ACTS

AND

JOINT RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA,

PASSED AT THE

REGULAR SESSION OF 1868-69.


COLUMBIA, S. C.:
JOHN W. DENNY, PRINTER TO THE STATE.
1869.
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AN ACT ACCEPTING THE DONATION OF LANDS TO THE STATE OF SOUTH CAROLINA FOR THE ENDOWMENT OF AGRICULTURAL COLLEGES.

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, The State of South Carolina, by this Act, accepts all the provisions of an Act of the Congress of the United States of America, approved July 2, 1862, and of subsequent Acts, entitled "An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," and consents to the conditions specified in said Act, especially all those set forth in the fifth Section thereof, and numbered first, second, third, fourth, fifth and sixth.

SEC. 2. The Governor of this State is hereby authorized and directed to notify the proper authorities of the United States of the passage of this Act by filing with them an authenticated copy thereof, and to take such other steps as may be necessary to obtain the land scrip to which the State of South Carolina is entitled under the provisions of the Act of Congress referred to in the foregoing Section; and such scrip, when obtained, shall be held by the Governor for the use of the State until it is disposed of as hereinafter provided.

SEC. 3. The Governor, Secretary and Attorney-General of State, shall be, and they are hereby, authorized and empowered to receive, sell, and the Attorney-General shall assign, at such times and upon such terms as they may deem best for the interests of South Carolina, or as the General Assembly may hereafter by law direct, the whole or any part of the scrip or land warrants issued, or to be issued, to this State by virtue of the Act of Congress referred to in the first Section of this Act.

SEC. 4. The proceeds of the sale or sales aforesaid shall be invested either in bonds of the United States, or in six per cent. bearing bonds of
A.D. 1868.

this State; the principal of which bonds shall be forever held sacred for
the purposes directed in the Acts of Congress aforesaid, and the interest
shall be paid over semi-annually in each year, that is to say, on the first
of January and the first of July, as directed by law.

Agent may
perform duties.

SEC. 5. The Governor, Secretary and Attorney-General of State, may
jointly perform and discharge any of the acts, trusts or duties authorized,
directed or conferred herein, by any agent by them selected and ap-
pointed.

Costs and
expenses.

SEC. 6. The costs and expenses incurred in carrying into effect the pro-
visions of this Act shall be paid out of the Treasury of the State. All
Acts and parts of Acts inconsistent with this Act or supplied by it are
hereby repealed.

Approved December 10, 1868.

No. 82. AN ACT TO PROVIDE ASSISTANCE FOR THE TRANSIENT SICK POOR
IN THE VARIOUS CITIES AND TOWNS OF THIS STATE.

SECTION 1. Be it enacted by the Senate and House of Representatives
of the State of South Carolina, now met and sitting in General Assem-
by, and by the authority of the same, That fifteen thousand dollars, or
so much of that sum as may be necessary, be, and the same is hereby, ap-
propriated out of any moneys in the Treasury not otherwise appropriated,
to assist the authorities of the various Towns and Cities in the State in
caring for the transient sick poor of such Cities and Towns.

Approved December 11, 1868.

No. 83. AN ACT TO MAKE APPROPRIATION FOR THE PAYMENT OF THE PER
DIEM AND MILEAGE ON THE MEMBERS OF THE GENERAL ASSEM-
BLY, AND THE SALARIES OF THE SUBORDINATE OFFICERS, AND
OTHER EXPENSES INCIDENTAL THERETO.

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 for the payment of the per diem
and mileage of the members of the General Assembly, and the salaries
of subordinate officers, and other expenses incidental thereto, the sum of
one hundred and forty thousand dollars, if so much be necessary, be, and
the same is hereby, appropriated out of any funds in the Treasury not
otherwise appropriated.

SEC. 2. That the Clerks of the Senate and House of Representatives
be, and they are hereby, authorized and directed to furnish to each mem-
ber of their respective bodies a pay certificate for the amount of his
mileage and per diem, to include such dates as the General Assembly
shall, by concurrent resolution, direct.

SEC. 3. That such certificates shall conform to the provisions of Sec-
OF SOUTH CAROLINA.

...tion 23, Article II, of the Constitution of the State, and shall be certified by the President of the Senate, and attested by the Clerk of the Senate, for all members of that body, and by the Speaker of the House of Representatives, and the Clerk of the same, for all members of that body. Sec. 4. That the subordinate officers and employees of this General Assembly shall, in like manner, be furnished with certificates of pay in such amounts as shall be fixed by that branch of the General Assembly to which such officers and employees shall, respectively, belong: Provided, however, That the pay certificates for services common to the two Houses shall be signed by the President of the Senate, and countersigned by the Speaker of the House of Representatives.

Sec. 5. That the Treasurer of this State is hereby authorized and directed to pay said certificates out of any funds in the Treasury not otherwise disposed of, and to hold the certificates as his vouchers therefor.

Sec. 6. And if such disbursements shall be made, in whole or in part, in the Bills Receivable of this State, it shall be at the current rates of exchange.

Approved December 21, 1868.

AN ACT TO FACILITATE THE DRAWING OF JURORS IN THIS STATE.

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 if in any Counties of the State the grand and petit jurors have not been drawn at the regular terms of the Courts of General Sessions and Common Pleas for this State, the Circuit Judges are hereby authorized to order the Clerk and Sheriff, at any time not less than seven days preceding the next sitting of said Court, to draw from the jury box grand and petit jurors for the ensuing term of said Court; and the jurors so drawn shall be summoned to attend the same by the Sheriff, as is now provided by law.

Sec. 2. This Act shall continue in force only until the Act entitled "An Act to regulate the manner of drawing juries," passed September 26th, 1868, shall take effect.

Approved December 21, 1868.

AN ACT TO AUTHORIZE R. S. AND M. R. BENNETT, OF BEAUFORT COUNTY, TO COLLECT WHARFAGE.

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 R. S. and M. R. Bennett, or their assigns, be, and they are hereby, authorized to collect the usual rate of wharfage upon all goods, merchandise or commodity that may be landed at and upon their wharf, now in course of construction, and leading from the rear of the lot corner of "A" and "Sixth" streets, in the town of Beaufort, South Carolina.

Approved December 21, 1868.
AN ACT TO RENEW THE CHARTER OF THE CAMDEN INDEPENDENT FIRE ENGINE COMPANY.

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 the charter of the Camden Independent Fire Engine Company be, and the same is hereby, revived, renewed and extended for the term of fourteen years from the ratification hereof.

Number of company.

Section 2. That the said company is authorized and empowered to increase the number of its members from forty-five to fifty-five men.

