LAWS OF THE STATE.

Acts and Joint Resolutions, Passed b the General Assembly of South Carolinn, Session of 1870-771.

[OFFICIAL.]

AN ACT TO GRANT, RENEW AND AMEND sitting in General Assembly, and by the

one or more Boards of Managers (three Managers having obtained the consent of the lan

office, hereafter to be elected, may have a com to grant or refuse license to keep taverns or re mon seal, which shall be affixed to all of their tail spirituous liquors within the corporate limits and purchase, hold, possess, and enjoy to them and right: Provided, That in no instance shall Council. And the said Town Council shall have purposes in said town; and they shall have the of a market house in said village; also to an- or exhibitions, for gain or reward, within the

said Intendant and Wardens in person, any one shall be published at least three weeks during the

to the said guard house or jail of Charleston stated, immediately after the passage of this Act. may be engaged in a brenet of the peace, any, taxes to the Clerk or Treasurer of said corpora indecent, or dangefous to the citizens of said after publication, and upon the faiture to make town, or any of them. And it shall be the duty such return and payment, as required the parties

keeping and governing the same. And until the on every hundred dollars of the value of all real

said goard house be established, they shall be and personal property lying within the corporate

lation of any ordinance, rules and regulations of rates of annual taxation upon property



VOL. XXI

WEDNESDAY MORNING, APRIL 19, 1871.

Timeo Danzos Et Dona F

DEVOTED TO LITERATURE, MORALITY AND GENERAL INTELLIGENCE.

officers to perform such duty as required, they cept in such cases that executions to enforce the sing such licenses as they may think proper, never, in any way or form, to make the town linthem. And all persons so imprisoned shall pay the Town Marshal, or other person appointed by tables without licenses within the corporate limprovided by law; and all property upon which | tion. such tax shall be levied and assessed is hereby or linances, rules and regulations: Provided, declared and made liable for the payment thereof, dens shall have power and authority to impose tion. That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offence which he, afteror they other taxes imposed by the Intendant and Warmay have committed. And the said Town Couniens, or a majority of them, shall be payable in failure of payment, their property shall be liable

Sec. 9. The Intendant and Wardens elect. to pather with Clerk and Treasurer, shall, during their term of office, be exempt from street and olice duty. Each Town Council shall, within office, make out and return to their successors in office, a full account of their receipts and expedi-County; and shall pay over all moneys in their ossession belonging to the corporation, and deiver up all books, records and other papers incident to their office, to their successors; and, or ailure to do so, they shall be liable to be fined in a sum not exceeding five hundred dollars, to be collected by any proper action of the To a

Sec. 10. That all Ordinances or by-Law. assed by the Town Council of St. Stephens shall be binding upon the cirizens of said town the same as the laws of the State.

SEC. 11. All Acts and parts of Acts inconsis ent, or supplied by this Act, be, and the same are

and continue in force for the term of twenty years, and until the end of the Legislature there-

SEC. 14. That from and immediately after assage of this Act, ail and every person or perne, who are constitutionally qualified to vote members of the General Assembly of this orporate limits of the Town of Sumter for sixty days immediately preceding an annual election for Intendent and Wardens, are hereby declared

SEC. 15. That the said persons and their suc and be sued, implead and he impleaded in any

ally reside within the limits of said corporation. and have so resided for at least sixty days

feach year an election for Intendant and Warlone shall be hald at such convenient place or places within said town as may be designated by said lutendant and Wardens; at which election all persons as have been before declared members of the said corneration, shall be entitled to vote by general ballot; the polls shall be opened from

six in the morning until six in the evening. Sec. 18. Tost the Intendant and Wardens elected as above directed, before they enter upon the duties of their office, shall, in addition to the rath prescribed in Section 30 of Ar icle II of the oustitution, take the following outh, to wit :-"I, as Intendant (or Warden) of the Town of Sumter, do solemnly swear (or affirm) that I will equally and impartially, to the best of my skill and judgment, exercise and discharge the trust crosed in me, and will endeavor to carry into So help me God." And that the said Intendant and any two of the Wardens shall constitute a quorum for the transaction of business; and in ease of the death, resignation, or absence from own of the Intendant aforesaid, the said Wardens, or a majority of them, shall elect from among themselves an Intendent to fill such vacancy occasioned as aforesaid, and that in case of death, removal from office, or resignation of any of the said Wardens, then, and in such case, the Intendant and any two Wardens shall appoint a time and place for election of another Warden to fill the vacancy so occasioned, after having given ten days previous notice of such

