE
INCORPORATED TOWN OF ATKINS, ARKANSAS

OFFICERS.

SECTION 1. That at the first regular meeting, after the election of a mayor and members of the council, annually, there shall be elected a town treasurer and a town marshal, and any other subordinante officer, by a viva voce vote of the members of the council, it requiring a majority of all the members present to elect; which officers shall hold their offices for one year, and until their successors are elected and qualified, and shall perform such duties and receive such compensation as may be prescribed by ordinance.

Jan. 6, 1877.

SECTION 2. That it shall be the duty of the treasurer to receive all moneys from the treasurer or other officers of the town, belonging to the town, and safely keep the same, and pay ot no funds so received except on order of the mayor and council. He shall give bond, payable to the "Incorporated Town of Atkins," in the sum of one thousand dollars, with one or more securities; conditioned, that he shall faithfully account for and pay over all town funds coming into his hands as such, which bond shall be approved by the mayor and attested by the recorder and filed in his office.

Jan. 6, 1877.

SECTION 3. That the fees of the marshal of the town of Atkins, be as follows:

For every arrest of a person for violating a town ordinance, one dollar, for summonsing each witness to attend any trial before the mayor, 25 cents; for executing and returning any other writ or summons, 50 cents; for feeding prisoners, 40 cents per day; for putting into prison, each prisoner, 50 cents; for all other services not enumerated here the same fees as constable for like services.

SECTION 4. That the duties of marshall shall be to arrest all persons violating a town ordinance, and to execute all orders given him by the mayor as such; to see that the streets and side-walks are kept clear from obstructions, to abate and remove all nuisances, under the order of the mayor, and he shall suppress and prevent at all times disorderly or riotous persons.

SECTION 5. That the marshal, before entering upon the duties of his office; that he will pay over all moneys when collected or within ten days, which bond shall be approved by the mayor and attested by the recorder and filed in his office.

Jan. 6, 1877

SECTION 6. That it shall be the duty of the recorder to attend every meeting of the council, and keep in a book a faithful record of the proceedings of each meeting, and paste printed copies of every ordinance or amendment thereto, as soon as may be after they are adopted, into a separate book, to be called the "Book of Ordinances," and shall faithfully keep all books, papers, and bonds of every kind, in his possession, and allow them, at any time, to be inspected, or exhibited, in his presence, to any citizen in the town.

SECTION 7. That, upon exhibition to him of the receipt given him by the marshal, to any person showing the amounts paid as a tax for any privilege therein specified, he shall issue over his signature of office a license in the following form:

FORM:

Office of the Town Recorder,

Atkins,_____,19___.

This is to certify that_____, having paid to the town marshal, as shown by his receipt filed in this office, the sum of_____dollars to the said_____, he is hereby authorized to carry on the business of_____, or exhibit one day or one time his curcus, etc., the said privilege continuing for the period_____from_____, and including this day.

In testimony whereof I have hereunto affixed my hand of office.

_____, Recorder.

SECTION 8. That the town recorder shall receive a compensation for his services, as follows: For keeping and recording the minutes of every meeting, the sum of fifteen cents for every one hundred words; for transcribing into the "Book of Ordinances" all ordinances and amendments thereto, the sum of fifteen cents for every one hundred words, to be paid by the town; for issuing every license for drinking saloons, circus or menagerie, one dollar and fifty cents; for issuing every other license, fifty cents.

SECTION 9. It shall be the duty of the recorder, immediately upon the passage of an ordinance, to make out and post correct copies of the same, over his signature, in five of the most public places in the town.

Jan. 6, 1877.

OATH OF SUBORDINATE OFFICERS

SECTION 10. That the marshal and treasurer and all other subordinate officers, before entering upon the duties of their offices, shall take and subscribe an oath and file the same with the recorder, that they will support the constitution of the United States and the constitution of the State of Arkansas, and that they will faithfully perform the duties of their office upon which they are about to enter. Such oath shall be administered by the mayor.

Jan. 12, 1877

MANNER OF COLLECTING FINES

SECTION 11. That all persons convicted of offenses against ordinances of the twon, who refuse to pay their fines, shall be required to work on the streets of said town to pay said fines, at the rate of one dollar per day.

Jan. 6, 1877

SECTION 12. That any person who shall, within the corporate limits, engage in any affray, riot, fighting or disorderly conduct, which shall disturb the public peace, shall be fined by the Mayor in any sum not less than one dollar nor more than twenty-five dollars, and may be imprisoned not exceeding five days, at discretion of the mayor.

