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office, vested with all the powers and authority with which Trial Justices are at present vested by law, except the trial of civil cases, and except as it may be otherwise provided in this Act; and the Intendant shall, and may, as often as may be necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, or any three Wardens, may [illegible] to transact business; and they shall be known by the name of the Town Council of Anderson; and they and their successors, hereafter to be elected, may have a common seal, which shall be affixed to all their ordinances; may sue and be sued, plead and be impleaded, in any Court of Law or Equity in this State, and purchase, hold, possess and enjoy, to them and their successors, in perpetuity, or for any term of years, any estate, real, personal or mixed, and sell, alien and convey the same; *Provided*, The same shall not exceed, at any one time, the sum of ten thousand dollars. And the said Intendant and Wardens shall have full power to make and establish all such rules, by-laws and ordinances, respecting the roads, streets, markets and police of said town, as shall appear to them necessary and requisite for the security, welfare and convenience of the said town, or for preserving health, peace, order and good government within the same. And the said Council may fix and impose fines and penalties for the violation thereof, and appropriate the same to the public use of the said corporation: *Provided*, That in all cases of trials to be had before the said Town Council, as hereinbefore provided, the party charged shall be cited to trial, by service upon him of a summons, under the hand of the Intendant, any one of the Wardens, or the Clerk of the Council, wherein shall be expressed, with certainty, the offence charged, and the time and place of trial, which service shall be made at least five days before the day of trial.

Sec. 7. That the Intendant and Wardens of the said town shall have full and only power to grant or refuse license to retail spirituous liquors within the said limits, which license shall be granted in the same manner, and upon the same conditions as they now are or may hereafter be, under the laws of this State, except that the Town Council shall have the power to regulate the price of license to keep taverns to retail spirituous liquors; *Provided*, That in no instance the price of a license so to keep tavern, or retail spirituous liquors, shall be fixed at a less sum than is established by the laws of this State; and all the powers vested formerly in the Commissioners of Roads, are hereby granted to the said Intendant and Wardens within the said limits, and all moneys paid for licenses, and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables within the said limits without license, shall be appropriated to the uses of said corporation; *Provided*, That the Intendant and Wardens duly elected and qualified shall not have power to grant any licenses to keep tavern or retail spirituous liquors to extend beyond the time for which they shall have been elected.

Sec. 8. That it shall be the duty of the said Intendant and Wardens to keep all streets, roads and ways, within their corporate limits, open and in good repair, and for that purpose they are invested with all the powers granted formerly to the Commissioners of Roads; and they shall have power to compound with all persons liable to work the streets, ways and roads in said town, upon such terms as they shall by ordinance establish; the moneys so received to be applied to the public use.

Sec. 9. That the said Town Council shall have power to impose an annual tax upon the keepers of all billiard tables and ten pin alleys, or other pin alleys within the discretion of said Council, and to grant or refuse licenses for the same, upon such terms and conditions, and subject to such regulations, as they may by ordinance establish. They shall also have power to impose a tax, within their discretion, on all sales made by itinerant traders and auctioneers, on all public drays, wagons, carriages, omnibuses, and other vehicles kept for hire, and on the owners or proprietors of all dogs, hogs, sheep, goats and cattle kept within the corporate limits of said town. The said Town Council shall have power to impose an annual tax on the amount of all sales of goods, wares and merchandize, and also on the amount of income arising from all factorage and merchandize, employments, faculties and professions, including the profession of dentistry; also, upon the amount of income from all moneys loaned at interest, and from dividends received from bank and all other stocks; *Provided*, that no tax shall be imposed in any one case, to exceed the rate of thirty cents on each hundred dollars, of the value of such sales and income; and the said Town Council shall also have power to impose an annual tax on all carriages and wagons, of whatever kind, kept for private use; on all gold, silver and other watches kept for private use, within the limits of said town; and the said Town Council shall have power to impose an annual tax, not exceeding thirty cents on every hundred dollars on the value of all real estate lying within the corporate limits of said town, the real estate of churches, and school associations excepted; and for that purpose they shall appoint three freeholders, residing therein, to assess the value of said real estate upon oath, and return the assessment within one month, to said Council for taxation, and to fill any vacancy occasioned by the death, resignation, refusal to serve, or removal from office, of the said assessor; and the said Town Council shall have power to regulate the price of licenses upon all public shows and exhibitions in said town, to erect a powder magazine, and to compel any person holding more than twenty-five pounds of powder to store the same therein, and to make regulations for rates of storage thereof, and for keeping and storing the same; and the said Town Council shall have power to enforce the payment of all taxes and assessments levied under the authority of this Act against the property and persons of defaulters to the same extent, and in the same manner, as is provided by law for the collection of the general State tax, except that executions to enforce the payment of town taxes, shall be issued under the seal of the corporation, and directed to the Town Marshal, or other persons especially appointed by the said Town Council to collect the same; and all property upon which a tax shall be levied and assessed, is hereby declared and made liable for the payment thereof in preference to other debts due by the person owning such property at the time of the assessment, except debts due the State, which shall be first paid. The said moneys, together with all other moneys collected by authority of the provisions of this Act, and the ordinances passed in conformity thereto, from whatever source said moneys may arise, to be paid into the treasury of the said town, for the use of the corporation.