Validating acts.

Section 3. That all acts done by said company since the expiration of its charter, in conformity thereto, shall be, and the same are hereby, declared to be good and valid, to all intents and purposes, notwithstanding the expiration of said charter.

Approved December 21, 1868.

AN ACT TO PROVIDE FOR THE PAYMENT OF THE FEES OF SHERIFFS FOR DIETING PERSONS CONFINED IN JAIL.

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 the Comptroller-General be, and he is hereby, directed to audit the accounts of Sheriffs for dieting and removing prisoners up to the first day of July, eighteen hundred and sixty-nine, and draw his warrant upon the State Treasurer for the payment of the same, in accordance with the provisions of the Act of the General Assembly, ratified on the nineteenth day of December, eighteen hundred and sixty-six; and the Treasurer shall pay said warrant out of any funds in the Treasury appropriated for that purpose, or not otherwise specially appropriated.

Sec. 2. The Comptroller-General shall debit the amount of the said accounts thus paid to the several Counties, and on or after the first day of July, eighteen hundred and sixty-nine, shall draw his warrant upon the County Commissioners of the respective Counties for the amount of said accounts thus paid; and when presented with the proper vouchers, the said County Commissioners shall pay to the Comptroller-General the amount of said warrant, which the Comptroller-General shall at once pay over to the Treasurer, and credit the County with said amount upon his books.

Approved December 21, 1868.

AN ACT TO PUNISH SHERIFFS AND OTHER OFFICERS FOR VIOLATING THE HOMESTEAD.

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 no Sheriff, Constable or other
OFFICER, whose duty it is to enforce executions, shall proceed in any other manner than that prescribed by Sections 1 and 2 of the Act entitled "An Act to determine and perpetuate the Homestead."

SEC. 2. Should any officer sell any real estate without complying with Section 1 of said Act, or sell or remove any personal property of the head of any family, whether the head of such family is a freeholder or not, without his or her consent, or first deducting the amount exempted by Section 32 of Article 2 of the Constitution of the State of South Carolina, in the manner provided by Section 2 of the Act referred to, and Section 1 of this Act, he shall be deemed guilty of malfeasance in office, and on conviction thereof shall, for the first offence, be fined in a sum not less than five hundred (500) dollars, nor more than one thousand (1,000) dollars, and for the second offence, shall be dismissed from office; and in either case shall be liable to the parties for all injuries, by reason of his wrongful levy or sale.

SEC. 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved January 15, 1869.

AN ACT TO ESTABLISH A STATE ORPHAN ASYLUM.

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, The support and maintenance of the Orphan Asylum in the city of Charleston, known as the "Shaw Orphan Asylum," is hereby assumed by the State, and it shall hereafter be known as the State Orphan Asylum of South Carolina, and shall be open to all orphan children in the State to the extent of its capacity.

SEC. 2. For the purpose of carrying into effect the intention of this Act, the Governor of the State is hereby authorized, by and with the advice and consent of the Senate, to appoint five Trustees, two at least of whom shall be selected from outside the city of Charleston, who shall be known as the Trustees of the State Orphan Asylum of South Carolina. Said Trustees shall remain in office four years, or until their successors are appointed, and shall have power to choose a chairman from their own number, and to make all necessary rules and by-laws for their own government.

SEC. 3. It shall be the duty of said Trustees, and they shall have the power, to take such steps as may be necessary, and in their judgment expedient, to establish said Asylum on a permanent foundation. To this end they are hereby authorized to receive, invest and control any moneys, real estate, or other property that may be given for the aid or endowment of said Asylum, subject to any regulations now or hereafter provided by the General Assembly.

SEC. 4. If, in the opinion of said Trustees, the present location of the Asylum can be changed for one better suited to the wants of said Asylum, such change may be made: Provided, That no such change shall be made during the year 1869, if by so doing additional expense to the State shall be incurred.

SEC. 5. In carrying out the object of this Act, the Trustees shall have,
A.D. 1869.

Authority to purchase or lease.

and are hereby invested with, authority to purchase or lease, as they may determine, such buildings, grounds, and other property, including household furniture, as may be needed for said Asylum; which property they and their successors in office shall well and truly hold in trust for the benefit of the aforesaid Asylum, and for no other purpose: Provided, That they shall at no time enter into any contract, or incur any obligation, binding the State for the payment of any sum in excess of the amount appropriated by this or any other Act for the support and maintenance of said Asylum.

To employ persons.

SEC. 6. The Trustees shall have power to select and employ such persons as may be needed to care for the wants of the orphans gathered in said Asylum. They shall also have the power to make all necessary rules and regulations for the government of the same, and to do all other things that may lawfully be done for the promotion of its best interests, and for the welfare of its inmates. Said Trustees shall receive no compensation for their services.

To make rules.

Annual reports.

SEC. 7. The Trustees shall, on or before the fourth Tuesday of November in each year, report to the General Assembly, through the Governor, a detailed statement of all their doings, including the expenditure of moneys, the number, age and sex of the children, the number of admissions and deaths during the year, the number of children who have left the Asylum, and the place to which they have gone, and such other information as it may be in their power to give.

Appropriation.

SEC. 8. For the purpose of supporting and maintaining the State Orphan Asylum during the year ending October 31, 1869, the sum of five thousand dollars, if so much be needed, is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Board of Trustees; and the Treasurer of the State is hereby authorized, with the approval of the Governor, to pay the same upon the order of the Chairman of said Board, in sums not exceeding five hundred dollars at any time.

Approved January 19, 1869.

No. 90. AN ACT TO RENEW THE CHARTER OF PENDLETON VILLAGE, IN THE COUNTY OF ANDERSON.

Whereas the charter of the Village of Pendleton has recently expired by limitation:

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 the charter of the Village of Pendleton be, and the same is hereby, renewed for the term of fourteen (14) years, and that during such period the said incorporation shall be entitled to all the powers and privileges, and be subject to the same conditions as are expressed in the last renewal of said charter, except such as do conflict with the Constitution of South Carolina and the Ordinances of the late Convention of 1868.

Approved February 4, 1869.
OF SOUTH CAROLINA.

AN ACT TO ALTER AND AMEND THE CRIMINAL LAW:

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, Capital punishment, except in the case of wilful murder, is hereby abolished.

SEC. 2. Manslaughter, or the unlawful killing of another without malice, express or implied, shall be punishable by hard labor in the Penitentiary, not exceeding thirty years nor less than two years.

SEC. 3. The crime of burglary shall be punishable by hard labor in the Penitentiary for a period not exceeding thirty years nor less than one. The crimes of rape and arson shall be punishable by hard labor in the Penitentiary for life, or for a period not less than ten years, according to the aggravation of these offences.