SECTION 13. Any person who shall use any loud, boisterous, indecent or abusive language in any public place, or within the corporate limits, shall be fined in any sum not less than one dollar and imprisonment not to exceed five days, at the discretion of the mayor.

SECTION 14. Any person who shall fire off a pistol, gun or other fire-arms, in any place adjacent to a street or other public place, shall be fined in any sum not less than one nor more than five dollars, or imprisonment not exceeding one day.

SECTION 15. If any person or persons shall be found drunk, or in a state of intoxication, within the incorporate limits of the town of Atkins, such person or persons shall pay a fine of not less than one dollar nor more than ten dollars for each offense, or imprisonment not exceeding five days.

SECTION 16. Any person or persons who shall race or run horses through the streets, or in any place within the corporate limits of the town of Atkins, or any persons or person who shall ride, drive or lead a horse upon the sidewalks of any street in said town, shall be fined not less than one dollar nor more than ten dollars.

Jan. 6, 1877, and amendments May 7, 1896.

LEAVING TEAMS UNHITCHED

SECTION 17. That any person or persons who shall leave any horse or horses, mule or mules, or oxen, hitched by the traces or yokes to any wagon, buggy, carriage, or other conveyance of any kind, upon the streets of the"Incorporated Town of Atkins," shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not exceeding five dollars for each offense.

Nov. 5, 1877

SECTION 18. That two of the council be appointed by the mayor, whose duty it shall be to examine at once all flues, chimneys and stove-pipes of the business houses of said town of Atkins, and if any shall be considered by said committee as defective or dangerous to propagate fire, and after notice to the owners of said chimneys, flues or stovepipes, and the same are not repaired and placed in good order at once by the owners thereof, said committee are hereby required to report the same to the mayor and council, who shall declare the same a nuisance and have said chimneys, flues or pipes abated as such.

Nov. 4, 1878

OBSCENITY AND DISORDERLY CONDUCT

SECTION 19. That any person or persons who shall be guilty of indecent conduct, such as may come under the head of [illegible] obscenity, on any street, alley, sidewalk, or public ground, or in any room, or hall, in view of any public way or place, or adjoining or next to rooms with open doors or windown, shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined in any sum not less than five nor more than twenty dollars for each offense.

Aug. 4, 1879

CANNING DOGS

SECTION 20. That any person who shall, within the corporate limits engage in tying or in any manner attaching to dogs or other animals tin cans, or any other thing calculated to fighten and cause them to run, to the fright and terror of any other animal, within the corporate limits, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not less than two and one-half nor more than ten dollars.

Aug. 6, 1979

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FIRE WORKS

SECTION 21. That any person or persons who shall fire any fire-crakers, sky-rockets, Roman candles, or any fire-works whatsoever so as to throw the fire within twenty feet of any building or buildings within the "Incorporated Town of Atkins," shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than two dollars and fifty cents, nor more than ten dollars, for each and every offense.

DEC. 13, 1880

DEEDS TO CEMETERY LOTS

SECTION 22. The mayor and recorder shall execute deeds in the name of the"Incorporated Town of Atkins," to parties purchasing lots in the Cemetery belonging to said town on the payment of five dollars, which shall be the uniform price of lots in the Cemetery.

CURFEW LAW

SECTION 23. That it shall be unlawful for the youth of the town of Atkins up to the age of 18 years, to be out from their homes after the hour of nine o'clock at night without special business, and written consent of parent or guardian, and when with such special business and consent, it shall be unlawful for them to loiter or assemble in groups of four or more, and in no case shall they act boisteriously by halloaing, swearing or other unseemly conduct upon any of the public streets of said town. That any youth, up to the age of 18 years, who shall violate this ordinance may be fined in any sum not less than one dollar nor more than five dollars.

APRIL 17, 1896

PROTECTION OF SIGNS

SECTION 24. That any person who shall mutilate, split, tear down. molest or injure in any manner, any sign or poster, written, printed or painted upon any paper or wooden board, or other material, erected upon a tree, fence, post or other place for advertising or other purposes within the corporate limits of said town, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than one dollar nor more than five dollars.