ecrasion may require, summon the Wardens to meet together; and the said Intendant and Wardens shall bave, and are bereby vested with full and ample power, from time to time, unde their common seal, to make all such Ordinances, rules and regulations relative to the streets, roads, ways and markets of the said town, they may think proper and necessary, and tablish such by-laws as may tend to preserve quietude, peace, safety and good order of the inhabitants thereof, not inconsistent with the Constitution and laws of the State, and that they may impose fines and penalties for the vioation thereof, which may be recovered in a sum dens. as bereinafter provided, and each and every one of them shall be a Magistrate, Trial Justice, or Justice of the Peace, as either of such officers shall exist in this State, within the limits of the said town, and shall otherwise be vested with all power and authority, that spch officer may be vested with throughout the State, except i civil cases : Provided nevertheless. That all such es, by-laws, rules and regulations so made, be duly promulgated, and that no such ne in any one case, and for any single offence shall exceed the sum offifty dollars.

SEC. 20. That when any fine imposed by the aid Intendent and Wardens by virtue of this Act shall exceed twenty dollars, the same may or Justice of the Peace for Sumter County, and when such fine shall be for twenty dellars or under they may be recovered before the hald in-Wardens, or any three of them; all

so in default shall be subject to the penalties the prices of the same : Provided, That the said | town of Sumter be, and they are hereby, author- | County is hereby required to receive and keep the | duly sworn in by the Intendant, and vested with orders of the Intendant and Wardens, or a ma- shall have power to impose such restrictions and seal of the corporation, and may be directed to General Sessions, for retailing or keeping billiard the said Town Council to levy, collect and receive tis of said town, shall be received by said Intenthe same, with costs as in such cases made and dant and Wardens for the use of said corpora-SEC. 22. That the said Intendent and War-

in preference to all other debts, except debts due the following annual taxes for the uses and purto the State, which shall be first paid; and that all poses of the said corporation, and who shall be limbe to the state, which shall be first paid; and that all poses of the said corporation, and who shall be limbe to of real estate within the corporate limits of said advance by the parties liable for the same, and on town, (except the real estate of churches and their term, and shall pay and deliver to their for the same, as in manner and form just before estate for taxation to be accertained and assessed property in their hands, belonging to the coras heroinafter provided for, not exceeding twenty poration. or profit, and drawn by one horse; not exceddrawn by more than two horses; and not ex- qualify. ceeding twenty cents upon each one hundred town, except cales made by order of Court, or the General Assembly thereafter. by process of law, or by executors or admisis-

SEC. 23. The Clerk of the said Town Council by, repealed. shall, annually, make out an assessment, from the books of the County Auditor, of all real astate in the limits of said town for taxation, and shall make return of said assessment to the In- own, or may hereafter own, dwelling tendant and Wardens within one month from the village of Wrightsville, and those who the time of his appointment.

SEC. 24. That an ordinance declaring the rate f October in each year; and that all persons liable to taxation under the same, shall make direction from the Episcopal Church. their return on oath, and make payment of their tax to the Clerk and Treasurer (hereinafter constituted) of the said corporation, during the sucin default shall be subject to the penalties now posed by the Intendent and Wardens shall be payable in advance by the parties liable therefor: and that for non-payment of the same, the party in default shall be subject to the same penalty

dens are hereby authorized to appoint a Clerk hereby declared and made liable for the payment thereof in preference to all other debts due

which shall be paid first. SEC. 26. That in case of sickness or te and rary absence of said Intendant, the Wanlen. shall be empowered to elect one of their own number to act as Intendant for the time.