Sec. 10. That returns shall be made, on oath, to the Clerk of the Town Council, during the month of January in each year, of the amount of all sales of merchandize, professional, mechanical or other incomes, and of the quantity and kind of all other property than real estate, subject to taxation under the provisions of this Act, by persons who may be liable to pay the taxes on the same; and the said taxes shall be paid on or before the first day of March then next ensuing, upon failure whereof any party in default shall be subject to the penalties now provided by law for failure to pay the general State tax.

Sec. 11. That the said Town Council shall have authority to require all persons owning a lot or lots in said town to make and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front on or adjoin any public street of said town, if, in the judgment of the Council, such sidewalk shall be necessary; the width thereof and the manner of their construction to be designated and regulated by the said Council; and for default or refusal to make and keep in repair such sidewalks, the Town Council may cause the same to be made and put in repair, and require the owner to pay the price of making or repairing; and the said Town Council are hereby empowered to sue for and recover the same by action of debt in any court of competent jurisdiction in Anderson County: *Provided*, That such contract for making or repairing be let to the lowest bidder.

Sec. 12. That the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways, within the said town, as they may deem necessary, by sale of the freehold therein, either at private or public sale, as they may adjudge best for the interest of said town; and they shall also have power to lay out, adopt, open, and keep in repair all such new streets, roads and ways, as they may, from time to time deem important or necessary for the [illegible] *vided*, That no new street, road or way shall be opened without first having obtained the consent of the land owner or owners through whose premises any such new street, road or way may pass.

Sec. 13. That the said Town Council shall have power, and are hereby authorized, to elect one or more Marshals (in addition to the Sheriff of Anderson, who shall also be a Marshal of the town), to fix their salaries and prescribe their duties, who shall be duly sworn in and invested with all the power and subjected to all the duties and liabilities that Constables now have or are subjected to by law, in addition to the duties and liabilities specially conferred and imposed on them by the Town Council: *Provided*, That their jurisdiction shall be confined to the corporate limits of said town.

Sec. 14. That the said Town Council shall have power to establish a guardhouse, and to prescribe, by ordinance, suitable rules and regulations for keeping and governing the same; and, until such guardhouse shall be established, they shall be authorized to use a room in the common jail of Anderson County for the confinement of all persons who may be subject to be committed for the violation of any ordinance of the town passed in conformity with the provisions of this Act; and the said Town Council may, by ordinance, or the said Intendant and Wardens, in person, any one or more of them, authorize and require any Marshal of the town, or any Constable specially appointed for that purpose, to arrest and to commit to the said guard house, or jail of Anderson County, as the case may be, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of said town, or any of them; and it shall be the duty of the Town Marshals to arrest and commit all such offenders, when required so to do, who shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrest; and upon the failure of such Marshals to perform such duty, as required, they shall, severally, be subject to such fines and penalties as the Town Council may establish; and all persons so imprisoned shall pay the costs and expenses incident to their imprisonment: *Provided*, That such imprisonment shall not exempt the party from payment of any fine the Council may impose for the offence for which he may have been committed.

Sec. 15. That the said Town Council shall have power to collect the taxes from all persons representing publicly, within their corporate limits, for gain or reward, any plays or shows, of what nature or kind soever, to be used for the purposes of said corporation.

Sec. 16. That all fines which shall hereafter be collected by conviction in the Court of Sessions, for retailing without license, within the corporate limits of said town, shall be paid one-half to the informer, and the other half to the said Town Council, for the uses of the corporation.

Sec. 17. That the said Town Council shall have power and authority to abate all nuisances within the corporate limits, and also to appoint a Board of Health for said town, and to pass all such ordinances as may be necessary to define the powers and duties of said Board.