May 7, 1896

CARRYING WEAPONS

SECTION 25. That any person, who shall wear or carry, in any manner whtever as a weapon, any dirk or Bowie knife, or a sword or a spear in a cane, brass or metal knucks, razor or any kind whatever, shall be deemed guilty of a misdemeanor; provided, that officers, whose duties require them to make arrests, or keep and guard prisoners, together with the persons summoned by such officers to aid them in the discharge of such duties, while actually engaged in such duties, are exempted from the provisions of this act; provided, further, that nothing in this act be so construed as to prohibit any person from carrying any weapon when on a journey or upon his own premises.

SECTION 26. Any persons, excepting such officers, or persons on a journey and on their premises as are mentioned in the preceding section, who shall wear or carry any such pistol or any weapons mentioned in the preceding sec tion, in any manner, shall be deemed guilty of a misdemeanor. Any person convicted of a violation of any of the provisions of this ordinance, shall be punished by a fine of not less than fifty nor more than two hundred dollars.

Oct. 23, 1891.

TELEPHONE GRANTS

SECTION 27. That the right is hereby granted to the Southwestern Telegraph and Telephone Company, its successors and assigns to erect and maintain on the streets, alleys and public highways of said town, poles fixtures and wires necessary and convenient for the purpose of supplying the citizens of said town and the public communication by telephone or other electrical device, all such right and use to be continued onthe terms and conditions herein stated.

Said poles and wires shall be placed and maintained so as not to interfere with travel on said highways; and said company shall hold said town free and harmless from all damages arising by reason of any abuse and negligency in said occupancy. Said poles shall be so placed as not to interefere with the flow of water in any sewer, drain or gutter, gas or water pipes; and in case of bringing to grade or change of grade of any street or alley said poles shall by said company be reset so as to conform thereto. And this grant is made, and is to be enjoyed, subject to all such reasonable regulations and ordinances of a police nature as said town council may authorize or see proper from time to time to adopt, not destructive of the right herein granted. The right of use herein given shall not be exclusive, and the council reserves the power to grant right of use to others for similar purposes; the same, however, not to interfere with the proper exercise of privileges herein granted. This ordinance shall take effect in ten days after the date of its publication, and the filing by said company of an unconditional acceptance of the terms thereof with the recorder of said town.

Jan. 25, 1894

OBSTRUCTING STREETS

SECTION 28. That any person or persons who shall obstruct any street or sidewalk with merchandise, machinery, etc., or any public passway or cause any obstructions to be placed or thrown in any of the public ditches within the corporation, whall, on conviction, pay a fine of not less than two and one-half nor more than twenty-five dollars.

BICYCLE

SECTION 29. That it shall be unlawful for any person or persons to ride any bicycle upon any of the public sidewalks in the town of Atkins, and when engaged in riding within the corporate limits of the town of Atkins, to approach without due caution, to prevent, scare and fright to any team harnessed to any vehicle moving or standing, or any horse or mule, saddled, moving or standing, without rider or with.

That said person or persons as aforesaid, who shall be found guilty of not using the due and necessary caution in the premises laid down in this ordinance, to prevent danger to life and property, from reckless bicycle riding, shall be fined in the sum of not less than one dollar nor exceeding ten dollars for such offense.

MAYOR MAY SUBPOENA WITNESSES

SECTION 30. That the mayor of the "Incorporated Town of Atkins" is hereby authorized in all cases where he has good reason to believe that an offense has been committed against the laws of the corporation, to subpoena witnesses and bring the offending party to trial.

DEAD CARCASSES OF ANIMALS

SECTION 31. That any person who shall bury any dead animal or excrement from privies within the corporate limits of the town of Atkins, shall on conviction be fined by the mayor in any sum not less than two and one-half nor more than ten dollars for each offense.

RUNNING OF TRAIN THROUGH TOWN

SECTION 32: That any railroad conductor or engineer who shall run his train through the "Incorporated Town of Atkins," at a greater speed than eight miles per hour, shall be deemed guiltyof a misdemeanor, and on conviction shall be fined in any sum not less than ten nor more than twenty-five dollars.

That any railroad conductor or enginner who shall stop his train across the street crossings within the corporate limits of the

town of Atkins for a longer period of time than six minutes shall be deemed guilty of a misdemeanor, and on conviction shall be fined in any sum not less than five nor more than ten dollars for each offense.

