

AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF WILLIAMSTON.

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 who may have resided within the corporate limits of the town of Williamston for one year, or who may own a freehold therein, and their successors, are hereby declared to be members of the corporation hereby intended to be created.

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 Williamston, and its corporate limits shall extend one mile in the direction of the cardinal points from the present brick hotel as a centre, and form a circle.

Sec. 3. That the said town shall be governed by an Intendant and four Wardens, who shall be persons that actually reside within the limits of the corporation, and have so resided at least twelve months immediately preceding their election. The said Intendant and Wardens shall be elected on the second Monday in September 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 therein sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens: Provided, That no person shall be allowed to vote at any such election who shall not have registered his name as a voter with the Clerk of the Council, in a book or books to be kept by him for that purpose, by 10 o'clock A. M., on the day preceding every such election.

Sec. 4. That said election shall be held in some convenient public place in said town, from 9 o'clock in the morning until 5 o'clock in the evening, and when the polls shall be closed, the managers shall forthwith proceed to count the votes, under oath, publicly, stating the whole number of votes cast for each candidate or person voted for, and shall transmit their report for the same, in a sealed envelope, to the Intendant of the town, and if there be no such Intendant, the same shall be transmitted to the Clerk of the Court of Anderson County. The said Intendant, or Clerk of the Court, shall open the report of the said managers, and shall announce and publish the whole number of votes cast, and the whole number cast for each candidate, when the several candidates receiving the highest number of legal votes for the offices which they were voted for, shall be declared duly elected. The Intendant and Wardens, for the time being, shall always appoint three managers to conduct the election, who, before they open the polls for said election, shall take the oath fairly and impartially to conduct the same. And the Intendant and Wardens, before entering upon the duties of their office, shall, respectively, 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 Williamston, I will faithfully 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 purpose for which I have been elected. So help me God."

Sec. 5. In case a 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 the Intendant and Warden or Wardens; and, in case there be none, then by the appointment of the Clerk of the Court of Anderson County.

Sec. 6. That the Intendant and Wardens, duly elected and qualified, shall be, during their term of office, vested with all the powers and authority which Trial Justices are at present vested with, 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 constitute a quorum to transact business; and they shall be known by the name of the Council of the Town of Williamston; and they and their successors hereafter to be elected, may have a common seal, which shall be affixed to all other ordinances, may sue and be sued, plead and be pleaded, 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, That 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 the preserving of the 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 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 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 licenses to keep taverns and 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, 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 license 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 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, 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 twentieth section of this Act.

Sec. 10. That all ordinances heretofore passed by the Town Council of Williamston, in conformity with the authority granted by existing laws, shall be, and they are hereby declared legal and valid.

Sec. 11. That for any wilful violation 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. 12. That all Acts, and parts of Acts, heretofore passed in relation to the incorporation of the Town of Williamston, 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 March 9, 1872.

Sec. 13. That the said Town Council shall have power to impose an annual tax, not exceeding thirty cents on every hundred dollars of the value of all real estate lying in 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 person 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 said town, for the use of the corporation.

Sec. 14. 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 merchandise, 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 thereof, any party in default shall be subject to the penalties now provided by law for failure to pay the general State tax.

Sec. 15. 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 side-walks in front of said lot or lots, whenever they shall front or adjoin any public street of said town, if, in the judgment of the Council, such side-walks shall be necessary, the width thereof, and the manner of their construction, to be designated by the said Council; and for default or refusal to make and keep in repair such side-walks, 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; the said Town Council are hereby empowered to sue for and recover the same 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. 16. 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 improvement or convenience of said town: Provided, That no new street, road or way shall be opened without first having obtained the consent of the land-owner through whose premises any such new street, road or way may pass.

Sec. 17. That the said Town Council shall have power, and are hereby authorized, to elect one or more Marshals, to affix their salaries and prescribe their duties, who shall be duly sworn in, and invested with all the power and subject to all the duties and liabilities that Constables now have or are subjected, by law, in addition to the duties and liabilities especially conferred and imposed on them by the Town Council: Provided, That their jurisdiction shall be confined to the corporate limits of said town.

Sec. 18. That the said Town Council shall have power to establish a guard house, and to prescribe by ordinances suitable rules and regulations for keeping and governing the same, and 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, or any one or more of them, authorize and require the Marshal of the town, or any Constable specially appointed for that purpose, to arrest and commit to the said guard house, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of the 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 Marshals to arrest and commit all such offenders, when required to do so, and 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 persons 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 except the party from payment of any fine the Council may impose for the offence for which he may have been committed.

