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ORDINANCE PASSED MEETING OF COUNCIL, TOWN OF CLINTON, JANUARY 5, 1925, AND AS AMENDED AT SUBSEQUENT MEETING, AND RESOLUTIONS PASSED 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.

An Ordinance to prescribe rules and regulations for meeting of the Council of the Town of Clinton; to prescribe 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 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 town.

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 contained in the Notice of said Meeting.

Sec. 4. That on and after the passage of this Ordinance it shall be unlawful for the Mayor or any member of the Town Council or any employee of the Town of Clinton to authorize the paving of any street or sidewalk or any part of a street or sidewalk or to authorize the extension of any part of the water system of the said town or to put down any new project of water or sewer system, or to make any purchases of machinery, equipment, trucks, tractors, wagons, electric light poles, electric wires, coal, materials or any supplies for the Town of Clinton, either for cash or upon the credit of said Town of Clinton, without authorization thereof by the Town Council in Council assembled, either at a regular or special 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 Clinton or any employee of the Town of Clinton to pay or cause to be paid any bills or invoices for any purchases, salaries, wages, or any other obligations of the Town of Clinton without first being duly authorized thereunto by the Town Council in Council assembled, either at a regular or special meeting thereof; Provided: That the amount involved in the transaction wherein the payment is made, does not exceed \$100.00; and provided further: That this section shall not apply to the payment of salaries or wages where the person so receiving such salary is not paid at a rate greater than \$25.00 per month.

Done and Ratified by the Town Council of the Town of Clinton in Council assembled, this 5th day of January, A. D., 1925.

Attest: Mayor, Clerk and Treasurer.

Sec. 2 of the Ordinance passed on January 5th, 1925, regulating purchases, payments, employment of labor, etc., was amended on January 10th, to read: "That the Mayor and three members of Council shall constitute a quorum; in the absence of Mayor, the Mayor pro tem and three members of Council shall constitute a quorum."

Sec. 3 of this Ordinance passed January 5th, was amended on January 10th to read as follows: "That 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 aldermen."

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

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CLINTON IN COUNCIL ASSEMBLED:

Sec. 1. That the Mayor and Town Clerk and Treasurer of said Town of Clinton be and are hereby authorized to issue checks for the payment of the payroll incurred by the gang employed and working under Overseer W. L. Lynn, not to exceed \$200.00 per week.

Passed by the Town Council this 15th day of January, A. D., 1925. 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 CLINTON IN COUNCIL ASSEMBLED:

THAT all regular and special meetings 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 CLINTON IN COUNCIL ASSEMBLED:

Sec. 1. That the Mayor and Town Clerk and Treasurer of said Town of Clinton be and are hereby authorized to issue checks for the payment of all freight charges on materials and supplies purchased for the use of the said Town.

Sec. 2. And the Mayor is hereby authorized to purchase a necessary supply of coal for the use of said Town and to pay for the same.

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

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

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CLINTON IN COUNCIL ASSEMBLED:

Sec. 1. That the City Engineer, either through himself or through his foreman, be and is hereby authorized to employ the necessary labor to complete the addition to the power house now being carried on under Overseer W. A. Davis, and to purchase the necessary materials therefor.

Sec. 2. BE IT FURTHER RESOLVED: That the Mayor and Town Clerk and Treasurer be and are hereby authorized to issue checks for the payment of the labor so employed and materials used as provided in Section 1 hereinabove.

Passed by the Town Council this 15th day of January, A. D., 1925. 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 CLINTON 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: That no purchase so made shall exceed one hundred (\$100.00) in amount.

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 CLINTON IN COUNCIL ASSEMBLED:

Sec. 1. That the Street Superintendent be and is hereby authorized to employ such labor as is necessary for carrying on the work in his department, and to replace such labor, provided: That the aggregate amount to be paid such labor so employed by said Street Superintendent shall not exceed one hundred seventy-five (\$175.00) dollars per week.