Sec. 18. That the said Town Council shall have power to borrow money for the public use of the corporation by issuing, from time to time, as occasion may require, the bonds of said corporation, bearing interest, at a rate not to exceed seven per centum per annum to be paid semi-annually, for an amount not to exceed the sum of fifteen thousand dollars; and for the payment of the interest, and the ultimate redemption of the principal, according to the terms of the loan, the said corporation shall be at all times liable: *Provided*, That the property of the inhabitants of said town shall be bound for the redemption of said loan in no other way than by the imposition of an annual tax, according to the provisions of this Act; *And provided, further*, That a majority of the owners of real estate within the corporate limits of said town shall first vote in favor of issuing said bonds; and the said Town Council shall give at least thirty days' notice of holding such election.

Sec. 19. That the Intendant and Wardens shall, during their term of office, be exempt from street duty. And each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors a full account of their receipts and expenditures during their term; and shall pay over all moneys in their hands belonging to the corporation, and deliver up all property, books, records and other papers incident to their office to their successors; and on failure so to do, they shall be liable to the punishment prescribed in the twenty-first Section of this Act.

Sec. 20. That all ordinances heretofore passed by the Town Council of Anderson, in conformity with the authority granted by existing laws, shall be, and they are hereby, declared legal and valid.

Sec. 21. That for any wilful violation or neglect of duty, malpractice, abuse or oppression, the said Intendant and Wardens, jointly and severally, shall be liable to indictment in the Court of Sessions; and, upon conviction, to punishment by fine, not exceeding one hundred dollars, besides being liable for damages to any person injured.

Sec. 22. That all Acts, and parts of Acts, heretofore passed, in relation to the incorporation of the town of Anderson, be, and the same are hereby, repealed. And this Act shall be deemed and taken to be a public Act, and continue in force for the term of twenty years, and until the end of the session of the Legislature then next ensuing.

Approved the 9th day of March, A. D., 1871.

AN ACT TO ALTER AND RENEW THE CHARTER OF THE TOWN OF MANNING.

Section 1. *Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same*, That an Act entitled "An Act to incorporate certain towns and villages," approved on the 28th day of January, A. D. one thousand eight hundred and sixty, be, and the same is hereby, altered and amended as follows, to wit: That from and after the passage of this Act, all and every person or persons, who shall have resided in the corporate limits of the village of Manning for two months, are hereby declared to be members of the corporation hereby to be created.

Sec. 2. That the said person shall, from and after the passage of this Act, become a body politic and corporate, and shall be known and called by the name of the "Town of Manning," and its corporate limits shall extend one-half mile in every direction from the Court House, as a centre, except on the side next to Black River, the line of which, formed at high water, shall constitute its boundary in that direction.

Sec. 3. That the said town shall be governed by an Intendant and four Wardens, who shall have resided in the State for one year, and within the limits of the corporation for sixty days immediately preceding their election. The said Intendant and Wardens shall be elected on the second Monday of the month of April in each year, ten days' notice being previously given, and shall continue in office one year, and until the election and qualification of their successors, and all male inhabitants of the said town, who shall have attained the age of twenty-one years, and resided therein two months immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

Sec. 4. That the said election shall be held in some convenient public place in said town, from eight o'clock in the morning until four o'clock in the evening, and when the polls shall be closed the managers shall forthwith count the votes and declare the election, giving notice in writing to the persons elected. The Intendant and Wardens, for the time being, shall always appoint the managers to conduct the election, who, before they open the polls for the said election, shall take an oath fairly and impartially to conduct the same; and the Intendant and Wardens, before entering upon the duties of their offices, respectively, shall take the oath prescribed by the Constitution of this State, and the following oath, to wit: "As Intendant (or Warden) of the Town of Manning, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected: So help me God." And if any person, upon being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to said Town Council the sum of twenty dollars for the use of said town: *Provided*, That no person, who has attained the age of sixty years, shall be compelled to serve in either of the said offices, nor shall any other person be compelled to serve more than one year in any term of three years.

Sec. 5. That in case any vacancy should occur in the office of Intendant or any of the Wardens by death, resignation or otherwise, an election to fill such vacancy shall be held by the appointment of Intendant or Warden or Wardens, as the case may be, ten days' previous notice being given, and in case of sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of their number to act as Intendant during the time.