SEC. 27. That the said Intendent and War dens of the said town of Sumler are hereby authorized and empowered to establish and keep up one or more public scale or scales houses, with pro per scal s and weights for weighing cotton and other articles sold by weight in the said town by and at the expenses of the said town.

Sec. 28. That the said Intendant and War

dens be, and they are hereby, authorized to appoint one or more public weighers, who shall be sworn by the said Intendent faithfully to per form the duties of said office, and who shall be removable for misconduct or incompetency by said Intendant and Wardens : and when reference is had to any of the public scales used by d weighers, by the authority of said Intendan; and Wardens, on the same day that the cortract of sale is made, the certificate of public weighers shall be conclusive evidence of the weight of the cotton, or any other article sold by weights, in any Court of juctice in which an acon shall be pending touching the weight of any such article; and the said Intendant and Wardens are hereby authorized to assess a sum not exceeding ten cents on each hale of cotton, and a proportionate sum on other articles weighed

established in pursuance of this Act, shall be the standard to which all others in the said town hall conform ; and if any person shall use, in weighing any article whatsoever sold in said town, weights and seales differing from the standard, such person, on conviction in the fined and imprisoned, at the discretion of the

SEC. 39. That the said Intendant and and shall have power to establish and keep a guard house and town prison, and to make all suitable rules and regulations for the prope povernment of the same; and any of the police perized to arrest and commit to the cur person or person who may be guilty, within the monesary, in the discharge of their duty, have anthority to call the source communes of the said

licenses shall not be fixed at a lower rate than | ized to borrow money by issuing town stock, persons so committed, until discharged by a due all the power Constables now have by law, and from time to time, to the amount of tweny thou- course of law; and the said Intendant and War- whose power and authority shall be jority of them, for the use of the said town, ex- conditions upon the manner of using and exerci- purpose, of erecting a market and town hall, but jurisdiction within said e rporate limits, in all whose further power and authority shall also payment of such taxes, shall be issued under the and all moneys paid for such licenses as Court of ble for exceeding that amount in the aggregate; have, according to law. Provided, That the private property of the citizens of the said town of Sumter shall not be under the granted powers herein made, or in any

SEC. 33. That the Intendant and Wardens

other mode than by a regular and uniform taxa-

SEC. 34. That the first election held after the penalties imposed by law upon County Com- the said corporation. of all sales of goods, wares, merchandise, in passage of this Act, the Clerk of the Court of missioners for like neglect. said town, not exceeding three dollars on each Common Pleas for Sumter County, is hereby required to give ten days' public notice of the time ceeding five dollars on each pleasure carriage and place, or places of holding said election, and drawn by two or more horses , not exceeding five appoint managers to conduct the same: Providollars on each vehicle of any kind kept for hire | ded, further, That immediately after the close of any election held for the election of Intendant or ing ten dollars on each vehicle of any kind tept | Wardens, the Managers shall forthwith proceed for hire or profit, and drawn by two horses; not to count the votes, declare the election, and give exceeding twenty dollars on each vehicle of notice of the result hereof, in writing, to the any kind kept for hire or profit, and persons elected, who, if eligible, shall thereupon

dollars of all sales made at auction or upon con- lie Act, and shall continue in force for fourteen signment, within the corporate limits of said years, and until the end of the next session of

SEC. 36. That all Acts or parts of Acts, incon sistent with this Act, be, and the same are here-

occupy such dwelling houses, under lease, shall be deemed, and are hereby declared to be a body of annual taxation upon property, and other | politic and corporate, and that the said village subjects of annual taxation for the year, shall be shall be called and known by the name of published at least three weeks during the month | Wrightsville, and its limits shall be held and