Sec. 2. Be it further resolved: That the Water and Light Plant Superintendent be and is hereby authorized to employ and to replace two firemen, provided: The remuneration to be paid such firemen so employed or replaced shall not exceed in aggregate one hundred thirty (\$130.00) dollars per month. And the said Water and Light Plant Superintendent is further authorized to employ weekly and day laborers and to replace the same, provided: The aggregate amount to be paid for such day or weekly laborers

does not exceed seventy-five (\$75.00) dollars per week.

Sec. 3. Be it further resolved: That the City Engineer, either himself or through his overseer, W. L. Lynn, be and is hereby authorized to employ and to replace the necessary labor for the work carried on under the direction of overseer, W. L. Lynn, provided: The aggregate amount to be paid such labor or help does not exceed two hundred (\$200.00) dollars per week.

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 COUNCIL OF THE TOWN OF CLINTON IN COUNCIL ASSEMBLED:

Sec. 1. That the Mayor and Town Clerk and Treasurer of said Town of Clinton be and are hereby authorized to issue checks to pay: The weekly street payroll not to exceed \$175.00; to pay the light and power plant payroll weekly not to exceed \$75.00; to pay five (5) policemen not to exceed in the aggregate \$525.00 monthly; to pay Street Superintendent \$100.00 monthly; to pay City Engineer \$333.33 monthly; to pay W. L. Lynn \$100.00 monthly; to pay Water and Light Plant Superintendent \$150.00 monthly; to pay two (2) engineers and one (1) electrician at power plant monthly not to exceed a total of \$335.00; to pay Town Clerk and Treasurer \$100.00 monthly; to pay Mayor's salary of \$100.00 monthly; to pay each of the Aldermen monthly \$5.00.

Sec. 2. That the resolution passed by the Town Council of the Town of Clinton on the 10th day of January, 1925, entitled: "Be it resolved by the Town Council of the Town of Clinton in Council Assembled that the following resolutions be passed" be and is 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 COUNCIL OF THE TOWN OF CLINTON IN COUNCIL ASSEMBLED:

Sec. 1. That the heads of all departments be and are hereby directed to prepare and submit to the Council on or by the 19th day of January, 1925, or as soon thereafter as possible, an estimate of all supplies, and materials, and all other things necessary for carrying on the work in their respective departments up to the 1st day of March, 1925; and,

Sec. 2. BE IT FURTHER RESOLVED: That the heads of all departments be and are hereby directed to submit to the Council, through the Mayor, on or before the 1st day of 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 RESOLVED: 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 preceding 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 MEETING 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 and Regulations for Meeting of the Council of the Town of Clinton; to Prescribe the Rules for Purchasing Material and Supplies and Payment 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 Salaries, Wages and Other Expenditures of Said Town.

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 regular 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 members of the Council 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 regular or special meeting.

Sec. 3. That: The Mayor, or Mayor pro tem in the absence of or disability of the Mayor, shall call a special meeting of the Town Council of the Town of Clinton at any time upon request of any two or more members of

said Council, Provided: That notice of the time, place and purpose of such meeting be given to all members of the said Council, and provided further: That no matters shall be taken up at any special meeting of said Council except those contained in the notice of said meeting or by consent of the majority of said Council present at said meeting.

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 hereinbefore 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 unlawful for the Mayor or any other member of the Town Council or any employee of the Town of Clinton to authorize the paving of any street or sidewalk or any part of a street or sidewalk or to authorize the extension of any part of the sewer system of the said Town or to put down any new project of water or sewer system or to enlarge the light and power plant, or to make any purchases of machinery, equipment, trucks, tractors, wagons, electric light poles, electric wires, coal, or any materials or supplies for the Town of Clinton, either for cash or upon the credit of said Town of Clinton, without authorization thereof by the Town Council in Council assembled, either at a regular or special meeting of said Council.

Sec. 6. That on and after the passage of this Ordinance, it shall be unlawful for the Mayor or any other 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.