Sec. 6. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be invested with all the powers of a Trial Justice or other inferior Court. And the Intendant shall and may, as often as may be necessary, summon the Wardens to meet in Council, any two of whom shall, with the Intendant, or any three Wardens, constitute a quorum to transact business, and they shall be known by the name of the Town Council of Manning, and they and their successors, hereafter to be elected, may have a common seal, which shall be affixed to all their ordinances; may sue and be sued, may plead and be impleaded in any Court of Law or Equity in this State, and purchase, hold, possess and enjoy to them and their successors, in perpetuity or for any term of years, any estate, real or personal or mixed, and sell, alien or convey the same; *Provided*, The same shall not exceed at any one time the sum of ten thousand dollars. And the Intendant and Wardens shall have full power to make and establish all such rules, by-laws and ordinances respecting the roads, streets, market and police of said town as shall appear to them necessary and requisite for the security, welfare and convenience of said town, or for preserving health, peace, order and good government within the same. And all the by-laws, rules and ordinances the said Council may make shall, at all times, be subject to revisal or repeal by the General Assembly of this State. And the said Council may fix and impose fines and penalties for the violation thereof, and appropriate the same to the public use of said corporation; *Provided*, That no punishment shall exceed fifty dollars' fine, or thirty days' imprisonment.

Sec. 7. That the Intendant and Wardens of said town shall have full and only power to grant or refuse licenses to keep taverns, or retail spirituous liquors within the corporate limits of said town, upon such conditions, and under such circumstances, as to them shall seem proper and right; *Provided*, That, in no instance, shall the price of a license to keep tavern or to retail spirituous liquors be fixed at a less sum than is established by the laws of this State; and all moneys paid for licenses, and for fines and forfeitures, for retailing spirituous liquors, keeping tavern and billiard tables within the said limits without licenses, shall be appropriated to the public uses of said town: *Provided*, That the Intendant and Wardens duly elected and qualified shall not have power to grant any license to keep taverns or retail spirituous liquors to extend beyond the term for which they have been elected.

Sec. 8. That it shall be the duty of the Intendant and Wardens to keep all roads, streets and ways within their corporate limits open and in good repair. They shall have power to compound with all persons liable to work the streets, ways and roads in said town, upon such terms as they by ordinance shall establish, the moneys so received to be applied to the public use of said town; and all persons refusing or failing to pay such commutation shall be liable to such fine, not exceeding twenty dollars, as the Town Council may impose.

Sec. 9. The said Town Council shall have power to regulate sales at auction within the limits of said town, and to grant licenses to auctioneers; *Provided*, That nothing herein contained shall extend to sales by Sheriff, Clerk of Court, Judge of Probate, Coroner, Executor or Administrator, Assignee in Bankruptcy, or by any Trial Justice or other inferior Court.

Sec. 10. They shall also have power to impose an annual tax, not exceeding twenty cents on every hundred dollars of the assessed value of real and personal estate lying within the corporate limits of said town, the real and personal estate to Churches and School Associations excepted, and to regulate the price of licenses upon all public shows and exhibitions in the said town, to erect a powder magazine, and compel any person holding more than twenty-five pounds of powder to store the same therein, and to make regulations for the rates of storage thereof, and for keeping and delivering the same. The said Council shall have power to enforce the payment of all taxes levied under authority of this Act, against the property and person of all defaulters, to the same extent, and in the same manner as is provided by law for the collection of the general taxes, except that executions to enforce the payment of the town taxes shall be issued under the seal of the corporation, and directed to the Town Marshal or other person especially appointed by the Town Council to collect the same, and all property upon which a tax shall be levied is hereby declared and made liable for the payment thereof in preference to all other debts against the said property, except debts due to the State, which shall first be paid.

Sec. 11. That the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways, within the town, as they may deem necessary, by the sale of the freehold therein, either at public or private sale, as they may adjudge best for the interest of the said town; and they shall have power to lay out, adopt, open and keep in repair, all such new streets, roads and ways, within the town, as they may deem necessary for the improvement and convenience of the said town; *Provided*, That no new street, road or way shall be opened without first having obtained the consent of the land owner or owners through whose premises any such new street, road or way may pass.

Sec. 12. That the said Town Council shall have power, and are hereby authorized, to elect one or more Marshals, (in addition to the Sheriff of Clarendon, who shall also be a Marshal of the town,) to fix their salaries and prescribe their duties, who shall be sworn in and invested with all the powers, and subjected to all the duties and liabilities that Constables now have or are subjected to by law, in addition to the duties and liabilities specially conferred and imposed upon them by the Town Council: *Provided*, That their jurisdiction shall be confined within the limits of said town.