SEC. 38. And be it further enacted, That the and four Wardens, who shall be elected on the coeding month of November ; and upon failure first Monday in April, 1871, and on the same day provided by law for failure to pay the General always be persons living within the limits of said State tax; the said penalty to be enforced by village, at such place as the Intendant and Warthe said Intendant and Wardens for the use of deps shall designate, ten days' notice being prethe said town. And that all other taxes im- viously given; and that all the male inhabitants of twenty-one years, and have resided therei sixty days previous to the election, shall be enti when the polls shall be closed, the Managers Act, and it shall be the duty of the said Clerk being shall appoint three (3) Managers to hold and Treasurer to collect the same, and for this the ensuing election: Provided, That the present purpose he shall have and exercise all the pow- Commissioners of Election do appoint Managers duties of their offices, shall take the oath proscribed by the Constitution of this State, and by the person owning the property at the time of also the following oath, to wit: "As Intendant assessment, except debts and taxes due the State (or Warden) of Wrightsville, I will equally and impartially, to the best of my skill and 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 haln me God."

Sec. 39. And he it further enacted. That is case a vacancy shall occur in the office of Intendant, or any of the Wardens, by death, resigna-State, an election shall be held, by the appointment of the Intendant and Warden, or Wardens, as the case may be, ten days' previous notice bing given; and in case of sickness or temporary absence of the Intendant, the Wardens forming Council shall be empowered to elect one of the Wardens to act as tomporary Intendant, or formance thereof, as is by law now inflicted by

SEC. 40. And be it further engeted, That the to act in his room during the time. Intendant and Wardens, duly elected and qualifled, shall during their time of service, severally and respectively, be vested with all the powers of Justices of the quorum of the State, within the Town Hall, or some other convenient public place said street is necessary for his use and accommo- Wardens, as and may, as often as occasion may require, sum- September of each and every year, from ten venient access for him to the business part of the mon the Wardens to meet him in Council, a o'clock A. M., until three o'clock P. M., when majority of whom shall constitute a quorum for the polis shall be closed, and the Managers shall affidavit of the applicant, and recommended by the transaction of business, and shall be known forthwith count the votes, proclaim the election at least twelve of the taxable inhabitants of the by the name of the Town Council of Wrights- and give notice in writing to the persons elected. said town. ville; and they, and their successors in office, The Intendant and Wardens for the time being SEC. 55. The said Intendant and Warden may have a common seal, and shall, have power shall appoint three Managers to hold the ensuing shall have power to compound with all persons and authority to appoint, from time to time, such election, and for any subsequent election, the liable to work on said roads, ways and streets, and so many proper persons to act as Constat.ce, Managers shall always in each case be persons upon the payment of such sums of money as they within their jurisdiction, according to law, as who are able to read and write with facility, and may deem a fair equivalent therefor, to be apthey shall deem expedent and proper, which Con- shall before they open the polls for such election, plied to the use of the sail corporation. And stables shall have all the powers, privileges and take an oath fairly and impartially to conduct the the Intendent and Wardens are hereby individuemoluments, and be subject to all duties, penal- same; and the Managers of such election are ally exempted from the performance of road and ties and regulations provided by the laws of the bereby authorized and empowered to administer, State for the office of Constables; and the In- if they see fit, an oath to any person offering to said town shall be liable to work on any road tendant and Wardens in Council shall- have vote, and to make all other neccessary enquiries without the said limits, or to be taxed or assesspower under their coporate seal, to ordain and for the purpose of secertaining whether such ed for the same. establish all such rules, by faws and ordinances persons are qualified to vote under this law. respecting streets, ways, markets and police of of said village, as shall appear to them proper, duly elected and qualified, shall, during their ous liquors, within the limits of the said corpofor the security, welfare and convenience of said term of service, severally and respectively, within ration, be, and the same is hereby, vested in the willege, and for preserving health, peace, order limits of said town , be verted with all the powers Town Council of Aiken, which licenses shall be and good government within the same; and the and jurisdiction of Magistrates or Trial Justices granted in the same manner, and upon the same said Council may affix fines for offences against of this State, except for the trial of small and conditions, as they now are, or may hereafter be such by laws and ordinances, and appropriate mean causes, and the Intendant shall, as orea- under the laws of this State: Provided, That to Intendant the same to the use of the corporation; but no sion may require, summer the Wardens to meet hilliard table kept by the boarding houses and

dens shall, collectively and severally, have

Sec. 42. And be it further engued. That it shall be the duty of said Intendant and Wardens without the corporate limits. who corporate debts that shall or may be created limits open and in good repair falso, to erect a

of the said corporation to remain, in regard to regularly entered in a book kept for that purpose by law, until altered by lawful authority.