Sec. 7. That on and after the passage of this Ordinance, it shall be unlawful for the Mayor or any other member of the Town Council of the Town of Clinton or any employee of the Town of Clinton to pay or cause to be paid any bills or invoices for any purchases or contracts for materials or supplies, salaries, wages, or any other obligations of the Town of Clinton without first being duly authorized thereunto by the Town Council in Council assembled, either at a regular or special meeting thereof.

Sec. 8. Any person or persons violating any of the provisions of this Ordinance, upon conviction, shall be fined not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars, or be imprisoned with or without labor, not less than ten (10) days, nor more than thirty (30) days for each offense.

Sec. 9. That this Ordinance shall take effect immediately upon its passage.

Sec. 10. That all Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby revoked.

Done and ratified by the Town Council of the Town of Clinton in Council assembled and their seal affixed this 20th day of January, A. D., 1925.

Attest: Mayor, Town Clerk and Treasurer. C. C. BAILEY, T. J. BLALOCK, L. R. STONE, S. G. DILLARD. (Seal) S. G. DILLARD, Secretary of Council.

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

WHEREAS: The Town Council of the Town of Clinton in Council duly assembled on the 20th day of January, 1925, passed an Ordinance entitled: "An Ordinance to Prescribe Rules and Regulations for Meeting of the Council of the Town of Clinton; to Prescribe the Rules for Purchasing Material and Supplies and Payment 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 Salaries, Wages and Other Expenditures of Said Town," and,

WHEREAS: The Mayor of the Town refuses to sign said Ordinance: NOW, THEREFORE, BE IT RESOLVED 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 Ordinance; and,

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 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 20th day of January, A. D., 1925. Offered by: T. J. BLALOCK. 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 Clinton in Council Assembled:

Sec. 1. That the Mayor and Town Clerk and Treasurer of said Town of Clinton be and are hereby authorized and directed to issue checks 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, either through himself or through his foreman, subject to approval of the Mayor, be and is hereby authorized to employ the necessary labor to complete the addition to the power house now carried on under overseer, W. A. Davis, and to purchase necessary 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.

Sec. 5. That the Mayor be and is hereby authorized and directed 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: That no purchase so made shall exceed one hundred (\$100.00) dollars in amount.

Sec. 6. That the Street Superintendent be and is hereby authorized, subject to the approval of the Mayor, to employ such labor as is necessary for 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 not exceed one hundred seventy-five (\$75.00) dollars per week.

Sec. 7. Be it further resolved: That the Water and Light Plant Superintendent be and is hereby authorized, subject to the approval of the Mayor, to employ and to replace two firemen, Provided: The remuneration to be paid such firemen so employed or replaced shall not exceed in aggregate one hundred and thirty (\$130.00) dollars per month. And the said Water and Light Plant Superintendent is further authorized, subject to the approval of the Mayor, to employ weekly and day laborers and to replace the same, Provided: The aggregate amount to be paid for such day or weekly laborers does not exceed seventy-five (\$75.00) dollars per week.

Sec. 8. Be it further resolved: That the City Engineer, either himself or through his overseer, W. L. Lynn, subject to the approval of the Mayor, be and is hereby authorized to employ and to replace the necessary labor for the work carried on under the direction of overseer, W. L. Lynn, Provided: The aggregate amount to be paid such labor or help does not exceed two hundred (\$200.00) dollars per week.

Sec. 9. That the Mayor and Town Clerk and Treasurer of said Town of Clinton be and are hereby authorized and directed to issue checks for the payment of the payroll incurred by the gang employed and working under overseer, W. L. Lynn, not to exceed two hundred (\$200.00) per week.