SEC. 4. The benefit of clergy is hereby abolished.

Approved February 4, 1869.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE TEMPORARY ORGANIZATION OF THE EDUCATIONAL DEPARTMENT OF THE STATE."

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 Section seven of an Act entitled "An Act to provide for the temporary organization of the Educational Department of the State" be, and the same is hereby, amended, by annexing thereto the following words, to-wit: "Nor until said account shall have been approved by the State Superintendent of Education and a warrant shall have been drawn by the Comptroller-General on the State Treasurer for the payment of the same."

SEC. 2. That Section eight of said Act be, and the same is hereby, amended, by annexing thereto the following words, to-wit: "Nor until said account shall have been approved by the State Superintendent of Education and a warrant shall have been drawn by the Comptroller-General on the State Treasurer for the payment of the same."

Approved February 4, 1869.

AN ACT TO INCORPORATE THE AIKEN SANITARY ASSOCIATION.

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, P. A. Jewett, P. G. Rockwell, L. D. Wilcoxen, and their associates and their successors, are hereby constituted a body politic and corporate by the name of the Aiken Sanitary Association, with power to sue and be sued, to plead and be impleaded, in all Courts of Law and Equity, may enjoy all the privileges incident to corporations, and may purchase, hold and convey real and personal estate, to an amount not exceeding two hundred thousand dollars. Said corpora-
The business of said corporation shall be the constructing, keeping and maintaining a sanitarium or hotel in the town of Aiken, or such other location in the State of South Carolina as may be selected, for the accommodation of invalids and others, and to do generally all such business as said corporation may deem necessary and requisite in conducting a sanitary institution or hotel.

SEC. 2. The capital stock of said corporation shall be divided into shares of one hundred dollars each, which shares shall be deemed personal property, and be transferred only on the books of said corporation, in such form as the Directors may prescribe. And said company shall at all times have a lien on all the stocks or property of the members of said corporation, invested therein, for all debts due from them to said corporation; and said corporation may organize, go into operation and commence business whenever and as soon as fifty thousand dollars of said stock shall be subscribed for, and ten per cent. of the same paid into the treasury of said company, in cash, and a certificate signed by the President and Secretary of said company under oath, setting forth said subscription and payment, shall be filed in the office of the Secretary of State.

SEC. 3. The stock, property and affairs of said corporation shall be managed by a Board of not less than three nor more than nine Directors, one of whom shall be chosen President by them, and all of whom shall hold their offices for one year, and until others are chosen; and said Directors shall be annually elected, at such times and places as the by-laws of said corporation shall prescribe. A majority of said Directors, when met, shall in all cases constitute a Board for the transaction of business; and a majority of the stockholders at any legal meeting shall be capable of transacting the business of said meeting, each share entitling the owner thereof to one vote, which vote may be given in person, or by lawful proxy. The first meeting of said corporation hereby formed may be called by a majority of the persons named in the first Section of this Act, at such time and place, and upon giving such notice thereof, as they shall deem reasonable and proper.

SEC. 4. The President and Directors, or a majority of them, for the time being, shall have power to fill any vacancy which may happen by death, resignation or otherwise, for the current year, to appoint a Secretary and Treasurer, and such other officers as may be necessary; and may require the Treasurer and other officers to give bonds for the faithful discharge of their trust and duty as said Directors may deem proper; and also to make and establish such by-laws, rules and regulations as they shall deem expedient for the management of the affairs of said corporation, and the same to alter and repeal: Provided, The same be not inconsistent with the laws of this State or of the United States.

SEC. 5. The books of said corporation, containing their accounts, shall at all reasonable times be open for the inspection of any of the stockholders of said corporation; and annual statements of the accounts of the said corporation shall be made, and submitted to the annual meetings of the stockholders. The Directors may call in the subscription to the capital stock by instalments, in such proportion, and at such times and places, as they may deem proper, giving due notice thereof, under such regulations and conditions as they may prescribe.

SEC. 6. The said corporation shall, within thirty days after each annual
meeting of the stockholders, lodge a certificate with the Secretary of State, setting forth the amount of capital stock of said company actually paid in, and the amount of the liabilities of the said corporation, which certificate shall be signed by the President and Secretary of said company, and be verified by their oath.

SEC. 7. This Act shall continue and be in force for ninety-nine years.

Approved February 5, 1869.

AN ACT TO PROVIDE FOR THE PAY OF COMMISSIONERS AND MANAGERS OF ELECTION.

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 twenty-six thousand dollars, or so much thereof as may be required, are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the Commissioners and Managers of Election, their Clerks and Messengers, appointed under the provisions of the Act of September 26, 1868, entitled "An Act to provide for the next general election and the manner of conducting the same," and to defray the expenses necessarily incurred by said Commissioners and Managers in furnishing boxes, stationery, &c.

SEC. 2. The Comptroller-General is hereby required to audit the accounts of said Commissioners, Managers and Clerks, and to draw his warrants upon the Treasurer for the payment of the same, and no Commissioner, Managers, Clerks or Messengers shall receive pay save for services actually rendered agreeably to the provisions of the Act mentioned in Section 1 of this Act.

Approved February 8, 1869.

AN ACT TO ALTER AND AMEND AN ACT ENTITLED "AN ACT TO AUTHORIZE THE SALE OF THE COLUMBIA CANAL."

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 so much of Section 1 of an Act to authorize the sale of the Columbia Canal, passed the twenty-first of September, 1868, as requires the purchaser or purchasers of said canal to complete the widening and deepening of said canal, and that the same shall always be kept open and in proper order for boating purposes, (free of all charges for toll or otherwise,) as far as the same is now used, be so modified as to allow the purchaser or purchasers to select some point on the canal, above Geiger's Mill, at which the widening or deepening process may begin; and that said purchaser or purchasers shall have authority to build a dam across the river at the point so selected. All the other requirements of said Section 1 of an Act to authorize the sale of the Columbia Canal to remain of full force and effect.

Approved February 8, 1869.
AN ACT TO INCORPORATE THE MISSION PRESBYTERIAN CHURCH, OF THE CITY OF CHARLESTON.

