(Advertisement)

ORDINANCE PASSED MEET ING OF COUNCIL, TOWN OF CLINTON, JANUARY 5, 1925, AND AS AMENDED AT SUB-THEREUNDER.

The following Ordinance and Resolution, passed by Council January 5th, was ruled by Mayor Jacobs contrary to the Civil Code of South Carolina, and therefore null and void; together with its amendments. Council nevertheless ordered its publication by the Clerk and Treasurer in case Mayor Jacobs refused signature. As the Clerk can not attest the Mayor's signature when he has not signed, the Ordinance is published by the Mayor merely to comply with Council's order to publish, but without signature. The reasons for his decision are published elsewhere in this paper.

#### STATE OF SOUTH CAROLINA, COUNTY OF LAURENS, TOWN OF CLINTON.

Council of the Town of Clinton; to ed and working under Overseer W. L. duties of the Mayor and members of 15th day of January, A. D., 1925. the Council; to prescribe the manner Offered by: S. G. Dillard. of purchasing supplies and payment for the same for the Town of Clinton; to prescribe rules and regulations for the employment of policemen and other town employees, and to prescribe the manner of paying salaries, wages and other expenditures of said

Be it ordained by the Town Council of the Town of Clinton, S. C., in council assembled:

Sec. 1. THAT: On and after the passage of this Ordinance, there shall be a regular meeting of the Town Council of the Town of Clinton on the first Monday of each month, at such hour as may be determined upon by the Mayor, provided: That when said day for meeting shall be a legal holiday, the meeting for such month shall be on the Tuesday next ensuing after the first Monday.

Sec. 2. THAT: Four Aldermen shall constitute a quorum of said Council, and no action on any matter relating to the affairs of the Town of Clinton shall be taken by said Council without a quorum being present either at a special or a regular meeting.

Sec. 3. That a special meeting to determine any matters relating to the affairs of said Town of Clinton may be had upon the request by the Mayor or any member of said Council, at any time; provided: Notice of the time, place and purpose of such meeting be given to all members of said Council, and provided further: That no matters shall be taken up at any special meeting of said Council except those State of South Carolina, contained in the Notice of said Meet- County of Laurens,

Sec. 4. That on and after the paslawful for the Mayor or any member TON IN COUNCIL ASSEMBLED: of the Town Council or any employee water or sewer system, or to make necessary materials therefor. any purchases of machinery, equipton, without authorization therefor by 1 hereinabove. the Town Council in Council assembled, either at a regular or special 15th day of January, A. D., 1925. meeting of said Council; provided: That this section shall not apply to the purchase of materials or supplies or other purchases where such purchase shall not exceed \$100.00 in amount.

Sec. 5. That on and after the passage of this Ordinance, it shall be unlawful for the Mayor or any member of the Town Council of the Town of Clinton, or any employee of the said Town of Clinton, to employ any person or persons in any department of the Town of Clinton in any capacity whatsoever, without first being duly authorized to make such employment or to engage such person or persons by the Town Council of said town in council duly assembled either at a regular or special meeting thereof; Provided: That this section shall not apply where the remuneration to such employee or employees shall not exceed \$25.00 per month.

Sec. 6. That on and after the passage of this Ordinance, it shall be unlawful for the Mayor or any member of the Town Council of the Town of COUNCIL OF THE TOWN OF CLIN-Clinton or any employee of the Town TON IN COUNCIL ASSEMBLED: of Clinton to pay or cause to be paid Sec. 1. That the Street Superintenany bills or invoices for any purchases dent be and is hereby authorized to or contracts for material or supplies, employ such labor as is necessalaries, wages, or any other obliga- sary for carrying on the work cil of the Town of Clinton on the tions of the Town of Clinton without in his department, and to re- first Monday of each month, at such first being duly authorized thereunto place such labor, provided: That the hour as may be determined upon by by the Town Council in Council as- aggregate amount to be paid such the Mayor; Provided: That when said sembled, either at a regular or special labor so employed by said Street regular meeting shall be a legal holimeeting thereof; Provided: That the Superintendent shall not exceed one day, the meeting for such month shall Ordinance; and, amount involved in the transaction hundred seventy-five (\$175.00) dol- be on the Tuesday next ensuing after wherein the payment is made, does lars per week. not exceed \$100.00; and provided further: That this section shall not apply the Water and Light Plant Superin- Council shall constitute a quorum of than \$25.00 per month.

of January, A. D., 1925.