Sec. 10. That the Mayor and Town Clerk and Treasurer of said Town of Clinton be and are hereby authorized and directed to issue checks to pay: The weekly street payroll not to exceed \$175.00; to pay the light and power plant payroll weekly not to exceed \$75.00; to pay five (5) policemen not to exceed in the aggregate \$525.00 monthly; to pay Street Superintendent \$100.00 monthly; to pay City Engineer \$333.33 monthly; to pay W. L. Lynn \$100.00 monthly; to pay rodmann for City Engineer Johnson \$115.00 monthly; to pay water and light plant Superintendent \$150.00 monthly; to pay two (2) engineers and one (1) electrician at power plant monthly not to exceed a total of \$335.00; to pay Town Clerk and Treasurer \$100.00 monthly; to pay Mayor's salary of \$100.00 monthly; to pay each of the Aldermen monthly \$5.00.

Sec. 11. Be it further resolved: That all resolutions passed at meetings of the Council on January 10, 1925, and on January 15, 1925, pertaining to the purchase of materials and supplies, employment of labor or engaging 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 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 of 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 Prescribe 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 to Prescribe the Manner of Paying Salaries, Wages and Other Expenditures of Said Town," and amendments thereto, and resolutions passed thereunder at subsequent meetings of the Council.

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 cities and towns and prescribe powers of municipal corporations in general. All powers conferred and duties imposed under these sections are conferred and imposed upon the Town or City Council, except those conferred on the municipality without reference to the governing body, and certain sections hereinafter mentioned.

Article III, Chapter 51, Volume III, Code of Laws of S. C., 1922, Sections 4538-4566, inclusive, contain provisions common to towns and cities containing over 1,000 inhabitants, and wherever there is any reference to the person or body upon whom the power is conferred, the Council is the body mentioned, except Sections 4541 and 4542. These two sections are set out in full hereinafter.

Article IV, Chapter 51, Volume III, Code of Laws of S. C., 1922, Sections 4557-4567, inclusive, contain provisions common to towns of less than 5,000 and more than 1,000 inhabitants. The powers and duties conferred and imposed in these sections are imposed and conferred upon the Town Council except in the sections hereinafter mentioned.

Section 4558, headed: "Town Government—Election of Officers—Term—Special Provision for Blackburg"—is as follows: "Said town shall be governed by a Mayor and six Aldermen, or in case of municipalities being divided into wards, one warden from each ward, who is a qualified elector thereof, who shall be citizens of the United States, and who shall be electors who actually reside in the corporate limits of said town, and have so resided at least six months immediately preceding the day of election. The Mayor and Aldermen shall be, and be known as, the Town Council of said town, and shall be elected every two years, on such days, and at such places in said town, as shall be designated by the Town Council of said town, ten days' public notice thereof being previously given. They shall hold their office for two years and until successors shall have been elected and qualified; PROVIDED: The Town of Blackburg shall have a Mayor and four (4) Aldermen, who shall be elected from the qualified voters of the town at large."

Section 4544, Volume III, Code of Laws of S. C., 1922, provides that City or Town Councils shall have full power to make, ordain and establish all such rules, by-laws, regulations and ordinances respecting its roads, streets, markets, police, health and order of said city or town as shall appear to them necessary and proper for the security, welfare and convenience of the said city or town, or for preserving the health, peace, order and good government within the same. Section 4388, which is contained in the Article making provisions general to all towns over 1,000 inhabitants, contains practically the same provisions as to conferring powers upon the Town Council to pass Ordinances and resolutions regulating the affairs of the town.

Section 4541 contains provisions common to towns and cities of over 1,000 inhabitants, and provides that the City or Town Council of such city or town shall have power to elect one of its Aldermen Mayor pro tempore, who shall be vested with all powers, duties, responsibilities attached to the office of Mayor during the temporary absence or disability of Mayor, or when the office of Mayor shall be and become vacated by reason of death, resignation, removal or permanent disability of the Mayor until a new Mayor shall have been elected and qualified.

Section 4552, headed "Council Meetings" is as follows: "The Mayor shall have authority to summon the Aldermen to meet in Council for the transaction of business pertaining to the corporation whenever in his judgment it may be necessary."

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 hereinbefore 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 classification

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