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, The members of the corporation known as the "Mission Presbyterian Church," in the city of Charleston, together with the officers and members of said corporation, be, and are hereby declared to be, a body politic and corporate, by the name and style of the "Mission Presbyterian Church," and as such shall have power to adopt such Constitution and to make such by-laws as may be necessary for the government of the same, and not repugnant to the laws of the land, and shall have such council, trustees, elders and deacons, their successors in office, as they may select; to sue and be sued, plead and be impleaded, by their corporate title, in any Court of Law or Equity in this State; to have and use a corporate seal; to have and enjoy every right, power and privilege incident to such corporation; and the said corporation is empowered to hold, retain, possess and enjoy all such property, real and personal, as the corporation may hereafter possess, or be entitled to, or which shall hereafter be given, bequeathed or devised to, or in any manner acquired; and to sell and transfer the same, or any part thereof; and enjoy and exercise all rights, powers and privileges as are incident to such corporations.

SEC. 2. This Act shall be deemed a public Act, and shall continue in force for the term of twenty-five years.

Approved February 13, 1869.

No. 97. AN ACT TO INCORPORATE THE WILSON'S BRIDGE COMPANY.

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 P. W. Acker, James E. Pickle, Willis Allen, Benjamin Townsend, Jasper Wilson, C. G. Garrison and W. S. Stansell, of Anderson and Greenville Counties, and their associates and successors, be, and the same are hereby, declared to be a body politic and corporate, by the name and style of "The Wilson's Bridge Company."

SEC. 2. That the said corporation shall have the privilege to keep in good repair the bridge now built over Saluda River, known as "Wilson's Bridge," for the term of fourteen years, and be allowed to receive and collect the following rates of toll, to wit: For a footman, five (5) cents; for man and horse, ten (10) cents; for all carriages drawn by one horse, mule or ox, twenty (20) cents; for all carriages drawn by two horses, mules or oxen, twenty-five (25) cents; for all carriages drawn by three horses, mules or oxen, thirty (30) cents; for all carriages drawn by four horses, mules or oxen, forty (40) cents; for all carriages drawn by five or six horses, mules or oxen, fifty (50) cents; for horses, single, five (5) cents per head; for cattle, three (3) cents per head; and for hogs and sheep, three (3) cents per head: Provided, All passengers shall be charged only one fare for going and returning on the same day: And pro-
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vided, further, That no one shall be charged going to or returning from church or elections, or children going to or returning from school.

SEC. 3. The said company shall be subject to any regulations hereafter adopted by the General Assembly for the government of such companies.

Approved February 13, 1869.

AN ACT TO ENFORCE THE PROVISIONS OF THE CIVIL RIGHTS BILL OF THE UNITED STATES CONGRESS.

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 after the passage of this Act it shall not be lawful for common carriers, or any party or parties engaged in any business, calling or pursuit, for the carrying on of which a license or charter is required by law, municipal, State, Federal or otherwise, to discriminate between persons on account of race, color or previous condition, who shall make lawful application for the benefit of such business, calling or pursuit.

SEC. 2. Any party so discriminating shall be considered as having violated this Act, and, upon conviction, shall be punished by a fine of not less than two hundred dollars, or imprisonment for not less than six months in the Penitentiary.

SEC. 3. No Act of incorporation shall be conferred upon any organization, the rules and regulations of which contain features not compatible with the provisions of this Act.

SEC. 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved February 13, 1869.

AN ACT TO INCORPORATE CERTAIN FIRE ENGINE COMPANIES.

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 the “United Fire Engine Company,” of Charleston, the “Neptune Fire Engine Company,” and the “Palmetto Fire Engine Company,” of Greenville, the “German Fire Engine Company,” of Charleston, and the “Independent Young America Fire Engine Company,” formerly under the name and style of the “Orangeburg Fire Engine Company,” of Orangeburg, and the several persons who now are, or may hereafter be, officers and members thereof, and their successors, officers and members, be, and they are hereby, declared to be bodies politic and corporate, by the name and style of the “United Fire Engine Company,” the “Neptune Fire Engine Company,” the “Palmetto Fire Engine Company,” the “German Fire Engine Company,” and the “Independent Young America Fire Engine Company;” and that the said corporations may, by their corporate names, sue and be sued, implead and be impleaded, in the Courts of this State; and shall be able and empowered, in law, to purchase, have, hold, enjoy and possess
No. 100. AN ACT TO INCORPORATE THE CITIZENS' SAVINGS BANK OF SOUTH CAROLINA.

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 F. W. McMaster, J. P. Thomas, Richard O'Neale, Jr., E. H. Heinitsch, J. Eli Gregg, Thomas E. Gregg, John B. Palmer, Daniel Ravenel, Jr., Benjamin H. Rutledge, and Robert G. Chisolm, together with such other persons as are now, or may hereafter be, associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, by the name of "The Citizens' Savings Bank of South Carolina," with their office in the city of Columbia: Provided, That the capital stock of said Bank shall not exceed the sum of five hundred thousand dollars: And provided, further, That this Act shall not have the force of law until twenty thousand dollars of the capital stock of said Bank shall have been paid in, and satisfactory evidence furnished to the Comptroller-General.

SEC. 2. The said corporation shall have power and authority to receive deposits and to invest the same, their capital stock and other funds, in bank or other stocks, in the purchase of bonds or stocks of this or any other State of the United States, or of the United States; to buy and sell gold and silver; to lend money on unencumbered real estate, in amounts not beyond sixty per cent. of its actual value; and the said corporation shall have power and authority to have, use and keep a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded in any Court of Law or Equity in this State, and to have and enjoy all and every right, privilege, power and franchise incident and belonging to incorporated bodies, and shall be capable of taking, holding and disposing of their capital stock according to such rules and regulations as they shall, from time to time, establish; and also taking, holding, dividing, disposing of or investing the increase, profits or emoluments of their said capital stock, and shall have the rights and power to acquire, purchase, take and hold, in their corporate name, lands and real estate, and the same to demise, grant, sell, assign, exchange and convey in fee simple or otherwise; and the said corporation shall have authority to establish branch offices at such other points in the State as they may elect.

SEC. 3. The business and property of such corporation shall be managed and controlled, and the President, Cashier, Directors and all other officers of the Bank appointed, by the stockholders; and the said stock-
holders shall have power and authority to make rules and by-laws not repugnant to the laws of the land, and to modify and amend such rules and by-laws at pleasure. Regular meetings of the stockholders shall be held on the first Tuesdays of January, April, July and October in each year, at 10 o'clock A. M., at the office of such corporation, in the city of Columbia, and special meetings shall be held whenever called for by the holders of at least one quarter of the shares of the capital stock: Provided, That a notice signed by the stockholder or stockholders calling said meeting, be advertised in a newspaper published in the city of Columbia at least one week prior to the time of such proposed meeting: Or, provided, That written notice shall be given to all the stockholders at least three days before such proposed meeting. A representation of a majority of the entire stock, by the holders or their proxies, shall be requisite to constitute a quorum at any and all meetings of the stockholders, and at all such meetings each share shall entitle its holder to one vote. Absent stockholders may vote by agents or proxies, producing proper written authority therefor. The said stockholders shall, at the first meeting when a quorum is present, elect twelve Directors and such other officers as they may deem necessary, they to hold office for twelve (12) months, unless removed in the meantime or their successors appointed by said stockholders.