Aug. 14, 1891

LEWDNESS

SECTION 33. That any disreputable female who shall be found within the corporate limits of the town of Atkins, whose conduct and actions are suspicious, and indicate lewdness, or in any way that is likely to disturb the peace of the town or any private family, shall be arrested by the town marshal, or any other officer authorized to make arrests, and the case investigaged by the mayor, and, if found guilty shall be fined in any sum not less than five nor more than twenty dollars, and in default of the payment of such fine, shall be imprisoned in the calaboose or county jail not more than thirty days, or till such fine and costs are paid.

That any man or boy who shall be guilty of bringing any lewd woman or female with a disreputable character within the limits of the corporation, or shall harbor or secrete such lewd women, or act as her advisor or associate, shall, on conviction, be fined by the mayor in any sum not less than ten nor more than twenty-five dollars, and in default of the payment of such fine shall be imprisoned in the town calaboose or county jail for a period of time not to exceed thrity days, until such fine and costs are paid.

AUG. 14, 1891

PRIVIES

SECTION 34. That all privies in the town of Atkins shall be provided with boxes to receive excrements, and that the boxes be kept in a dry condition with earth, or some drying material and the boxes to be removed outside of the corporate limits of the town as often as found in a filthy condition. That all persons failing to abate or correct their privies after 24 hours' notice by the marshal or sanitary committee, shall be fined in any sum not less than five nor more than ten dollars.

SECTION 35. That it shall be unlawful for any person to needlessly or through wantoness or sport, sit or stand upon or cling or hang to the outside of any railroad car, engine or tender while the same is in motion within the corporate limits of the "Incorporated Town of Atkins".

That any person who shall in any manner violate this ordinance, shall, upon conviction, be fined in any sum not less than one nor more than five dollars and the mayor and marshal are charged with the strict enforcement of this ordinance.

HOGS AND OTHER STOCK

SECTION 36. That any person or persons owning or raising hogs, within the corporate limits of said town, shall mark, or cause the same to be marked, in his or her mark (pigs of not more than three months old), and register the same with the recorder, who shall keep such mark in a book of reference. That all persons owning swine, and required to register the marks of same, as provided in this act, shall be taxed the sum of twenty-five (25) cents, to be collected by the recorder at the time of such registration, and before same shall be entered as of register by the recorder.

SECTION 37. That the owner of any swine, cattle, goats, horses or any stock, when any of same shall be found dead within the corporate limits, the said owner shall, within six hours after such knowledge or information, remove the same outside the corporate limits.

SECTION 38. That the owner of any swine that is known to catch, while alive, kill and eat any chicken, duck or goose, or their young, within the corporate limits of said town, shall, upln being notified by the owner of such fowls, or by the town marshal, at once kill or confine such swine, and keep same confined or penned.

SECTION 39. That any person coming within the provisions of, or failing, or refusing to comply with sections 36 and 37 of this ordinance, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than $1 nor more than $5; and it shall be the duty of the town marshal to impound all swine unmarked found running at large within the said corporate limits, and at the expiration of five days sell the same, and after deducting the expenses incurred cover the balance, if any, into the treasury of the town.

SECTION 40. That any person coming within the provisions of section 38 of this ordinance, who shall neglect, or refuse to comply with the same, shall, upon conviction thereof, be fined in any sum not less than $1 nor more than $5, and it shall be the duty of the town marshal to shoot or kill, or the owner of such fowls so caught and eaten by such swine, is authorized to shoot or kill such swine, after such owner shall have been informed and failed or refused to comply with section 40 of this ordinance.

APRIL 27, 1896.

FIRE DISTRICT

SECTION 41. That on lots Nos. 4,5,6,7,8 and 9, in block No. 19 and on lots Nos. 4,5,6,7,8, and 9, in block No. 20, and on lots 1, 2,3,4,5 and 6, in block No. 24, and on lots Nos. 1,2,3,4,5, and 6, in block No. 25, in the Town of Atkins, all persons are prohibited from erecting any building or any addition to any building of any kind of more than eight feet high, measuring from the ground to the extreme height of roof unless the outer wall thereof be made of brick and mortar or stone and mortar.

SECTION 42. That within the lots mentioned in section 41 of this ordinance, all persons are hereby prohibited from covering, any building or addition to any building that may hereafter be erected, the walls of which building or addition shall be more than eight feet high, measuring from the ground to extreme height of roof, with any material, other than metal or gravel.

SECTION 43. That any person erecting or causing to be erected any building or addition to any building in violation of section 41 of this ordinance or covering or causing to be covered any building or addition to any building in violation of section 42 of this ordinance shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not exceeding twenty-five dollars.