Sec. 19. That the said Town Council shall have power to collect the taxes from all persons representing publicly, within the corporate limits, for gain or reward, any plays or shows, of what nature or kind soever, to be used for the purpose of said corporation, which shall 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 said Town Council, for the uses of the corporation.

Sec. 20. That the Town Council shall have power and authority to abate all nuisances within the corporate limits, and also to appoint a board of health, as may be necessary to define the powers and duties of said board.

Sec. 21. That the said Intendant and Wardens shall have power to compound with persons liable to work on said roads, streets and alleys,

to release such persons as may desire it, upon a fair equivalent therefor, to be applied by them to the use of said corporation; and no person residing within the said limits, shall be liable to work on any road without such limits, or to be taxed or assessed for the same.

Sec. 22. That the Town Council of Pendleton shall have power to impose an annual tax upon the keepers of billiard tables and ten pin alleys, within the discretion of said Town Council, upon such terms as they shall, 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 merchandise, and also upon the amount of income arising from all factories 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 banks 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 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 the said town. And the said Town Council shall have power to impose an annual tax, not exceeding thirty cents on every hundred dollars of the value of all real estate lying in 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 person 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 said town, for the use of the corporation.

Sec. 23. 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 merchandise, 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 thereof, any party in default shall be subject to the penalties now provided by law for failure to pay the general State tax.

Sec. 24. 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 side-walks in front of said lot or lots, whenever they shall front or adjoin any public street of said town, if, in the judgment of the Council, such side-walks shall be necessary, the width thereof, and the manner of their construction, to be designated by the said Council; and for default or refusal to make and keep in repair such side-walks, 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; the said Town Council are hereby empowered to sue for and recover the same 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. 25. 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 improvement or convenience of said town: Provided, That no new street, road or way shall be opened without first having obtained the consent of the land-owner through whose premises any such new street, road or way may pass.

Sec. 26. That the said Town Council shall have power, and are hereby authorized, to elect one or more Marshals, to affix their salaries and prescribe their duties, who shall be duly sworn in, and invested with all the power and subject to all the duties and liabilities that Constables now have or are subjected, by law, in addition to the duties and liabilities especially conferred and imposed on them by the Town Council: Provided, That their jurisdiction shall be confined to the corporate limits of said town.

Sec. 27. That the said Town Council shall have power to establish a guard house, and to prescribe by ordinances suitable rules and regulations for keeping and governing the same, and 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, or any one or more of them, authorize and require the Marshal of the town, or any Constable specially appointed for that purpose, to arrest and commit to the said guard house, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of the 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 Marshals to arrest and commit all such offenders, when required to do so, and 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 persons 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 except the party from payment of any fine the Council may impose for the offence for which he may have been committed.

Sec. 28. That the said Town Council shall have power to collect the taxes from all persons representing publicly, within the corporate limits, for gain or reward, any plays or shows, of what nature or kind soever, to be used for the purpose of said corporation, which shall 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 said Town Council, for the uses of the corporation.

Sec. 29. That the Town Council shall have power and authority to abate all nuisances within the corporate limits, and also to appoint a board of health, as may be necessary to define the powers and duties of said board.

Sec. 30. That the said Intendant and Wardens shall have power to compound with persons liable to work on said roads, streets and alleys,

to release such persons as may desire it, upon a fair equivalent therefor, to be applied by them to the use of said corporation; and no person residing within the said limits, shall be liable to work on any road without such limits, or to be taxed or assessed for the same.

Sec. 31. That the Town Council of Pendleton shall have power to impose an annual tax upon the keepers of billiard tables and ten pin alleys, within the discretion of said Town Council, upon such terms as they shall, 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 merchandise, and also upon the amount of income arising from all factories and merchandize, employments, faculties and professions, including the profession of dentistry: Provided, That no tax shall be imposed in any one year to exceed the rate of twenty cents on each hundred dollars of the value of such sales and income; and the said Town Council shall have power to impose a tax upon all persons who shall open any room or car for the purpose of taking daguerotypes or other likenesses, within the corporate limits of said town; and the said Town Council shall have power to impose an annual tax, not exceeding twenty cents on every hundred dollars of 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, resident 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 assessors; and any person who shall refuse to act as assessor, upon being appointed by the Council, may be fined any sum not exceeding twenty dollars; and the said Council shall have power to regulate the price of license upon all public shows and exhibitions in said town, and 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 delivering 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 the town taxes shall be issued under the seal of the corporation and directed to the Town Marshal or other persons specially appointed by the said 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 of same in preference to other debts due by the persons owning such property at the time of the assessment, except debts due the State, which shall be first paid; 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 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 good repair all such new streets, roads and ways, from time to time, as they may deem important or necessary for the improvement of said town: Provided, That no new street, road or way shall be opened without the consent of the land owner or owners, through whose premises any such new street, road or way may pass.