SEC. 4. The said corporation shall have full power to enforce upon their members the due observance of all rules and by-laws for the good government and management of the affairs of the said corporation, and for the increase of the capital stock of the same, under such penalties as in and by the said rules and by-laws shall be limited and appointed; and to this end, if need be, shall and may institute and maintain, in their corporate name, against any one or more of their number, all the necessary suits, actions and pleas, either at law or in equity, for the recovery of any sum or sums of money to the use of the said corporation in as ample a manner as such suits might be maintained against persons not members of said corporation.

SEC. 5. The liability of Directors and stockholders shall be restricted to the stocks held by them, respectively. No Director or officer of said corporation shall borrow or use any portion of the funds thereof, be surety for loans to others, or in any manner, directly or indirectly, be an obligor for money borrowed of or loaned by the corporation.

SEC. 6. No loan of money shall be made by said corporation to any stockholder owning more than four (4) shares therein; and if any such loan is made to such stockholders, the officers who make it, or assent thereto, shall be jointly and severally liable, to the extent of such loan and interest, for all the debts of the corporation contracted before the repayment of the sum so loaned. The said corporation shall have power to buy and sell exchange, and to loan money on notes or drafts, secured by good collateral security.

SEC. 7. When any deposit is made by a person being a minor, the said corporation shall pay to such depositor such sums as may be due him, whether he have a guardian or not.

SEC. 8. This Act shall be deemed a public Act, and shall be judicially taken notice of without special pleading, and the charter hereby granted shall continue and be in force thirty years.

Approved February 13, 1869.
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**STATUTES AT LARGE**

**A.D. 1869.**

**No. 101.**

**AN ACT TO AUTHORIZE THE BUILDING OF A BRIDGE TO CONNECT THE ISLANDS OF WADMALAW AND JOHN'S.**

**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 the Commissioners of the County of Charleston be, and the same are hereby, authorized and directed to cause to be built at once a suitable bridge for the public use and convenience, over the creek known as Church Creek, which creek now separates Wadmalaw Island from John's Island.

**SEC. 2.** That for the purpose of carrying into effect the provisions of the foregoing Section, the Board of Commissioners of Charleston County are hereby directed to enter into contract with any responsible party or parties for building the said bridge, said contract to be awarded to the lowest responsible bidder therefor, after public notice, published in one or more of the Charleston daily papers for two weeks successively, of the terms and conditions thereof.

**SEC. 3.** That all expenses and cost of building said bridge shall be paid by a tax levied upon the real and personal property upon the said Islands, to be levied by the County Commissioners, and collected in the same manner and at the same time as other County taxes: Provided, That the cost of said bridge shall not exceed two thousand dollars.

Approved February 13, 1869.

**No. 102.**

**AN ACT TO AUTHORIZE A LOAN FOR THE RELIEF OF THE TREASURY.**

**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 the authority be, and is hereby, given to borrow, in accordance with the provisions of Section 5 of this Act, on the credit of the State of South Carolina, on coupon bonds, within twelve months from the passage of this Act, a sum not exceeding one million dollars, or as much thereof as may be deemed necessary for the relief of the Treasury of the State; said bonds to date from the 1st of January, 1869, and to bear interest at seven per cent., payable semi-annually, and redeemable at any time, at the option of the State, within twenty years from the date of said bonds.

**SEC. 2.** That the bonds and coupons of the said loan shall be paid at the Financial Agency of the State, in the city of New York.

**SEC. 3.** That the bonds issued under the provisions of this Act shall be signed by the Governor, and countersigned by the State Treasurer; and all such obligations shall be under the seal of the State. The coupons shall be signed by the State Treasurer.

**SEC. 4.** That the faith, credit and funds of the State of South Carolina are hereby solemnly pledged for the punctual payment of the interest and the redemption of the principal of the loan authorized by this Act.

**SEC. 5.** That, to carry out the intent of Section 1 of this Act, said bonds may be used as collateral security for loans by the Financial Agent of the State, in the city of New York, in accordance with the directions of the Governor, Attorney-General, Comptroller-General and
OF SOUTH CAROLINA.

Treasurer of this State, who may also authorize the said Financial Agent to sell said bonds at the highest market price, but not less than for a sum to be fixed by them; and they are further authorized to pay such sums of money as may be necessary to effect the purposes of this Act out of any funds of the State not otherwise appropriated.

Sec. 6. That an annual tax, in addition to all other taxes, shall be levied upon the property of the State sufficient to pay the interest on the loan hereinbefore authorized at the times when such interest shall fall due.

Approved February 17, 1869.

AN ACT TO RE-ENACT CERTAIN ACTS LENDING THE NAME AND CREDIT OF THE STATE TO THE GREENVILLE AND COLUMBIA RAILROAD COMPANY, AND TO VALIDATE THE ACTION OF SAID COMPANY THEREUNDER.

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 an Act entitled "An Act to alter and amend an Act entitled 'An Act to lend the name and credit of the State to the Greenville and Columbia Railroad Company in the readjustment of their debt,'" ratified by the General Assembly of the Provisional Government of this State on the twentieth day of December, in the year of our Lord one thousand eight hundred and sixty-six, be, and the same is hereby, re-enacted and continued in force; and all the actions of the said Greenville and Columbia Railroad Company done in pursuance of the provisions of the said mentioned Act be, and the same are hereby, validated and confirmed.

Sec. 2. To enable the said company to fund the interest due upon their mortgage and guaranteed debt for the six months, to-wit: from January 1 to July 1, 1868, the Comptroller-General is authorized and directed to endorse the name and credit of the State upon the bonds and certificates of indebtedness of the said company to the amount of fifty thousand dollars, to be applied in all respects, and in the same manner, and with the same conditions and restrictions, as is provided in the said Act of December 20, 1866, for the funding of interest; and the statutory lien is hereby extended to cover the additional sum of fifty thousand dollars herein provided.

Sec. 3. This Act shall not be of force until said Greenville and Columbia Railroad Company consent to the amendment of their charter, so that the property of said corporation shall be subject to taxation in conformity with Section 2 of Article XII of the Constitution, and said consent be certified, under the seal of said company, to the Comptroller-General and Secretary of State. Upon the filing of said consent, the said charter shall be deemed and held to be modified in conformity with said Section of the Constitution.