SECTION 44. That any building, addition to any building or covering of any building of any building or addition to any building, as the case may be, in violation of sections 41 and 42 of this ordinance is hereby declared a nuisance, and that it shall be the duty of the town marshal of said town to notify the person or his agent erecting or causing to be erected said buildings, additions or coverings, as the case may be, to remove the same, and in the event such person shall fail to remove or cause to be removed such building, addition or covering as the case may be, within ten days after said notice, the town marshal shall remove or abate the same in such manner as the town council may direct, and the cost and expenses of such removal shall be paid to the town by the owner of such building or roofing, and for the enforcement of the payment of which the town shall have an action at law against such person.

Jan. 25, 1889

SIDEWALKS

SECTION 45. That whenever the town council of the "Incorporated Town of Atkins" shall deem it necessary for the public convenience that a sidewalk be built, laid or repaired in front of or along any lot, block or parcel of ground within the limits of said town, said council shall determine the dimensions of said sidewalk and material of which it shall be constructed, or the manner and character of repairs to be made, and instruct the street committee of said town to notify the owner of said lot, block or parcel of ground that he is required to build, lay or repair such sidewalk.

SECTION 46. That the street committee, when instructed by said town council, as provided in section 45 of this ordinance, shall notifty the owner of any lot, block or parcel of ground before or along which a sidewalk is required to be built, laid or repaired, that he is required to build, lay or repair such sidewalk.

SECTION 47. That the notice required by section 46 of this ordinance shall be in writing, and issued by the chairman of the street

committee, and shall state the width and character of such sidewalks and the material of which they shall be constructed, or the kind and character of repairs to be made. Said notice shall be served by the marshal, by delivering a copy thereof to such owner or his agent. Provided that in case neither such owner or his agent resides or can be found within the limits of said town, service of said notice shall be had by posting a copy thereof in some conspicuous place on said property and the marshal shall immediately return said notice to the chairman of the street committee with the time and manner of service indorsed thereon. If from any cause said notice cannot be served by the marshal, it may be served by any citizen appointed for the purpose by the chairman of the street committee whose service and return shall be the same as that required of the marshal.

SECTION 48. It shall be the duty of every person who has been notified as required by section 47 of this ordinance to build, lay ore repair, within thirty days after such notice such sidewalk as shall be required in said notice, and incase any such owner shall fail or refuse to build, lay or repair any sidewalk as required in such notice within thirty days after having received notice so to do, the street committee shall proceed at once to build, lay or repair such sidewalk at the cost and expense of said town, and for the reimbursement of all costs and expenses of building, laying or repairing of such sidewalk the said town shall have a lien on the respective lot, block or parcel of ground in front of which such sidewalk shall have been built, laid or repaired, to be enforced as provided by law.

SECTION 49. Should any owner or owners of any lot, block or parcel of ground within the limits of this town fail or refuse to build lay or repair any sidewalk or any street or avenue in front of or along the side of or any street or avenue at their respective lot, block or parcel of ground within the time specified in this ordinance for such building, laying or repairing such sidewal, and after having been notified as required in section 47 of this ordinance shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not less than five nor more than twenty-five dollars.

Nov. 18, 1887

WOOD AND LUMBER ON RAILROAD

SECTION 50. That any person or persons who shall put cord wood, cross ties, lumber, singles, hewn or split timbers on railroad avenue from opposite D. M. Mourning's residence to A. M. Gibson's shall be fined in any sum not less than one nor more than fifty dollars for each offense; provided, this ordinance shall not apply to private citizens so as to prevent them from stacking fire wood necessary for their own family use, or for lmber or timber, for immediate building purposes, where the same does not operate to the annoyance of any other person or persons.

Sept. 7, 1882.

DUTIES OF COMMITTEES.

SECTION 51. That it shall be the duty of the finance committee to make reports to the council of the financial condition at such times as the council may direct.

That it shall be the duty of committee on streets to assist or consult with the street commissioner as to needed improvements, and report same to council. That it shall be the duty of committee on ordinances to examine all ordinances presented and see if they conflict with previous ordinances and are properly recorded and published.

That it shall be the duty of sanitary committee to examine into any and all reported nuisances such as are calculated to intefere with the good health of the wotn and community; further, the said committee shall exercise the utmost vigilance in having removed any and everything that would likely prove detrimental to the general health of the town and community.