Sec. 32. That this Act shall be taken and deemed as a public Act in all Courts of Justice, and shall continue in force until repealed.

Approved March 12, 1872.

AN ACT TO INCORPORATE THE TOWN OF TOWNVILLE, IN THE COUNTY OF ANDERSON.

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 all persons, citizens of the State of South Carolina, who are now, or who may hereafter become, inhabitants of the town of Townville, in the County of Anderson, shall be deemed, and are hereby declared, a body politic and corporate, and that said town shall be called and known by the name of Townville; and its limits shall be deemed and held to extend one-half mile in every direction from the Townville Baptist Church, in said town.

Sec. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the first Wednesday in April next, on which day, as well as on the first Wednesday in April of every year thereafter, an election shall be held for an Intendant and four Wardens, who shall be citizens of the State of South Carolina, and sixty days immediately preceding said election, at such place as shall be designated by the Intendant and Wardens in writing, before entering upon the duties of their office, shall take the following oath, to wit: "As Intendant (or Warden) of Townville, I will support and defend the Constitution of the United States, and to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavor to preserve the peace, and carry into effect, according to law, the purposes of my appointment: So help me God."

Sec. 3. That in case a vacancy should occur in the office of Intendant, or any of the Wardens, by death, resignation, removal from office, or absence from the State, an election shall be held by the appointment of the Intendant and Wardens, as the case may be, thirty days' previous notice being 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 themselves to act as Intendant during the time.

Sec. 4. 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 Trial Justices of this State within the limits of the said village, except in trials of civil cases; that the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of the Town Council of Pendleton; and they and their successors in office shall have a common seal, and shall have power and authority to appoint, from time to time, such and so many proper persons to act as Constables as they shall deem expedient and proper, which Constables shall have all the power, privileges and emoluments, and be subject to all the duties, penalties and regulations provided by the laws of this State for the office of Constable; and the Intendant and Wardens in Council shall have power, under their corporate seal, to ordain and establish all such rules, by-laws and ordinances, respecting the streets, ways, market and police of such village, as shall appear to them proper for the security, welfare and convenience of the village, and for preserving health, peace, order and good government within the same; and the said Council may affix fines for offences against such by-laws and ordinances, and appropriate them to the use of the corporation; but no fine shall exceed twenty dollars; and when fines shall be levied, they may be recovered in the Court of Sessions for Anderson County, and when they are not so recovered, they may, under the authority of ten dollars, be levied and collected by the Intendant and Wardens: Provided, Nothing contained shall empower the said corporation to ordain or establish any by-laws or ordinances, inconsistent with, or repugnant to, the laws of this State; and all such by-laws and ordinances shall, at all times, be subject to the revival or repeal of the Legislature.

Sec. 5. That the said Intendant and Wardens shall have power to abate and remove nuisances within the said limits, and to classify and arrange the inhabitants liable to police duty, and to require them to perform such duty as often as occasion may require, and to enforce the performance thereof, under the same penalties as are now, or may be hereafter established by law; and that the said Intendant and Wardens, or any of them, upon view thereof, or upon complaint lodged, on oath, are hereby required and authorized to issue warrants against all offenders, and cause them to be brought before them, or him, and, upon an examination, shall either release, admit to bail, if the offence be bailable or commit to jail, such offenders, as the case may require; and the Sheriff of Anderson County is hereby required to receive and keep the person so committed until discharged by due course of law. And the said Intendant and Wardens shall, collectively and severally, have cognizance within the said corporate limits, in all criminal cases, as Justices of the Peace and Quorum have according to law.

Sec. 6. 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 are, or may hereafter be, under the laws of this State, except that the Town Council shall have power to regulate the price of license to keep taverns and 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 the State; and all the powers formerly vested 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 use of said corporation.

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 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 licenses to keep taverns and 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, 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 license 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 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, 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 twentieth section of this Act.

Sec. 10. That all ordinances heretofore passed by the Town Council of Williamston, in conformity with the authority granted by existing laws, shall be, and they are hereby declared legal and valid.

Sec. 11. That for any wilful violation 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. 12. That all Acts, and parts of Acts, heretofore passed in relation to the incorporation of the Town of Williamston, 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 March 9, 1872.

AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN OF PENDLETON.

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 all persons, citizens of the United States, who now reside, or may hereafter reside, in the village of Pendleton, shall be deemed, and are hereby declared, a body politic and corporate; and the said village shall be called and known by the name of Pendleton, and its limits shall be held and deemed to extend for one mile in every direction from the Farmers' Hall.