Sec. 13. That the said Town Council shall have power to establish a guard house, and to prescribe, by ordinance, suitable rules and regulations for keeping and governing the same; and until such guard house shall be established, they shall be authorized to use a room in the common Jail of Clarendon County for the confinement of all persons who may be subject to be committed for violation of any ordinance of the town, passed in conformity to the provisions of this Act; and the said Town Council may, by ordinance, or the said Intendant and Wardens in person, any one or more of them, authorize and require any Marshal of the town, or any Constable specially appointed for that purpose, to arrest and commit to said Guard House or Jail of Clarendon County, as the case may be, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town, may be engaged in any breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of the said town, or any of them; and it shall be the duty of the Town Marshals to arrest and commit all such offenders, when required so to do, who shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrests; and upon failure of the Town Marshal to perform such duty as required, they shall severally be subject to such fines and penalties as the Town Council may establish; and all persons so imprisoned shall pay the costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as provided by this Act for the collection of fines imposed for violation of ordinances: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offence for which he may have been committed.

Sec. 14. That the said Town Council shall have the power to collect the taxes from all persons representing publicly, within the corporate limits, for gain or reward, any plays or shows, of any kind whatever, to be used for the purpose of said town.

Sec. 15. That all the fines which shall hereafter be collected for retailing without license within the corporate limits of the said town, shall be paid, one-half to the informer, and the other half to the Council, for the use of the said town.

Sec. 16. That the said Town Council shall have power to abate all nuisances within their corporate limits, and also to appoint a Board of Health for said town, and to pass such ordinances as may be necessary to define the duties and powers of said board, and to impose fines and penalties upon the members of the said board for neglect of duty or refusal to serve: *Provided*, That no fine hereby authorized to be imposed shall exceed the sum of twenty dollars.

Sec. 17. That the said Town Council shall have power to borrow money for the public use of the corporation, by issuing, from time to time, as occasion may require, the bonds of the corporation, bearing interest at a rate not to exceed seven per centum a year, to be paid semi-annually, for an amount not to exceed five thousand dollars; and for the payment of the interest and the ultimate redemption of the principal, according to the terms of the loan, the said corporation shall at all times be liable: *Provided*, That the private property of the inhabitants of the said town shall be bound for the redemption of said loan in no other way than by the imposition of an annual tax, according to the provisions of this Act.

Sec. 18. That the Intendant and Wardens elect shall, during their term of office, be exempt from street duty. Each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors a full account of their receipts and expenditures during their term, and shall pay over all moneys in their possessions, belonging to the corporation, and deliver up all books, records and papers incident to their office, to their successors, and on failure to do so they shall be liable to be fined in a sum not exceeding one hundred dollars, to be collected in any proper action by the Town Council.

Sec. 19. That for any wilful violation or neglect of duty, malfeasance in office, abuse or oppression, the said Intendant and Wardens, jointly and severally, shall be liable to indictment in the Court of Sessions, and, upon conviction, to punishment as prescribed in the preceding Section, besides being liable for damages to any person or persons injured.

Sec. 20. That all ordinances heretofore passed by the Town Council of Manning, in conformity with the authority granted by such existing laws as do not conflict with the Constitution of the State, shall be, and they are hereby declared legal and valid.

Sec. 21. That all Acts and parts of Acts heretofore passed in relation to incorporation of the Village of Manning, be, and the same are hereby repealed.

Sec. 22. This Act shall be deemed a public Act, and continue in force until amended, altered or repealed.

Approved the 9th of March, A. D., 1871.

AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF BAMBERG, IN THE STATE OF SOUTH CAROLINA.

Section 1. *Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same*, That from, and immediately after the passage of this Act, all and every person, or persons whomsoever, who are constitutionally qualified to vote for members of the General Assembly of the State, and who shall have resided within the present corporate limits of the Town of Bamberg for a period of thirty days, and their successors, are hereby declared to be members of said corporation.

Sec. 2. That the said persons and their successors shall, from and after the passage of this Act, become a body politic and corporate, and shall be known and called by the name of the town of Bamberg, and its corporate limits shall extend three-fourths of a mile, in the direction of the cardinal points, from the South Carolina depot, in said town, as a centre.

Sec. 3. That said town shall be governed by an Intendant, and four Wardens, who shall have resided therein for sixty days immediately preceding their election. The said Intendant and Wardens shall be elected on the second Tuesday in April in each year, ten days' notice having been previously given, and shall continue in office for one year, and until the election and qualification of their successors; and all male inhabitants of the said town who shall have attained the age of twenty-one years and resided within said town for a period of thirty days, immediately preceding their election, shall be entitled to vote for said Intendant and Wardens.