right incident to an incorporation.

shall be always persons who are constitutionally same. qualified to vote for members of the Legislature Before entering upon the duties of their office, the said Town Council may, by ordinance, they shall take the following oath, to wit: "I do said Intendent and Wardens in person, exercise the duties of the office to which I have commit to said guard house, or other place been elected (or appointed) and that I will faith- custody, to be designated by the Intendent, fully discharge, to the best of my abilities, the a term not exceeding forty-eight hours, any pe luties thereof; that I recognize the supremacy son or persons who may be engaged in a of the Constitution and the laws of the United of the peace, and riotous or disorderly States over the Constitution and laws of any open obscenity, public drankenness, or State, and that I will support, protect and defend | conduct grossly indecent, or dangeron onstitution of South Carolina, as ratified by the it shall be the duty of the Town Marshal copie on the sixteenth day of April, 1868; and I other police officers, to strest and do further solemnly swear, as Intendant (or War- such offenders, and who shall have power to den) of Aiken, that I will equally and imparti- to their assistance the

SEC. 46. That all mail persons who are constibranch of the State Legislature, and who have nuisances in said town. been permanent residents in the said town for six

Wardens of the said town shall be held at the person applying for the said, alleging that the the ani-

SEC. 49. That the Intendant and Wardens, five shall exceed fifty dollars, and when fines | him in Council a majority of whom shall considers botels of said town, for the use of boarders, shall exceed twenty dollars, they may be recovered in a quorum for the transaction of business. The be subject to a tix, unless the same is also kept and ordina the duftice's Courts of Charleston County; and said Council shull have full power, under its cor for the use of the public generally, and for profit when they are of the amount of twenty dollars porate seal, to ordain and emablish all such and gain; and all monies received for licenses. or under, the same may be recovered before said rules, by laws, and ordinances respecting the taxes, suces, exhibitions, etc., within the said Intendant in Council : Provided, Nothing herein atrests, pavements, ways, markets, public build limits, shall be appropriated to the public uses of sontained shall empower the said Council to er- ings, weights, measures, wells, disorderly places, said corporation. dain or establish any by-laws or ordinances in fre department, police, and in en. al, savery SEC. of That all fines and forfeithers impose consistent with or repugnant to the laws of the laws of the other by haw as shall appear to a requisite for by said fewn Council, under the power vested land and all such by laws and ordinances shall, the security, welfare and convenience of the said by law, shall be collected in the same manuer as linese, order and good government within the Sheriff for the County, for the time being, and

liable, in law or equity, for the payment of the to keep all roads, streets and alleys within said any ordinance of said town: Provided. Said of-"lock-up," if necessity require; and the said In- The duties of the Marshal shall be to collect all endant and Wardens may have power to grant fines and forfeitures imposed by the Intendant or restrain any license for the sale of intoxicating and Wardens, and to enforce and carry into exliquors, within the corporate limits of said town, ecution and effect the by- laws and ordinances of cents on the value of each one hundred dollars their term of office, make out and publish a full parties taking out the same to pay any amount be removed by the said Town Council; and the to said corporation that they may assess on said said Intendent and Wardens shall also hav sales, instead of the County Treasury, and for power to establish an ordinance whenever they institutions of learning,) the value of such real successors all moneys, books, records, papers or that purpose they are invested with all the pow-shall deem it expedient, to ordain and establish ers; and for neglect of duty shall liable to the the same to be provided for out of the revenue of