Attest:

Mayor.

Clerk and Treasurer.

January 5th, 1925, regulating pur- dollars per week. chases, payments, employment of laquorum."

January 5th, was amended on Janu- two hundred (\$200.00) dollars per ary 10th to read as follows: "That week. the Mayor or Mayor pro tem, in the event of the inability of the Mayor to attend, shall call a special meeting of Council to consider any matters pertaining to affairs of the town upon the request of any two or more alder-

# State of South Carolina, County of Laurens,

Town of Clinton. BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CLIN-TON IN COUNCIL ASSEMBLED:

and regulations for meeting of the payroll incurred by the gang employ- in the aggregate \$525.00 monthly; to plant, or to make any purchases of prescribe rules and regulations for Lynn, not to exceed \$200.00 per week. quorum; to prescribe the powers and Passed by the Town Council this

Seconded by: L. R. Stone.

### State of South Carolina, County of Laurens,

Town of Clinton. BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CLIN TON IN COUNCIL ASSEMBLED:

THAT all regular and special meet ings of the Town Council of said Town of Clinton shall be held in the office of the Town Clerk and Treasurer of said town.

Passed by the Town Council this 15th day of January, A. D., 1925. Offered by: S. G. Dillard. Seconded by: T. J. Blalock.

#### State of South Carolina, County of Laurens, Town of Clinton.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CLIN-TON IN COUNCIL ASSEMBLED:

Sec. 1. That the Mayor and Town Clerk and Treasurer of said Town of COUNCIL OF THE TOWN OF CLIN- the Town of Clinton to pay or cause or replaced shall not exceed in aggre- resided at least six months imme-Clinton be and are hereby authorized TON IN COUNCIL ASSEMBLED: to issue checks for the payment of all Sec. 1. That the heads of all de- any purchases or contracts for mater- dollars per month. And the said The Mayor and Aldremen shall be, freight charges on materials and sup- partments be and are hereby directed ials or supplies, salaries, wages, or Water and Light Plant Superinten- and be known as, the Town Council of lies purchased for the use of the said to prepare and submit to the Council any other obligations of the Town of dent is further authorized, subject to said town, and shall be elected every

supply of coal for the use of said

Town and to pay for the same. Passed by the Town Council this 5th day of January, A. D., 1925. Offered by: S. G. Dillard.

Seconded by: C. C. Bailey.

Town of Clinton.

BE IT RESOLVED BY THE TOWN sage of this Ordinance it shall be un COUNCIL OF THE TOWN OF CLIN-

Sec. 1. That the City Engineer, of the Town of Clinton to authorize either through himself or through his the paving of any street or sidewalk foreman, be and is hereby authorized or any part of a street or sidewalk or to employ the necessary labor to comto authorize the extension of any part plete the addition to the power house of the water system of the said town now being carried on under Overseer or to put down any new project of W. A. Davis, And, to purchase the

Sec. 2. BE IT FURTHER REment, trucks, tractors, wagons, elec- SOLVED: That the Mayor and Town tric light poles, electric wires, coal, Clerk and Treasurer be and are herematerials or any supplies for the by authorized to issue checks for the Town of Clinton, either for cash or payment of the labor so employed and upon the credit of said Town of Clin- materials used as provided in Section

> Passed by the Town Council this Offered by: S. G. Dillard.