May 1, 1882

SECTION 52. That from and after the passage of this ordinance that all orders drawn by the street commissioner on the treasurer shall specify for what appropriation said order is drawn, and to whom, and nature of work done.

That all orders drawn by the street commissioner for any purpose shall first be presented to the recorder and approved by him before being paid by the treasurer.

That it shall be the duty of the recorder to keep a record of all orders drawn by the street commissioner, to whom paid, and for what purpose paid. That the street commissioner shall furnish the marshal with a list of all delinquent road hands, and that it shall be the duty of the marshal to collect the legal tax, and pay same to treasurer and take receipt therefor.

May 1, 1882.

FLUES

SECTION 53. That all flues hereafter constructed within the "Incorporated town of Atkins" shall be constructed as follows, to-wit:

The walls of said flues shall be constructed of stone or brink, and shall not be less than four inches in thickness, and when said flues shall pass out of said roof at the comb, they shall extend not less than two and half feet above said comb, and when said flues pass out on the side of the roof, they shall extend not less than five feet above said roof, and all flues constructed on the outside of buildings shall be constructed as above provided.

SECTION 55. That all flues hereto fore constructed and now existing within the "Incorporated Town of Atkins," not constructed as required by sections 53 and 54 of this ordinance shall be and are hereby declared a nuisance, and that the same shall be by the owners thereof constructed so as to comply with section53 and 54 of this ordinance within ten days after the publication of this ordinance.

SECTION 56. That the mayor is hereby authorized to appoint a committee of three whose duty it shall be to examine all flues now constructed within the town of Atkins, and if saidflues are not constructed as required by sections 53 and 54 of this ordinance, to immediately notify the owners of the same of the defects in said flues.

SECTION 57. That if the owner of any defectivw flue, after being notified as provided in section 56 of this ordinance, shall fail within five days from the time of said notice, to construct said flue as required by sections 53 and 54 of this ordinance, he shall be fined in any sum not less than ten nor more than twenty-five dollars. That this ordinnance shall not be construed so as to apply to flues in isolated buildings.

WORKING OF STREETS

SECTION 58. That all male persons, residents of said town, between the ages of eighteen and forty-five years, be required to work on the streets, alleys, and public grounds of said town for not more than three days at one time nor more than ten days in one year.

That the mayor of said town appoint an overseer to superintend the working of said hands on said street, alleys and public grounds.

SECTION 59. That all persons liable to such work as per section 58 of this ordinance, shall not be liable to such duty unless they have three days' notice before such day of working.

SECTION 60. That the town marshal shall, by order of overseer of streets, alleys and public gounds warn all persons liable under section 58 of this ordinance to meet at such time and place as said overseer may designate, and that each person shall in such notice be required to bring such tools as said overseer may direct, and to work for any time so required, not exceeding time mentioned in section 58 of this ordinance, and that such notice to meet and work shall be deemed legal when given by said marshal or his agent, in person or by written notice, of either town marshal or his agent, left at usual residence of person liable to such duty.'

SECTION 61. That any person liable to such duty may be exempted from same by paying to said overseer the sum of one dollar in United States currency for each day he may fail to work on or before the day of working.

SECTION 62. That said overseer be and is hereby empowered to appoint one or more assistants to assist him in his duties as such overseer. That said overseer be required to pay into the town treasury, and take receipt therefor, all sums paid him by hands and to give bond in such amount as the council may in reason require for his faithful payment into said tr asury all such sums of money.

SECTION 63. That the overseer is hereby empowered to hire at reasonable prices, labor and tools to enable him to work said streets, alleys and public grounds, and for the paying of said labor and hire or purchase of tools, that he may by and through order of council, procure of said town treasury money to pay such expenses, provided that said expenses shall not in any one year exceed the sum so paid into the treasury from money collected of hands who fail to work as required by this ordinance.

SECTION 64. That any person who shall neglect or refuse when legally warned to work as required by section 59 of this ordinance, he or they shall be arrested by the town marshal and fined by the mayor not less than five nor more than ten dollars, and all costs of said arrest and fine, for each day he or they may fail to work. That any person so arrested and fined shall or may liquidate said fine and cost by work on said streets, alleys and public grounds, under said marshal, at the rate of one dollar and twenty-five cents per day and board himself, or at seventy-five cents per day and his board furnished him, and that, to secure the performance of said labor, and to prevent escape of said person or persons so arrested the marshal may lodge him or (they) them at night in the town calaboose, or require bond for appearance of said person each day, until said fine and cost is fully satisfied.