> power to select or appoint a Clerk, who shall also SEC. 43. And be it further enacted. That the be Tressurer, whose duty it shall be to attend all the town of Aiken, or owners of freehold therein, kept for that purpose, of all the proceedings therewithin the limits bereinafter prescribed, are of, to take charge of all papers belonging to hereby declared a body corporate. The limits of Council, and to lodge with the proper I officer. the form of a circle, and a square upon, that cir- to keep a regular account of all receipts and dis cle, with the sides of the square touching the bursements, which accounts shall, at all times, circumference of said circle, on the North, East, be accesssable to the Intendant or any of the South and West. The said circle to describe a Wardens; and it shall be his duty to make an circumference, one mile in all directions, from official semi-annual report to the Council of the the central point of the intersection of the Rail state of hisaccounts, at which times the doors of Road avenue and Union-streets as the centre of the Council room shall be open to all the citizens the said town; and the streets within the limit, of the said Town, and which reports shall be number, location and extent, as now established He shall attend to the publication of all ordi nances and other documents ordered by Council SEC. 41. The said town shall be called Aiken, to be published. He shall hold his office for such and be governed by an Intendant and six War- term as Council may prescribe, not, however, exlens, to be called the Town Council of Aiken, ceeding one year, and shall receive such com and by that name have succession of members, pensation for his services as Council may enact. keep a common seal, take and hold property, Provided, That be may be removed from his of (necessary for corporate uses only,) sue and be fice at the pleasure of the said Town Council, and sued, implead and be impleaded, and enjoy every before entering upon the duties of his clice he chall give bond in the penal sum of three thou SEC. 45. That the said Intendent and Wardens sand dollars for the faithful discharge of the and exten

SEC. 52. That the said Town Council shall in this State, who actually reside within the limits have power to establish a guardhouse, and to aforesaid, and have so resided at least twelve prescribe, by ordinance, suitable rules and regumonths immediately preceding their election. lations for keeping and governing the same; and solemuly swear, (or affirm, as the case may be,) or more of them, authorize and require any Marthat I am duly qualified, according to the Con- shal, Deputy Marshal or Police officer, or an stitution of the United States, and of the State, Constable, specially appointed, to arrest and carry into effect, according to law, the purposes ance of such duty as required, they shall, several in writing of my appointment : So help me God." The said ly be subject to such fines and penalties as Coun- unale Intendant and Wardens shall hold their offices oil may establish. And all persons lawfully from the time of their election until the second imprisoned shall pay the costs and experses in- sixty days previous Monday in September ensuing, and until their cident to their imprisonment, and be subject to entired to v successors shall be elected, and enter on the dis- such fines as Council may impose for the officene" committed.

Sec. 53. That the said Intendent and War- | when the potutionally qualified to vote for members of either dens shall have full power to abate and remove

SEC. 54. Thrt it shall be the duty of the said Council to keep all roads, ways and streets with. | dens, for the Sec. 47. That in case a vacancy should occur in the corporate limits, open and in good repair, gers to hold the in the office of Intendant, or any of the Wardens, and for that purpose they are invested with all by death, resignation, removal, or otherwise, or the powers vested in the County Commissioners in case of a tie in said election, an election to fill and they shall have full and exclusive power to such vacancy shall be held, by the appointment order out all the hands now liable, or hereafter of the Intendant and Warden, or Wardens as the made liable by the laws of this State, and to re den. case may be, ten days' public notice being previ- quire them to work on the respective roads, ways to the bes ously given; and the Intendant, in case of his and streets, within the limits of the sail corportions sickness or temporary absence, is authorized and ration, as many days in each year, and to inempowered to nominate and appoint any one of fliet the same fines and penalties for the non-per effect, a conting to failing so to do, the Wardens forming a council the different Boards of County Commissioners : Sec. 64. That shall be empowered to elect one of their number Provided, It shall not be obligatory on the Town the office of Inte-Council to open any street within the limits of by death, resident Sec. 48. The election of the Intendant and the said town, unless upon the petition of the from any town; which pelition shall be verified by the dant, the

street duty, and no person residing within the

SEC. 36. That the power to grant licenses for billiard tables, to keep taverns, or retail spiricu

violation of its ordi his lawful departes, be, and they are hereby, suappeal in the same dirties and populities pe there-in provided: Provided, That all mills being

NO. 51. The Sumtor Watchman,

Highest Style of the

EVERY DESCRIPTION