Seconded by: L. R. Stone.

### State of South Carolina, County of Laurens,

Town of Clinton. BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CLIN-TON IN COUNCIL ASSEMBLED:

Sec. 1. That the Mayor be and is hereby authorized to make purchases, either through himself direct or through any of the heads of departments, of the Town of Clinton, of any materials, supplies or equipment necessary for carrying on the work in the various departments, provided: and Regulations for Meeting of the That no purchase so made shall exeed one hundred (\$100.00) in amount.

Passed by the Town Council this 5th day of January, A. D., 1925. Offered by: S. G. Dillard. Seconded by: T. J. Blalock.

#### State of South Carolina, County of Laurens,

Town of Clinton.

BE IT RESOLVED BY THE TOWN

Sec. 2. Be it further resolved: That | Sec. 2. That: Four members of the to the payment of salaries or wages tendent be and is hereby authorized said Council, and no action on any where the person so receiving such to employ and to replace two firemen, matter relating to the affairs of the salary is not paid at a rate greater provided: The remuneration to be paid Town of Clinton shall be taken by such firemen so employed or replaced said Council without a quorum being Done and Ratified by the Town shall not exceed in aggregate one hun- present, either at a regular or special Council of the Town of Clinton in dred thirty (\$130.00) dollars per meeting. Council assembled, this the 5th day month. And the said Water and Light | Sec. 3 That: The Mayor, or Mayor Plant Superintendent is further authorized to employ weekly and day of the Mayor, shall call a special Town of Clinton, S. C., this laborers and to replace the same, provided: The aggregate amount to be Town of Clinton at any time upon re-

ed: The aggregate amount to be paid ent at said meeting. Sec. 3 of this Ordinance passed such labor or help does not exceed

> Passed by the Town Council this 15th day of January, A. D., 1925. Offered by: T. J. Blalock. Seconded by: C. C. Bailey.

#### State of South Carolina, County of Laurens, Town of Clinton.

BE IT RESOLVED BY THE TOWN TON IN COUNCIL ASSEMBLED:

Treasurer \$100.00 monthly; to pay Sec. 6. That on and after the pas-

hereby rescinded.

Passed by the Town Council this 15th day of January, A. D., 1925. Offered by: T. J. Blalock. Seconded by: S. G. Dillard.

## State of South Carolina, County of Laurens,

Town of Clinton.

BE IT RESOLVED BY THE TOWN

materials, and all other things neces- regular or special meeting thereof. day of March, 1925; and,

March, 1925, and on or before the 1st day of each month thereafter, an estimate of all necessary materials, supplies, equipment and other things necessary for carrying on the work in their respective departments to cover the month on the 1st day of which the estimate is herein directed to be made, and for longer periods of time,

if practical; and, Sec. 3. BE IT FURTHER RE-SOLVED: That on or before the first Monday in each month hereafter, the head of each department be and is hereby directed to submit through the Mayor to the Council, a report of all work done and amounts expended for work done, and all materials purchased and used in their respective department, for the preceeding month.

Passed by the Town Council this 15th day of January, A. D., 1925. Offered by: T. J. Blalock. Seconded by: S. G. Dillard.

# ORDINANCE PASSED MEET ING OF COUNCIL, TOWN OF CLINTON, JANUARY 20TH, 1925, AND RESOLUTIONS PASSED THEREUNDER.

STATE OF SOUTH CAROLINA, COUNTY OF LAURENS, TOWN OF CLINTON.