In the Senate House the sixth day of February, in the year of our Lord one thousand eight hundred and sixty-nine.

CHAS. W. MONTGOMERY, President of the Senate pro tem.
FRANKLIN J. MOSES, Jr., Speaker House of Representatives.
No. 104. AN ACT TO INCORPORATE THE LAKE SWAMP NAVIGATION COMPANY, OF HORRY COUNTY.

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 John K. Cooper, James C. Beatty, S. N. Anderson, B. J. Sessions, Benjamin Holt, S. D. Barnhill, C. T. Pitman and A. H. Skipper, of the County of Horry, in the said State, be, and they are hereby, appointed a Board of Commissioners to receive subscriptions to the capital stock of the Lake Swamp Navigation Company, of the said County, in said State, the object of which shall be to clear out the said swamp, in order that it may be rendered navigable, and enable the proprietors of the lands adjacent thereto to get their timber and products to market. The capital stock of the said company shall consist of one hundred shares of fifty dollars for each share. The said Commissioners, or a majority of them, shall open books at the court house of said County, at such time and place as they may designate, giving at least two weeks' notice of the same; and shall receive subscriptions to said capital stock, requiring at the time of said subscription a payment to be made of five dollars on each share. The subscribers paying their subscription shall form the said company, and shall elect the officers required for the organization of the same; and the said company shall be subject to the conditions and provisions hereinafter set forth.

SEC. 2. The said company, by its properly authorized officers, shall enter into a recognizance, with good and sufficient security, before the Clerk of the Court of the said County, in the sum of five thousand dollars, for the faithful performance of the said work within a specified time,
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to begin from the first day of January, 1870, and at least five miles shall be put in navigable order each year; and the said company shall be authorized to charge, after the said work shall have been completed, five cents per stick for ton timber for each mile, as a compensation for clearing out said swamp and keeping the same in navigable order. And the said company shall have power to secure the right of way through said swamp, and to own such lands as may be necessary for its navigable purposes: Provided, The clear yearly income from such lands does not exceed the sum of ten thousand dollars: Provided, further, That right of way be granted according to the provisions of the Act passed by the special session of the General Assembly of South Carolina of 1868, entitled "An Act to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and use of canals, railways and other works of internal improvements."

SEC. 3. That nothing contained in this Act of incorporation shall ever be so construed as by implication or otherwise to grant any powers not by this Act specifically given, or in conflict with the Constitution and laws made in pursuance thereof.

SEC. 4. This Act shall be deemed a public Act, and shall continue in force during the term of fourteen years.

Approved February 17, 1869.

AN ACT TO INCORPORATE THE ASHLEY FIRE ENGINE COMPANY, OF CHARLESTON, SOUTH CAROLINA.

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 the Ashley Fire Engine Company, and the several persons who now are, or may hereafter be, officers and members thereof, and their successors, officers and members, be, and they are hereby, declared to be a body politic and corporate, by the name and style of the "Ashley Fire Engine Company," and that the said corporation may by its corporate name sue and be sued, implead and be impleaded in the Courts of this State, and shall be able and empowered in law, to purchase, have, hold, enjoy and possess, any goods, chattels, lands, tenements or real estates of whatever kind or nature sover, and the same, or any part thereof, to sell, alien or convey at their will and pleasure: Provided, however, That the property so to be held shall not exceed the annual value of five thousand dollars; and the said corporation shall have power to make a common seal, with power to change and alter the same as often as they shall deem necessary.

SEC. 2. And be it further enacted, That this Act shall be deemed and taken to be a public Act, and shall continue in force for the term of fourteen years, and until the next meeting of the General Assembly thereafter, and no longer.

Approved February 17, 1869.
AN ACT TO RENEW THE CHARTER OF THE FERRY ACROSS THE GREAT 
Pee Dee River known as "Old Ports Ferry."

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 the charter of the ferry across the Great Pee 
Dee River known as "Old Ports Ferry," in the County of Marion, be, 
and the same is hereby, re-enacted, and vested in Zachariah Russ, his 
heirs and assigns, for the term of ten years after the ratification of this 
Act, with the same rates of ferriage as heretofore fixed by law. 
Approved February 17, 1869.

AN ACT TO INCORPORATE THE CALVARY BAPTIST CHURCH, OF THE 
City of Charleston.

Whereas Charles Small, Edward M. Haig, George W. Russel, Samuel 
Steward, Thomas A. Davis and Daniel McAlpin, as Trustees of the Cal 
vary Baptist Church, of Charleston, have prayed to be incorporated; 
therefore,

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 
passing of this Act, all those persons who now are, or who hereafter 
or may become, members of the said society, shall be, and they are 
hereby, incorporated, and are hereby declared to be a body corporate, in 
deed and in law, by the name and style of "The Calvary Baptist Church, 
of Charleston, for the advancement of Christianity in the State of South 
Carolina;" and, by the said name, shall have perpetual succession of of 
ficers and members, and a common seal, with power to change, alter and 
make new the same as often as the said corporation shall judge expe 
dient.

SEC. 2. That the said corporation shall be capable, in law, to purchase, 
have, hold, receive, enjoy, possess and retain to itself, in perpetuity or for 
any term of years, any lands, tenements or hereditaments, or other prop 
erty of what nature soever, not exceeding the sum of fifty thousand dol 
lars, or to sell or alien the same, as the said corporation shall think fit; 
and, by its said name, to sue and be sued, implead and be impleaded, an 
quar and be answered unto, in any Court of law or equity in this State; 
and to make such rules and by-laws (not repugnant to the laws of the 
land) as for the order, rule, good government and management thereof 
may be thought necessary and expedient.

SEC. 3. That this Act be deemed a public Act, and shall continue in 
force for the term of twenty-five years, and, as such, shall be judicially 
noticed in all the Courts of this State.

Approved February 26, 1869.

AN ACT TO INCORPORATE CERTAIN FIRE ENGINE COMPANIES, OF 
Charleston, S. C.

SECTION 1. Be it enacted by the Senate and House of Representatives
OF SOUTH CAROLINA.

A. D. 1869.

Incorporated.

United.

Comet, No. 5.

Prudence.

Niagara.

Privileges.

AN ACT TO INCORPORATE THE SOUTH CAROLINA PHOSPHATE COMPANY.