SECTION 65. That said overseer shall have control of all sanitary measures of said town, with all the power of any sanitary board, provided that said overseer may and shall at all times be subject to any orders of said town council.

SECTION 66. That if any person shall be found guilty of betting any money, or anything of value, on any game of hazard or skill. he shall, on conviction, be fined in any sum not less than ten dollars nor more than twenty-five dollars.

That this ordinance shall be in full force and effect from and after its passage.

Approved this September 4, 1903.

J. T. HERRIN, Mayor

ATTEST: A. S. HAYS, Recorder

VAGRANTS

SECTION 67. Every able-bodied person who shall be found loitering about the streets or loafing in said town, and capable of performing manual labor, and without any visable means of support, and doth not betake himself to labor or some other honorable calling to procure a livelihood, and any able-bodied person found begging for a livelihood, are hereby declared vagrants and shall be treated and punished as such under this ordinance. All keepers of any gaming table, bank (commonly called faro), or any other kind of gambling device of any name whatever, or who have no other calling than that of gaming, or who make a living by gambling, shall be deemed and treated as vagrants and punished as such under this ordinance. All such persons as described in this ordinance and denominated vagrants therein, shall be arrested by the marshal and brought before the mayor for trial, under the provisions of this ordinance, and, upon conviction of said offense of vagrancy, shall be held by the mayor in any sum not less than one dollar nor more than twenty-five dollars.

September 4, 1903

HYDROPHOBIA

SECTION 68. That whenever the prevalence of hydrophobia shall, in the opinion of the mayor, make it necessa y for public safety, it shall be his duty to issue his proclamation notifying owners and keepers of dogs or bitches to keep the same well secured upon their premises, and any dog or bitch found at large in any street, alley, or open place within the corporate limits, at the expiration of two days after the issuance of such proclamation, shall be killed by any person unless the dog or bitch is muzzled. It shall be the special duty of the marshal to carry this last provision into effect.

Be it ordained further, that ordinance No. 66, and all other ordinances and parts of ordinances in confliet herewith are hereby repealed, and this ordinance shall be in full force and effect from and after its passage.

Sept. 4, 1903. J. T. HERRIN, Mayor

ATTEST: A. S. HAYS, Recorder

SECTION 69. That if any person shall, within the incorporated limits of Atkins, make use of any profane, violent, abusive or insulting language toward or about another person in his presence or hearing, which, in its common acceptance, is calculated to arouse to anger the person about or to whom it is spoken or addressed, or to cause a breach of the peace or an assault, every such person shall be deemed guilty of a breach of the peace and, upon conviction thereof, shall be punished by a fine of not less than five nor more than three hundred dollar, or by imprisonment for not less than one month nor more than six months.

That this ordinance shall be in full force and effect from and after its passage.

Sept. 4, 1903 J. T. HERRIN, Mayor

ATTEST: A. S. HAYS, Recorder

TELEPHONE

SECTION 70. That the right is hereby granted to the Southwestern Telegraph and Telephone Company, its successors and assigns, to erect and maintain on, along and over the streets, alleys and public ways of said town of Atkins, poles fixtures and wires necessary and convenient for the purpose of supplying the citizens of said town and the public, communication by telegraph, telephone or other electrical device for the period of twenty-five years from the date of the passage of this ordinance, upon the terms and conditions hereinafter stated.

SECTION 71. Said poles, wires and fixtures shall be so placed and maintained as not to interfere with travel and other use by the general public of said ways; and said telegraph and telephone company shall hold and protect the said town of Atkins free and harmless from all damages it may sustain by reason of the building and maintenance of said telephone exchange, and the same shall be so placed and maintained as to not interfere with the flow of water in any sewer, drain, or gutter, now or herafter established or made, and in case any such poles shall be in the way of any such sewer, drain or gutter, the said company shall at the request of said city council remove the same at the expense of said company; and in case the grade of any street or public way shall be established or changed or in case of the change of location of any street, alley or public way, or any part thereof, said poles shall be re-set at the expense of said company, so as to conform to such grade or newly located street, alley or public way. This grant is made and is to be enjoyed subject to all such reasonable ordinances and regulations, of a public nature, as the city council may be authorized from time to time to pass, and the said town expressly reserves the right to tax the said company the sum of fifty cents annually upon each pole set in said town.