An Ordinance to prescribe Rules for the Same for and by the Town of Clinton; to Prescribe Rules and Regulations for the Employment of Policemen and Other Town Employees and to Prescribe the Manner of Paying

tures of Said Town. Be it Ordained by the Town Council of the Town of Clinton, S. C., in Council Assembled:

Salraies, Wages and Other Expendi-

Sec. 1. That, on and after the passage of this Ordinance, there shall be a regular meeting of the Town Counthe first Monday.

paid for such day or weekly laborers quest of any two or more members of

Sec. 2 of the Ordinance passed on does not exceed seventy-five (\$75.00) said Council, Provided: That notice of STATE OF SOUTH CAROLINA. the time, place and purpose of such COUNTY OF LAURENS. Sec. 3. Be it further resolved: That meeting be given to all members of TOWN OF CLINTON. bor, etc., was amended on January the City Engineer, either himself or the said Council, and provided furth-10th, to read: "That the Mayor and through his overseer, W. L. Lynn, be er: That no matters shall be taken of the Town of Clinton in Council Asthree members of Council shall con- and is hereby authorized to employ up at any special meeting of said sembled: SEQUENT MEETING, AND stitute a quorum; in the absence of and to replace the necessary labor for Council except those contained in the RESOLUTIONS PASSED Mayor, the Mayor pro tem and three the work carried on under the direct- notice of said meeting or by consent members of Council shall constitute a ion of overseer, W. L. Lynn, provid- of the majority of said Council pres-

> Sec. 4. That, in the absence, disability or failure of the Mayor or Mayor pro tem to attend any regular or special meeting of said Council as hereinable provided, any four members of said Council shall constitute a quorum, and may act upon any matters pertaining to the affairs of the said Town of Clinton.

Sec. 5. That on and after the passage of this Ordinance, it shall be un-COUNCIL OF THE TOWN OF CLIN- lawful for the Mayor or any other member of the Town Council or any Sec. 1. That the Mayor and Town employee of the Town of Cinton to Clerk and Treasurer of said Town of authorize the paving of any street or Clinton be and are hereby authorized sidewalk or any part of a street or to issue checks to pay: The weekly sidewalk or to authorize the exten-Sec. 1. That the Mayor and Town street payroll not to exceed \$175.00; sion of any part of the sewer system Clerk and Treasurer of said Town of to pay the light and power plant pay- of the said Town or to put down any Clinton be and are hereby authorized roll weekly not to exceed \$75.00; to new project of water or sewer system An Ordinance to prescribe rules to issue checks for the payment of the pay five (5) policemen not to exceed or to enlarge the light and power pay Street Superintendent \$100.00 machinery, equipment, trucks, tracmonthly; to pay City Engineer \$333.33 tors, wagons, electric light poles, elecmonthly; to pay W. L. Lynn \$100.00 tric wires, coal, or any materials or monthly; to pay Water and Light supplies for the Town of Clinton, Plant Superintendent \$150.00 months either for cash or upon the credit of said Town of Clinton, without authorone (1) electrician at power plant monthly not to exceed a total of in Council assembled, either at a regu-\$335.00; to pay Town Clerk and lar or special meeting of said Council.

Mayor's salary of \$100.00 monthly; to sage of this Ordinance, it shall be unpay each of the Aldermen monthly lawful for the Mayor or any other member of the Town Council of the Sec. 2. That the resolution passed Town of Clinton or any employee of by the Town Council of the Town of the said Town of Clinton to employ Clinton on the 10th day of January, any person or persons in any depart-1925, entitled: "Be it resolved by the ment of the Town of Clinton in any Town Council of the Town of Clinton capacity whatsoever, without first bein Council Assembled that the follow- ing duly authorized to make such eming resolutions be passed" be and is ployment or to engage such person or persons by the Town Council of said Town in Council duly assembled, either at a regular or special meeting

Sec. 7. That on and after the pas-

sary for carrying on the work in their | Sec. 8. Any person or persons vio- or weekly laborers does not exceed being previously given. They shall respective departments up to the 1st lating any of the provisions of this seventy-five (\$75.00) dollars per hold their office for two years and Ordinance, upon conviction, shall be week. Sec. 2. BE IT FURTHER RE- fined not less than ten (\$10.00) dol-SOLVED: That the heads of all de- lars nor more than one hundred partments be and are hereby directed (\$100.00) dollars, or be imprisoned to submit to the Council, through the with or without labor, not less than Mayor, on or before the 1st day of ten (10) days, nor more than thirty (30) days for each offense.

this Ordinance be and the same are week. hereby revoked.