Sec. 4. That the said election shall be held in some convenient public place in said town, from eight o'clock in the morning until four o'clock in the evening; and when the polls shall be closed, the managers shall forthwith count the votes and declare the election, giving notice in writing to the persons elected. The Intendant and Wardens, for the time being, shall always appoint the managers to conduct the election, who, before they open the polls for the said election, shall take an oath, to fairly and impartially conduct the same. And the Intendant and Wardens, before entering upon the duties of their office, respectively, take the oath prescribed by the Constitution of this State, and the following oath, to wit: "As Intendant (or Warden) of the Town of Bamberg, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace, and carry into effect, according to law, the purposes for which I have been elected: So help me God." And if any person, upon being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the said town Council the sum of twenty dollars; *Provided*, That no person who has attained the age of sixty years, shall be compelled to serve in the said offices, nor shall any person be compelled to serve more than one year.

Sec. 5. That in case any vacancy shall occur in the office of Intendant or any of the Wardens, by death, resignation or otherwise, an election to fill such vacancy shall be held by the appointment of Intendant or Warden, or Wardens, as the case may be, ten day's previous notice being given; and in case of sickness or temporary absence of the Intendant, the Wardens forming a Council, shall be empowered to elect one of their number to act as Intendant; any three Wardens, constituting a quorum, shall be considered as the Council for the transaction of all business, coming before said town Council.

Sec. 6. That the Intendant and Wardens duly elected and qualified, shall be vested with all the powers of a Trial Justice, or Justice of the Peace, within the limits of said corporation. The Intendant shall and may, as often as necessary, summon the Wardens to meet in council, and they shall be known as the Town Council of Bamberg. And they and their successors, hereafter to be elected, may have a common seal, which shall be affixed to all their ordinances, may sue and be sued, plead and be impleaded, in any Court of Law or Equity in this State, and purchase, hold, possess and enjoy to them and their successors in perpetuity, or for any term of years, any estate, real or personal, or mixed, and sell, alien or convey the same: *Provided*, The same shall not exceed, at any one time, the sum of ten thousand dollars. And the Intendant and Wardens shall have full power to make and establish all such rules, by-laws and ordinances, not conflicting with the State laws, for the welfare and benefit of said town; said rules, by-laws and ordinances to be subject to revisal or repeal by the General Assembly of this State. And said Council may fix and impose fines and penalties for the violation thereof, and appropriate the same to the public use of said corporation, and are hereby empowered to collect the same, in the manner now prescribed by law: *Provided*, No punishment shall exceed fifty dollars or thirty days' imprisonment.

Sec. 7. That the Intendant and Wardens of said town shall have full and only power to grant or refuse licenses to keep taverns, or retail spirituous liquors within the corporate limits of said town, upon such conditions as they, by Ordinance, may impose: *Provided*, That no license shall be fixed at a less sum, as now established by the laws of this State, and the moneys so collected shall be used for the benefit of said town, and that the licenses granted, shall not extend beyond the term to which said Intendant and Wardens shall have been elected.

Sec. 8. That it shall be the duty of said Intendant and Wardens, to keep all roads, streets and ways within the corporate limits open and in good repair. They shall have power to compound with all persons subject to road duty in said corporation, and apply said moneys so received to the public use of said town, and all persons refusing or failing, after due summons, to work the roads or pay such commutation, shall be fined in such sum, not exceeding twenty dollars, and in case of a refusal to pay such fine, the Town Council may imprison such person or persons, for a period not to exceed ten days, as the Town Council may impose.

Sec. 9. They shall also have power to impose an annual tax not exceeding twenty cents on every hundred dollars of the assessed value of real and personal estate lying within the corporate limits of said town, and the real and personal estate of churches and school associations excepted. The said Council shall have power to regulate the price of licenses upon all public shows and exhibitions in the said town; to erect a powder magazine and compel any person holding more than twenty-five pounds of powder to store the same therein, and to make regulations for the storage thereof, and for keeping and delivering the same. The said Council shall have the power to enforce the payment of all taxes levied under authority of this Act, against the property and person of all defaulters, to the same extent and in the same manner as is provided by law for the collection of the general taxes, except that executions to enforce the payment of the town taxes shall be issued under the seal of the corporation, and directed to the town Marshal or other person especially appointed by the town Council to collect the same.

Sec. 10. That the said Intendant and Wardens shall have power to elect all such officers, as, in their judgment, may be necessary to carry out the provisions of this charter.