SECTION 72. The right herein granted shall not be exclusive, but the council expressly reserves the right to grant similar rights and privileges to other companies or individuals; the same, however, not to interefer with the proper exercise of the privileges herein granted.

LICENSE.

SECTION 73. That it shall be unlawful for any person to engage in, exercise or pursue any of the following avocations or business without first having obtained and paid for a license therefor, from the proper town authorities, and the amount of each license is hereby fixed as follows, to-wit:

1. For each stand on sidewalk, street or alley, selling fruits, confectioneries, etc., $5 per annum or $1 per day.

2. For each stand on sidewal, street or alley where goods, notions, etc., are sold, $5 per month.

3. For selling goods, wares of merchandise on the street, sidewalk or alley at public outcry, $5 per day.

4. For each shooting gallery, $10 per week, or $2 per day.

5. For each flying jenny, $10 per week, or $2 per day.

6. For each circuis or menagerie, $40 for each 24 hours; dog and pony shows, $25 for each 24 hours.

7. For each side show, $20 for each 24 hours.

8. For each traveling minstrel, concert or other opera house, $5 per day.

9. For each theater or opera house, $10 per annum

10. For sleight of hand performances and all other traveling shows or exhibitions of whatever name or kind, including free shows and musical entertainments, used for the purpose of attracting customers or trade to any other business, the sum of $5 a day.

11. For each corn doctor or other traveling or itinerant doctor of every kind except dentists, $5 a week.

12. For each transient or itinerant vender of Indian, patent or other medicines or nostrums, from stand, wagon or tent, street, or alley, sidewalk or vacant lot of in a room, $5 a day or $20 a week

13. For lung testers, muscle developers, lifting, pulling or striking machines and electric batteries, $2 a day, or $10 a month.

14. For any exhibition of strength or skill nor otherwise specified, $2,50 for each exhibition.

15. For each hand organ, bag pipe or other instrument exhibited on the streets, unless the grinder, operator or exhibitor is blind or crippled, $5 a week or $1 a day.

16. For each fortune teller, clairvoyant, resident or itinerant, $2 a day or $10 a month.

17. For each rope-walker or balloon ascension, $5 for each exhibition.

18. For exhibition of curiosities in tents, rooms or cars, $5 a day or $20 a month.

19. For exhibition of single "trick" animal on the street or in a room or tent, $1 a day or $10 a month.

20. For throwing rings (skill game) or balls at dolls, $3 a day or $10 a month.

21. For each actioneer, $5 per annum, and for each auction house, $10 a month; provided, that when goods or property are sold under or by virtue of ay judgment of court or under any deed of trust or mortgage no license shall be required.

22. For each transient dealer in second-hand or bankrupt stock of goods, and for each "transient house" for the sale of merchandise or other articles supplied or to be furnished by any establishment outside of this town, the sum of $20 a month.

23. For each mine or ten-pin alley, $25 per annum.

24. For each person hawking or peddling dry goods, notions, wearing apparel, household goods, sewing machines, organs, or any other article or articles not herein otherwise specifically mentioned, except the Bibler, or for any one sho takes orders for the above mentioned articles, $15 a month or $5 a week.

25. For each person or persons soliciting, receiving or taking orders for the sale and delivery, or sale or delivery of any intoxicating liquors of any kind whatever the sum of $10 a day; and in case any person shall solicit, take or receive any such order without having first procured such license, he shall be deemed guilty of a misdemeanor, and, upon conviction shall be fined in any sum not less than $50 nor more than $300.

Section 74. All license herein provided for shall be payable in advance, and all annual licenses issued under this ordinance, shall expire on the 31st day of December of the year in which they were issued, and no license for any shorter period shall extend beyond the 31st day of December of the year in which it is issued, nor shall any license for any of the purposes herein mentioned be issued to any minor under the age of fourteen years.

SECTION 75. That if any person shall be convicted of violating any of the provisions of this ordinance, except where otherwise provided, shall, upon conviction, be fined in any sum not less than $10 nor more than $100 for each offense, and each unlawful act shall be a separate offense.

That this ordinance shall be in full force and effect from and after its passage, and all ordinances and parts of ordinances in conflict herewith are hereby repealed.

Sept. 4, 1903

J. A. GILLETTE, ATTORNEY ATKINS, ARKANSAS