Done and ratified by the Town Council of the Town of Clinton in Council assembled and their seal af-A. D., 1925.

Attest: Mayor.

Town Clerk and Treasurer. C. C. BAILEY. T. J. BLALOCK. L. R. STONE. S. G. DILLARD.

(Seal) G. DILLARD, Secretary of Council.

#### STATE OF SOUTH CAROLINA. COUNTY OF LAURENS, TOWN OF CLINTON.

assembled on the 20th day of Janu- and one (1) electrician at power plant become vacated by reason of death, ary, 1925, passed an Ordinance enti- monthly not to exceed a total of resignation, removal or permanent tled: "An Ordinance to Prescribe \$335.00; to pay Town Clerk and disability of the Mayor until a new Rules and Regulations for Meeting of Treasurer \$100.00 monthly; to pay Mayor shall have been elected and the Council of the Town of Clinton; Mayor's salary of \$100.00 monthly; to Council of the Town of Clinton; to to Prescribe the Rules for Purchasing pay each of the Aldermen monthly Prescribe the Rules for Purchasing Material and Supplies and Payment \$5.00. Material and Supplies and Payment for the Same for and by the Town of Sec. 11. Be it further resolved: Clinton; to Prescribe Rules and Regu- That all resolutions passed at meet- men to meet in Council for the translations for the Employment of Police- ings of the Council on January 10, action of business pertaining to the to Prescribe the Manner of Paying taining to the purchase of materials ment it may be necessary." Salaries, Wages and Other Expendi- and supplies, employment of labor or tures of Said Town," and,

> WHEREAS: The Mayor of the Town refuses to sign said Ordinance: NOW, THEREFORE, BE IT RE-SOLVED BY THE TOWN COUNCIL IN COUNCIL ASSEMBLED: That: S. G. Dillard, Secretary of Council, a member of said Town Council is hereby authorized and instructed to affix the seal of the said Town to the said Ordinance, and any and all members of said Council requested to sign said

> BE IT FURTHER RESOLVED: That the said Ordinance be incorporated as one of the Ordinances duly passed by the said Town Council and that it be published in "The Clinton Chronicle," together with resolutions passed this the 20th day of January, A. D., 1925, and with the opinion of City Attorney as to the validity of said Ordinance and resolutions passed thereunder.

> Passed by the Town Council of the Town of Clinton, S. C., this the 20th Offered by: T. J. BLALOCK. Seconded by: L. R. STONE.

Clinton be and are hereby authorized the Council. and directed to issue cheeks for the payment of all freight charges on materials and supplies purchased for the use of the said Town, as same may become due.

Sec. 2. And the Mayor is hereby authorized and directed to purchase a necessary supply of coal for the use

of said Town and to pay for the same. Sec. 3. That the City Engineer, materials therefor.

Sec. 4. Be it further resolved: That the Mayor and Town Clerk and Treasurer be and are hereby authorized and directed to issue checks for the payment of the labor so employed and materials so used as provided in Section 3 hereinabove.

hereby authorized and directed to person or body upon whom the power make purchases, either through him- is conferred, the Council is the body self direct or through any of the heads mentioned, except Sections 4541 and of departments, of the Town of Clin- 4542. These two sections are set out ton, of any materials, supplies, or in full hereinafter. equipment necessary for carrying on | Article IV, Chapter 51, Volume III, the work in the various departments, Code of Laws of S. C., 1922, Sections Provided: That no purchase so made 4557-4567, inclusive, contain provisshall exceed one hundred (\$100.00) lions common to towns of less than dollars in amount.