Sec. 11. That the Intendant and Wardens elect shall, during their term of office, be exempt from street or road duty. Each Town Council shall, within thirty days after the expiration of their term of office, make out and return to their successors, a full account of their receipts and expenditures during their term, and shall pay over all moneys in their possession, belonging to the corporation, and deliver up all books, records and papers incidental to their office, and on failure to do so, shall be liable to be fined in a sum not exceeding one hundred dollars, and by imprisonment for a period not to exceed sixty days, or by both, such fine and imprisonment to be collected in any proper action by the town Council.

Sec. 12. That all Ordinances heretofore passed by the town Council of Bamberg in conformity with the authority granted by such existing laws as do not conflict with the Constitution of the United States, and of this State, shall be, and they are hereby, declared legal and valid.

Sec. 13. That all Acts, or parts of Acts heretofore passed, in relation to the incorporating of the town of Bamberg, be, and they are hereby, repealed.

Sec. 14. This Act shall be deemed a public Act, and continue in force, until amended, altered or repealed.

Approved March 2d A. D. 1871.

AN ACT TO CHARTER THE TOWN OF HAMBURG.

Section 1. *Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same*, That from and after the passage of this Act, all citizens of this State having resided sixty days in the town of Hamburg shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Hamburg, and its corporate limits shall be held and deemed to extend from the Savannah Bridge, leading to Augusta, Georgia, one mile West, one-half a mile East, and one mile North.

Sec. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of this State, and shall have resided within the corporate limits of said town for sixty days immediately preceding their election, who shall be elected on the second Monday in April in every year, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of this State, and who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

Sec. 3. That the election for Intendant and Wardens of the said town shall be held at the Town Hall, in the said town, from eight o'clock in the morning until four in the afternoon; and when the polls shall be closed, the Managers shall forthwith count the votes and proclaim the election, and give notice in writing to the persons elected; the Intendant and Wardens shall appoint three Managers to hold the ensuing and every subsequent election, except the first, which shall be ordered by the County Commissioners of Edgefield County immediately after the passage of this Act. The Managers, in each case, shall, before they open the polls for said election, take an oath, fairly and impartially to conduct the same; and the Intendant and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant (or Warden) of the Town of Hamburg, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace, and carry into effect, according to law, the purposes for which I have been elected: So help me God." The said Intendant and Wardens shall hold their offices from the time of their election until the second Monday in April ensuing, and until their successors shall be elected and qualified.

Sec. 4. That in case a vacancy should occur in the office of Intendant or any of the Wardens, by death, resignation, removal, or otherwise, or in case of a tie in said election, an election to fill such vacancy shall be held by the appointment of the Intendant and Wardens or Warden, (as the case may be,) or the County Commissioners of Edgefield County, if there should be no Intendant or Wardens, ten days' public notice thereof being previously given; and in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of their number to act in his stead during the time.

Sec. 5. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be vested with all the jurisdiction and powers of Trial Justice or any other inferior Court, within the limits of the said town. And the Intendant shall and may, as often as he may deem it necessary, summon the Wardens to meet in Council, (any two of the Wardens, with the Intendant, shall constitute a quorum to transact business;) and they shall be known as the Town Council of Hamburg, and they and their successors, hereafter to be elected, may have a common seal, which shall be affixed to all the ordinances. And the said Town Council shall have authority to appoint, from time to time, as they may see fit, such and so many proper persons to act as Marshals or Constables of said town, as the said Town Council may deem necessary and expedient for the preservation of the peace, and good order of the town, and the persons so appointed shall, within the corporate limits of said town, have the power, privileges and emoluments, and be subject to all the obligations, penalties and regulations, provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Council; and the said Town Council shall have the power to establish, or authorize the establishment, of the Market House in said town, and the said Town Council shall have full power and authority, under their corporate seal, to make all such rules, by-laws and ordinances respecting the streets, roads, market house, and the business thereof, and the police system of the said town, as shall appear to them necessary and proper for the security, welfare and convenience, and for the preserving health, order and good government within the same. And the said Town Council may impose fines for offences against their by-laws and ordinances, and appropriate the same to the public use of said town; and the said Town Council shall have the same power which Trial Justices now have to compel the attendance of witnesses, and requiring them to give evidence upon the trial before them of any person for a violation of any of their by-laws or ordinances, but no fine above the sum of twenty dollars, or imprisonment in the guard house not longer than ten days, shall be imposed by them, except by suit in the Court of Common Pleas: *And provided, also*, That no fine shall exceed fifty dollars; and also, that nothing herein contained shall authorize the said Council to make any by-laws or ordinances inconsistent with, or repugnant to the laws of this State; and all the by-laws, rules and ordinances the said Council may make, shall, at all times, be subject to revisal or repeal by the General Assembly of this State.