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 George S. Cameron, A. S. Johnston, J. T. Welsman, Adam Johnston, James Hope, D. B. Hack, C. A. Rowland, John A. Moore, George M. Thew, Adrian C. Ives, Charles M. Cresswell and James Cresswell, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of "The South Carolina Phosphate Company," for the purpose of carrying on any kind of manufacturing, mining or chemical business, with a capital of one hundred thousand dollars, to be divided into one thousand shares of one hundred dollars each.

Sec. 2. The said company shall have power, from time to time, to
increase their capital stock to any amount not exceeding five hundred thousand dollars, including their present capital stock, whenever a majority of the stockholders present at any general meeting, or the Board of Directors, by their authority, shall determine. And such additional stock shall be divided exactly among the stockholders in proportion to their shares in the capital stock of the company at the time of such increase; but in case any stockholder should not desire to take his or her proportion of such increased stock, the same shall be allotted among the remaining stockholders, or books may be opened for the purpose of obtaining additional subscribers to such increased stock, in such manner as the company may deem expedient. And in no case shall the members who are unwilling to take their proportion in such increase of stock be assessed to contribute or to make up such increase. Such additional stock shall be subject to all the same provisions, restrictions and conditions as are directed by the provisions of this Act; and any such additional subscribers shall thereby become members of this company, and subject, in like manner, in proportion to their interest, to all the burthens, liabilities, responsibilities and conditions imposed upon the members of this company.

SEC. 3. That if the proprietor of any share shall neglect to pay any installments assessed thereon for the space of thirty days after the time appointed for the payment thereof, the Treasurer of the company, by the order of the Directors, may sell, by public auction, a sufficient number of shares standing in the name of such stockholder to pay all the installments then due from him, with all necessary incidental charges. The Treasurer shall give notice of the time and place of sales, and of the sum due, by advertising the same three weeks successively before the sale in one of the Charleston newspapers; and a bill of the sale of the share or shares so sold, made by the Treasurer, shall transfer said stock to the purchaser, who shall be entitled to a certificate thereof.

SEC. 4. That every shareholder of the said company shall be, jointly and severally, liable for all debts contracted during the time he or she shall be a shareholder in said company, to the extent of the par value of his or her stock not paid in: Provided, nevertheless, That no person holding stock in the said company as executor, administrator, guardian or trustee, and no person holding such stock as collateral security, shall be personally subject to any liability as stockholder of such company; but the person pledging such stock shall be considered as holding the same, and shall be liable as a stockholder accordingly; and the estate and funds in the hands of such executor, guardian or trustee shall be liable, in like manner, to the same extent, as the testator or intestate, or the ward or person interested in such trust funds would have been if he had been living and competent to act and hold the said stock in his own name: And provided, further, That no stockholder shall be personally liable for the payment of any debts contracted by the said company which are not to be paid within one year from the time the debt is contracted, nor unless a suit for the collection of such debts shall be brought against said company within one year after the debt shall become due; and no suit shall be brought against any stockholder who shall cease to be a stockholder in said company for any debt so contracted, unless the same shall be commenced within two years from the time he shall have ceased to be a stockholder in said company, nor until an execution
OF SOUTH CAROLINA.

upon a judgment or decree against the company for such debts shall have been returned unsatisfied in whole or in part.

SEC. 5. That as soon as the capital to the extent of one hundred thousand dollars shall have been paid in, the President and Secretary shall make affidavit of the fact, and file the same in the office of the Secretary of State, and make publication thereof once a week for three weeks in a newspaper in the city of Charleston, which shall be legal notice to all persons dealing with said corporation; and if at any time they should increase their said capital stock, as hereinbefore provided for, as soon as the amount of such increased stock shall have been paid in, the President and Secretary shall, in like manner, make affidavits thereof, and file the same in the office of the Secretary of State, and make publication as aforesaid, which shall likewise be legal notice to all persons dealing with the said corporation.

SEC. 6. That the said company shall have such number of officers as shall be ordained and chosen by the rules and by-laws to be made for their government and direction, and shall have power and authority to make all rules and by-laws not repugnant to the Constitution and laws of the State, to regulate the issue of scrip and transfer of shares, to have and to keep a common seal, the same to alter at will, to sue and be sued, plead and be impleaded, in any Court of Law or Equity, to purchase, take and hold, sell and convey, in fee simple, or for any less estate, lands, tenements or hereditaments, goods, chattels, rights and credits, which may be connected with, or in any manner conducive to, the purpose for which said company is established, to dig and mine for earth, marls, rocks and minerals, to manufacture the same, and such other materials as they may purchase or acquire, into chemicals, acids and fertilizers, to carry on trade therein, and to cultivate such lands as may be purchased or acquired by the said company for the purpose aforesaid.

SEC. 7. That this Act shall be deemed and taken to be a public Act, and shall continue in force for thirty years.

Approved February 25, 1869.

AN ACT TO INCORPORATE THE VAUCLUSE MANUFACTURING COMPANY, IN THE STATE OF SOUTH CAROLINA.

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, J. J. Gregg, Robert Toombs, B. S. Dunbar and Samuel G. Wyman, and their associates and successors, are hereby made and created a body politic and corporate, in law, by the name of the Vaucluse Manufacturing Company, for the purpose of manufacturing, dyeing, printing and finishing all goods of which cotton or other fibrous articles may form a part, as well as all machinery used for such purposes, and for the transaction of such business as may be necessarily connected therewith; and may erect such mills and other works as may be required to carry on such branches of manufacture; and they shall have power to raise, by subscription, in shares of one hundred dollars each, a capital of three hundred thousand dollars, with the privilege
of increasing the said subscription to a capital of six hundred thousand dollars.

Sec. 2. And be it further enacted, by the authority aforesaid, That the said corporation may purchase and hold such real estate as may be required for the purposes of said corporation, or such as they may be obliged or deem it for their interest to take in the settlement of any debts due the said corporation, and may dispose of the same; and may sue and be sued in all Courts of law and equity, may have and use a common seal, and make such by-laws for their regulation and government as they may deem proper: Provided, They are not inconsistent with the Constitution and laws of the United States and of this State.

Sec. 3. The said corporation shall not go into operation until two hundred and fifty thousand dollars of the capital stock shall be paid, in gold or silver or United States Treasury notes, and an oath or affirmation of the payment thereof shall be made by the President, Treasurer and a majority of the Board of Directors, which shall be recorded in the Secretary of State's office, and published in at least two respectable newspapers in the State—one as near the establishment as circumstances will admit, the other in the city of Charleston—and this publication shall be repeated after the payment of each installment until the capital is paid in.

Sec. 4. The members of the said corporation shall be liable, jointly and severally, for all debts and contracts made by such corporation, until three hundred thousand dollars of the capital stock authorized to be subscribed, as aforesaid, shall have been actually paid in; and no note or obligation given by any stockholder, whether secured by pledge of the stock in such corporation or otherwise, shall be considered as payment of any part of the capital stock until such notes or obligations shall have been actually paid in.