dent be and is hereby authorized, sub- imposed in these sections are imposed ject to the approval of the Mayor, to and conferred upon the Town Council employ such labor as is necessary for except in the sections hereinafter carrying on the work in his department, and to replace such labor, Provided: That the aggregate amount to be paid such labor so employed shall

(\$75.00) dollars per week.

the City Engineer, either himself or Town of Blacksburg shall have a through his overseer, W. L. Lynn, Mayor and four (4) Aldermen, who subject to the approval of the Mayor, shall be elected from the qualified be and is hereby authorized to employ voters of the town at large." Sec. 9. That this Ordinance shall the work carried on under the direct- Laws of S. C., 1922, provides that take effect immediately upon its pas- ion of overseer, W. L. Lynn, Provid- City or Town Councils shall have full Sec. 10. That all Ordinances or such labor or help does not exceed all such rules, by-laws, regulations parts of Ordinances inconsistent with two hundred (\$200.00) dollars per and ordinances respecting its roads,

two hundred (\$200.00) per week.

ceed \$175.00; to pay the light and the town. power plant pay-roll weekly not to Section 4541 contains provisions \$525.00 monthly; to pay Street Sup- the City or Town Council of such city City Engineer \$333.33 monthly; to of its Aldermen Mayor pro tempore, pay rodman for City Engineer John- duties, responsibilities attached to the son \$115.00 monthly; to pay water office of Mayor during the temporary WHEREAS: The Town Council of and light plant Superintendent \$150.00 absence or disability of Mayor, or the Town of Clinton in Council duly monthly; to pay two (2) engineermen when the office of Mayor shall be and

men and Other Town Employees and 1925, and on January 15, 1925, per- corporation whenever in his judgeengaging of other employees, and the payment for material and supplies and other obligations of the Town of Clinton be and are hereby rescinded.

Passed by the Town Council of the Town of Clinton, this the 20th day of January, A. D., 1925.

Offered by: T. J. BLALOCK. Seconded by: C. C. BAILEY.

# **OPINION**

Clinton, S. C., Jan. 20, 1925. TO: THE TOWN COUNCIL

THE TOWN OF CLINTON, S. C.: Gentlemen:

I have been requested to give an opinion as to the legality of the Ordinance passed by the Council on January 5, 1925, entitled as follows: "An Ordinance to Prescribe Rules and Regulations for Meeting of the Council of the Town of Clinton; to Pre-scribe Rules and Regulations for Quorum; to Prescribe the Powers and

Duties of the Mayor and Members of

the Council; to Prescribe the Manner of Purchasing Supplies and Payment

for the Same for the Town of Clin-

ton; to Prescribe Rules and Regulations for the Employment of Policemen and Other Town Employees and Be it Resolved by the Town Council to Prescribe the Manner of Paying Salaries, Wages and Other Expenditures of Said Town," and amend-Sec. 1. That the Mayor and Town ments thereto, and resolutions passed Clerk and Treasurer of said Town of thereunder at subsequent meetings of

I herewith submit my opinion: The Statute law pertaining to government of municipal corporations is contained in Chapter 51, Volume III, Code of Laws of S. C., 1922. The general provisions as to the laws governing municipal corporations is contained in Article 1, Chapter 51, Sections 4379-4513, inclusive. These sections contain general provisions as to either through himself or through his cities and towns and prescribe powforeman, subject to approval of the ers of municipal corporations in gen-Mayor, be and is hereby authorized eral. All powers conferred and duties to employ the necessary labor to com- imposed under these sections are conplete the addition to the power house ferred and imposed upon the Town or now carried on under overseer, W. A. City Council, except those confer-Davis, and to purchase necessary red on the municipality without reference to the governing body, and certain sections hereinafter mention-

Article III, Chapter 51, Volume III, Code of Laws of S. C., 1922, Sections 4538-4556, inclusive, contain provisions common to towns and cities containing over 1,000 inhabitants, and Sec. 5. That the Mayor be and is wherever there is any reference to the