Sec. 2. That the said village shall be governed by an Intendant and four Wardens, who shall be elected on the fourth Monday in September next, or until their successors are qualified, on which day, as well as on the second Monday in September of every year thereafter, an election shall be held for an Intendant and four Wardens, at such place as the Intendant and Wardens shall designate, thirty days not less than ten days previously given; and that all male inhabitants of the said village, who have attained the age of twenty-one years, and have resided therein three months previous to the election, shall be entitled to vote for the said Intendant and Wardens; the election to be held from ten o'clock in the morning until two o'clock in the afternoon; and when the polls shall be closed, the Managers shall count the ballots, and proclaim the election, and give notice thereof, in writing, to the persons elected; and that the Intendant and Wardens, for the time being, shall always appoint three Managers to hold the ensuing election; that the Intendant and Wardens, before entering upon the duties of their office, shall take the following oath, to wit: "As Intendant (or Warden) of Pendleton, I will support and defend the Constitution of the United States, and to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavor to preserve the peace, and carry into effect, according to law, the purposes of my appointment: So help me God."

Sec. 3. That in case a vacancy shall occur in the office of Intendant or Wardens, by death, resignation, removal from office, or absence from the State, an election shall be held by the appointment of the Intendant and Wardens, as the case may be, thirty days' previous notice being 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 themselves to act as Intendant during the time.

Sec. 4. 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 Trial Justices of this State within the limits of the said village, except in trials of civil cases; that the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of the Town Council of Pendleton; and they and their successors in office shall have a common seal, and shall have power and authority to appoint, from time to time, such and so many proper persons to act as Constables as they shall deem expedient and proper, which Constables shall have all the power, privileges and emoluments, and be subject to all the duties, penalties and regulations provided by the laws of this State for the office of Constable; and the Intendant and Wardens in Council shall have power, under their corporate seal, to ordain and establish all such rules, by-laws and ordinances, respecting the streets, ways, market and police of such village, as shall appear to them proper for the security, welfare and convenience of the village, and for preserving health, peace, order and good government within the same; and the said Council may affix fines for offences against such by-laws and ordinances, and appropriate them to the use of the corporation; but no fine shall exceed twenty dollars; and when fines shall be levied, they may be recovered in the Court of Sessions for Anderson County, and when they are not so recovered, they may, under the authority of ten dollars, be levied and collected by the Intendant and Wardens: Provided, Nothing contained shall empower the said corporation to ordain or establish any by-laws or ordinances, inconsistent with, or repugnant to, the laws of this State; and all such by-laws and ordinances shall, at all times, be subject to the revival or repeal of the Legislature.

Sec. 5. That the said Intendant and Wardens shall have power to abate and remove nuisances within the said limits, and to classify and arrange the inhabitants liable to police duty, and to require them to perform such duty as often as occasion may require, and to enforce the performance thereof, under the same penalties as are now, or may be hereafter established by law; and that the said Intendant and Wardens, or any of them, upon view thereof, or upon complaint lodged, on oath, are hereby required and authorized to issue warrants against all offenders, and cause them to be brought before them, or him, and, upon an examination, shall either release, admit to bail, if the offence be bailable or commit to jail, such offenders, as the case may require; and the Sheriff of Anderson County is hereby required to receive and keep the person so committed until discharged by due course of law. And the said Intendant and Wardens shall, collectively and severally, have cognizance within the said corporate limits, in all criminal cases, as Justices of the Peace and Quorum have according to law.

Sec. 6. 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 are, or may hereafter be, under the laws of this State, except that the Town Council shall have power to regulate the price of license to keep taverns and 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 the State; and all the powers formerly vested 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 use of said corporation.

Sec. 7. That the said Intendant and Wardens shall have power to compound with persons liable to work on said roads, streets and alleys,

to release such persons as may desire it, upon a fair equivalent therefor, to be applied by them to the use of said corporation; and no person residing within the said limits, shall be liable to work on any road without such limits, or to be taxed or assessed for the same.

Sec. 8. That the Town Council of Pendleton shall have power to impose an annual tax upon the keepers of billiard tables and ten pin alleys, within the discretion of said Town Council, upon such terms as they shall, 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 merchandise, and also upon the amount of income arising from all factories and merchandize, employments, faculties and professions, including the profession of dentistry: Provided, That no tax shall be imposed in any one year to exceed the rate of twenty cents on each hundred dollars of the value of such sales and income; and the said Town Council shall have power to impose a tax upon all persons who shall open any room or car for the purpose of taking daguerotypes or other likenesses, within the corporate limits of said town; and the said Town Council shall have power to impose an annual tax, not exceeding twenty cents on every hundred dollars of 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, resident 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 assessors; and any person who shall refuse to act as assessor, upon being appointed by the Council, may be fined any sum not exceeding twenty dollars; and the said Council shall