Sec. 6. That the said Intendant and Wardens shall have full power to abate and remove nuisances in the said town; and it shall be their duty to keep all roads, ways and streets within the corporate limits of the said town open and in good repair, and for that purpose they are invested with all the powers heretofore granted to County Commissioners, and shall have full power to classify and arrange the inhabitants of said town liable to street, road or other public duty therein, and to force the performance of such duty, under such penalties as are now or shall hereafter be prescribed by law: *Provided*, That the said Town Council may compound with persons liable to perform such duty, upon such terms and on the payment of such sums as may be established by laws or ordinances: *And, provided, also*, That the individuals who compose the said Town Council shall be exempt from the performance of road and police duty.

Sec. 7. That the power to grant or refuse licenses for billiard tables, to keep tavern or to retail spirituous liquors, and on all drays and carts hauling goods for which they receive pay, also, all omnibuses or carriages carrying passengers within said town, at such rates and on such terms and conditions as the said Council may deem fit and proper; and the said Intendant and Wardens shall have the full and only power to impose a tax on all shows, exhibitions or public amusements, for gain or reward, within the limits of said town. And all money paid for license for retailing spirituous liquors, keeping tavern and billiard tables, dray and cart license, and omnibuses or carriages, and the tax collected on all shows for gain or reward within the said limits, shall be appropriated to the public use of the said corporation.

Sec. 8 That the Town Council of Hamburg shall have power and authority to require all persons owning a lot or lots in said town to keep in good repair, sidewalks in front of said lot or lots, whenever the same shall front or adjoin any of the public streets of said town, if, in the judgment of the Council, such sidewalks shall be necessary; the width thereof and the manner of their construction to be designated and regulated by the Town Council; and for default or refusal to keep in repair such sidewalks, the Town Council may cause the same to be put in repair, and require the owner to pay the price of repairing: *Provided*, That such contract for repairing be let to the lowest bidder.

Sec. 9. That the said Town Council of Hamburg shall have power to arrest and commit to jail for a space of time not exceeding five days, and to fine, not exceeding twenty dollars, any person or persons who may be guilty of disorderly conduct in said town, to the annoyance of the citizens thereof; and it shall be the duty of the marshal of the town to make such arrests, and to call to his assistance the *posse comitatus*, if necessary, and, upon failure to perform said duty, he shall be fined in the sum not exceeding twenty dollars for each and every offence.

Sec. 10. That the said Town Council of Hamburg shall have power to grant or refuse licenses to parties within the limits of said town, and the parties to whom such licenses are granted, shall be subject to such regulations as may, by ordinance, be established. They shall also have power, in addition to the money collected by licenses, to impose and collect an annual tax upon the assessed property of the said town; *Provided*, No tax shall be imposed in any one year, to exceed the rate of fifteen cents on each hundred dollars of such assessed property, and that the money so raised shall be applied to the use of said town. The said Town Council shall have the power to enforce the payment of all taxes levied by the said Town Council to the same extent, and in the same manner, as is now or hereafter shall be provided by law for the collection of the general State taxes.

Sec. 11. That all public property, which was formerly under the control of the Town Council of Hamburg, shall again revert to the Town Council elected under this Act: *Provided*, Such property is in the corporate limits of said town, and intended for public use.

Sec. 12. That the said Intendant and Wardens in person, or any one of them, may authorize and require any marshal or any constable, especially appointed for that purpose, to arrest and commit to the guard house, (which the said Town Council are hereby authorized to establish,) or to the jail of Edgefield County, for a term not exceeding five days, any person or persons who, within the corporate limits of said town, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or any conduct grossly indecent, or dangerous to the citizens of said town, or any of them.

Sec. 13. That the Town Council shall, within one month after the expiration of their term of office, make out and return to their successors a full account of their receipts and expenditures during their term, and shall pay over all moneys in their possession belonging to the corporation, also, deliver all books, records, and other papers incident to their office, to their successors, and on failing to do so shall be liable to a fine not exceeding two hundred dollars, to be collected by any proper action of the Town Council.

Sec. 14. That this Act shall be deemed a public Act, and shall continue in force for twenty-one years, and until the end of the session of the General Assembly of this State then next following, and all Acts of incorporations or amendments thereof repugnant or conflicting with this, are hereby repealed.

Approved February 28, 1871.

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