

call to his assistance any bystander, person or persons, to aid him, and upon refusal, such person or persons shall be guilty of a contempt, and upon conviction thereof may be fined by the mayor in a sum not exceeding fifty dollars, and imprisoned in the calabose not exceeding five days, one or both, and the said marshal perform all such other duties as may be imposed upon him by ordinance or by-law of said incorporation; and the said marshal shall be *ex-officio* constable within Tallapoosa county, subject to all the pains, penalties and authority of a constable of this State, and shall receive for his services the same fees as are now allowed by the laws of this State to constables for like services, and may receive such other compensation as may be allowed by said incorporation, not to exceed five hundred dollars per annum; and the said marshal for failure to discharge or perform any duty imposed upon him, may be fined by the mayor for any such offense, a sum not exceeding twenty-five dollars, to be deducted out of his salary; and in the absence of the marshal the mayor may appoint a special marshal, whose acts shall be in all respects binding, and may require such special marshal to give bond as is required by the marshal.

SEC. 13. *Be it further enacted*, That each street now opened, or that may be hereafter opened, shall be under the supervision of said incorporation, and that each and every person residing within the limits of said incorporation, who may be subject to road duty in this State shall be subject to work on the public highways and streets within said incorporation, and these only, but any person not wishing to so work upon said highways and streets, may be released therefrom by paying to said incorporation one dollar for each day's labor required of him, but nothing herein contained shall authorize said incorporation to open any new street through any person's lot or land, (without owner's consent) or without making him just compensation therefor.

Streets and street duty.

SEC. 14. *Be it further enacted*, That in case of the absence of the mayor, or in case of his protracted sickness, either one of the common council-

In case of absence of mayor