5,000 and more than 1,000 inhabitants. Sec. 6. That the Street Superinten- The powers and duties conferred and

mentioned. Section 4558, headed: "Town Government-Election of Officers-Term -Special Provision for Blacksburg" not exceed one hundred seventy-five -is as follows: "Said town shall be governed by a Mayor and six Alder-Sec. 7. Be it further resolved: men, or in case of municipalities being That the Water and Light Plant Sup- divided into wards, one warden from erintendent be and is hereby authori- each ward, who is a qualified elector sage of this Ordinance, it shall be un- zed, subject to the approval of the thereof, who shall be citizens of the lawful for the Mayor or any other Mayor, to employ and to replace two United States, and who shall be electmember of the Town Council of the firemen, Provided: The remuneration ors who actually reside in the corpor-Town of Clinton or any employee of to be paid such firemen so employed ate limits of said town, and have so to be paid any bills or invoices for gate one hundred and thirty (\$130.00) diately preceding the day of election. on or by the 19th day of January, Clinton without first being duly au- the approval of the Mayor, to employ two years, on such days, and at such Sec. 2. And the Mayor is hereby 1925, or as soon thereafter as possi- thorized thereunto by the Town Coun- weekly and day laborers and to re- places in said town, as shall be desigauthorized to purchase a necessary ble, an estimate of all supplies, and cil in Council assembled, either at a place the same, Provided: The aggre- nated by the Town Council of said gate amount to be paid for such day town, ten days' public notice thereof until successors shall have been elect-Sec. 8. Be it further resolved: That ed and qualified; PROVIDED: The

> and to replace the necessary labor for Section 4544, Volume III, Code of ed: The aggregate amount to be paid power to make, ordain and establish streets, markets, police, health and Sec. 9. That the Mayor and Town order of said city or town as shall Clerk and Treasurer of said Town of appear to them necessary and proper Clinton be and are hereby authorized for the security, welfare and conveniand directed to issue checks for the ence of the said city or town, or for fixed this the 20th day of January, payment of the pay-roll incurred by preserving the health, peace, order the gang employed and working under and good government within the same. overseer, W. L. Lynn, not to exceed Section 4388, which is contained in the Article making provisions general Sec. 10. That the Mayor and Town to all towns over 1,000 inhabitants, Clerk and Treasurer of said Town of contains practically the same provis-Clinton be and are hereby authorized ions as to conferring powers upon the and directed to issue checks to pay: Town Council to pass Ordinances and The weekly street pay-roll not to ex- resolutions regulating the affairs of

> > exceed \$75.00; to pay five (5) police-common to towns and cities of over men not to exceed in the aggregate 1,000 inhabitants, and provides that erintendent \$100.00 monthly; to pay or town shall have power to elect one pay W. L. Lynn \$100.00 monthly; to who shall be vested with all powers, qualified.

Section 4552, headed "Council Meetings" is as follows: "The Mayor shall have authority to summon the Alder-

Section 4399 provides that the Intendant or Mayor of cities and towns of this state shall have the powers of Magistrates in criminal cases within the corporate limits and police jurisdiction of their respective cities and towns.

Sections 4399-4411, inclusive, contain provisions as to the jurisdiction of the town in trying criminal offenses against the ordinances of said town, and provides for the creation of a Recorder's Court and his jurisdiction and powers. The jurisdiction of municipal corporations in criminal matters, both as laid down in the Sections referred to and others, and under the holdings of the Courts, is limited to the enforcement of Ordinances passed by the Town Council. And, as hereinable recited, the Town Council is limited in passing Ordinances only by the laws of the state.

Constitution of S. C., 1895, Article 8, Section I, headed: "Organization and Classification of Municipal Corporations" is as follows: "The General Assembly shall provide by general

law for the organization and classifi-(Continued on Next Page)