

# THE HORRY WEEKLY NEWS, AUGUST 18, 1871.

ACTS OF THE LEGISLATURE—CONTINUED

FROM FOURTH PAGE.

## AN ACT TO INCORPORATE THE TOWN OF FLORENCE.—No. 415.

See 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 and every person or persons who shall have resided in the corporate limits of the village of Florence, for two months or are hereby declared to be members of its corporation hereby created.

See 2. That the said persons shall, from and after the passing of this Act, become a body politic and corporate, and shall be known and called by the name of the town of Florence, and its corporate limits shall extend one mile in every direction from the corner of Front and Pargan Streets, in said town.

See 3. That the said town shall be governed by an Intendant and four Wardens, who shall have resided in the State 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 in the case of death or 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.

See 4. That the said election shall be held in some convenient public place in said town, from six o'clock in the morning until six 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 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 Manning, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and I 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 Council the sum of twenty dollars, for the use of the said town; Provided, That no person who has attained the age of sixty years, shall be compelled to serve in either of said offices, nor shall any other person be compelled to serve more than one year in any term of three years.

See 5. That in case a vacancy shall occur in the office of the Intendant, or any of the Wardens, by death, resignation, removal, or otherwise, a election to fill such vacancy shall be held by order of the Intendant and Wardens, or a majority of the same, ten days previous 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 as Intendant during the time.

See 6. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be vested with all the powers of a Trial Justice or other inferior Court; and the Intendant shall or may, as often as is necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, or any three of the Wardens, constitute a quorum to transact business, and they shall be known by the name of the Town Council of Florence. And they, and their successors hereafter to be elected, may have a common seal, which shall be affixed to all their ordinances, in, y, 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 or convey the same: Provided, That the same shall not exceed at any one time, the sum of ten thousand dollars: And the Intendant and Wardens shall, at all times, be subject to revision or repeat by the General Assembly of this State. And the said Town Council may fix and impose fines and penalties for the violation thereof, and appropriate the same to the public uses of said corporation: Provided, That no punishment shall exceed fifty dollars' fine or thirty days' imprisonment.

See 7. That the Intendant and Wardens of said town, or a majority of them, shall have full power to collect 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 money so received to be applied to the public use of said town; and all persons refusing or failing to pay such contribution shall be liable to such fine, not exceeding twenty dollars, as the Town Council may impose.

See 8. That the said Town Council shall have power to regulate sales at auction within the corporate limits of said town, and to grant licenses to auctioneers: Provided, Nothing herein contained shall extend to sales by Sheriff, Clerk of Court, Judge of Probate, Coroner, Executor or Administrator, Assigned in bankruptcy, or by any Trial Justice or other inferior Court.

See 9. They shall also have power to impose an annual tax not exceeding fifty 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 of churchs and school associations excepted, and to regulate the price of licenses upon all public houses 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 the authority of this Act, again the property and person of all defaulters, to the same extent and in the same manner as is provided for in the collection of the several taxes, except that executions to pay the same shall be under the seal of the corporation, and

to the Town Marshal or other persons 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 the State, which shall first be paid.

See 10. 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 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 street, road or way shall be opened, without first having obtained the consent of the land owner, or owners thereof, through whose premises any such new street, road or way may pass.

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