Sec. 5. That the capital stock shall be deemed personal property, and be transferable upon the books of the said corporation; and no part of the said capital stock shall, at any time, or upon any pretense whatsoever, be loaned to or divided amongst the stockholders; neither shall the capital be withdrawn or divided amongst the stockholders until all the liabilities of the company are lawfully paid; and no dividends shall be declared, except from the net earnings of the company. Each stockholder shall have one vote for each share which he may own or represent at the election of Directors and all meetings of the company.

Sec. 6. If the proprietor of any share shall neglect to pay any installment assessed thereon for the space of sixty days after the time appointed for the payment thereof, the Treasurer of the company, by the order of the Directors, may sell, by public auction, a sufficient number of such delinquent shares to pay all installments then due from him, with all necessary incidental charges. The Treasurer shall give notice of the time and place of sale, and of the sum due on each share, by advertising the same three weeks, successively, before the sale, in some newspaper which may be printed near the vicinity of the establishment, and a bill of sale of the share so sold, made by the Treasurer, shall transfer said stock to the purchaser, who shall be entitled to a certificate thereof.

Sec. 7. J. J. Gregg, Robert Toombs, B. S. Dunbar, Samuel G. Wyman may open books and take subscriptions for the capital stock in such manner and at such places as they may deem expedient; and whenever such subscriptions shall amount to two hundred and fifty thousand (250,000)
dollars, the stockholders, having had two weeks' notice in writing or in a public newspaper in the vicinity of the establishment, may meet and proceed to elect such Directors and officers as they may deem necessary for conducting the affairs of the company, they to hold office until their successors shall be elected.

Sec. 8. The Directors shall submit to the stockholders, annually, a written statement, under oath or affirmation, of the Treasurer of the corporation, setting forth the amount of capital stock paid in and general assets of the company, and also of the amount of all then existing debts; which statement shall be published in the newspapers located nearest said manufactory.

Sec. 9. The service of the process of any Court of this State shall be legal and valid on said body politic and corporate, if the same shall be left at the manufactory: Provided, The President of the company is absent from and beyond the limits of the County in which said manufactory is located. That this Act shall continue in force for thirty years, and no part of the capital stock or any of the funds of the said corporation shall at any time during the continuance of this charter be used or employed directly or indirectly in banking operations, or for any purposes whatever inconsistent with this Act.

Sec. 10. The total amount of the debts which the said corporation shall at any time owe shall not exceed the amount of its capital stock actually paid in; and in case of excess, the Directors under whose administration it shall happen shall be, jointly and severally, liable for the same in their natural capacities. Such of the said Directors as may have been absent when the said excess was contracted or created may, respectively, exonerate themselves from being so liable by forthwith giving notice of the fact to the stockholders at a general meeting, which they shall have power to call for that purpose: Provided, further, That this Act shall be deemed and taken to be a public Act, and shall continue in force for the term of twenty years, and until the meeting of the first General Assembly thereafter.

Approved February 26, 1869.

AN ACT TO RENEW THE CHARTER OF THE CHARLESTON ANCIENT ARTILLERY SOCIETY.

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 the Charleston Ancient Artillery Society be, and the same is hereby, rechartered, with all the rights, powers and privileges heretofore granted to it, and that the same be, and is hereby, confirmed in its right, title, interest and estate, in and to all property, real and personal, which it now owns, or may hereafter lawfully acquire.

Sec. 2. That this Act shall be a public Act, and shall continue in force during the term of fourteen years.

Approved February 26, 1869.
AN ACT TO INCORPORATE THE SUMTER FIRE ENGINE COMPANY AS A PART OF THE FIRE DEPARTMENT OF THE TOWN OF SUMTER.

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 E. C. Green, William H. Girardeau, and their successors in office, be, and they are hereby, constituted a body corporate and politic, under the name and style of the "Sumter Fire Engine Company," with a capital stock not exceeding the sum of five thousand dollars, with the right to sue and be sued, to plead and be impleaded in any Court of competent jurisdiction, to have and to use a common seal, and the same to alter at will and pleasure, and with all other rights, privileges and immunities that are now secured by law to like incorporate bodies.

SEC. 2. This Act shall be deemed a public Act, and shall remain in force for a term of fourteen years.

Approved February 26, 1869.

No. 113. AN ACT TO INCORPORATE THE ROCKY RIVER BAPTIST CHURCH, IN ANDERSON COUNTY.

Whereas Wm. Tucker, R. D. Newel, J. B. Hampton, B. D. Hall, D. J. Tucker, and J. C. Hall, as Trustees of the Rocky River Baptist Church, in Anderson County, have prayed to be incorporated; therefore,

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: From and immediately after the passage of this Act, all those persons who now are, or who hereafter may become, members of the said society, shall be, and they are hereby, incorporated, and are hereby declared to be a body corporate in deed and in law, by the name and style of the "Rocky River Baptist Church," Anderson County, for the advancement of Christianity in the State of South Carolina, and by the said name shall have perpetual succession of officers and members, and a common seal, with power to change, alter and make new the same as often as the said corporation shall judge expedient.

SEC. 2. That the said corporation shall be capable, in law, to purchase, have, hold, receive, enjoy, possess and retain to itself, in perpetuity or for any term of years, any lands, tenements, or hereditaments, or other property, of what nature soever, not exceeding the sum of fifty thousand dollars, or to sell or alien the same, as the said corporation shall think fit, and by its said name to sue and be sued, implead and be impleaded, answer and be answered unto, in any Court of law or equity in this State, and to make such rules and by-laws, (not repugnant to the laws of the land,) as for the order, good government and management thereof may be thought necessary and expedient.

SEC. 3. That this Act shall be deemed a public Act, and as such shall be judicially noticed in all the Courts of this State.

Approved February 26, 1869.
OF SOUTH CAROLINA.

AN ACT TO INCORPORATE THE UNION STAR FIRE ENGINE COMPANY AS A PART OF THE FIRE DEPARTMENT OF THE CITY OF CHARLESTON.

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 S. Anderson, James Gillard, and their successors in office, be, and they are hereby, constituted a body corporate and political, under the name and style of the Union Star Fire Company, with a capital stock not exceeding the sum of five thousand dollars, with the right to sue and be sued, to plead and be impleaded in any Court of competent jurisdiction, to have and to use a common seal, and the same to alter at will and pleasure, and with all other rights, privileges and immunities that are now secured by law to like incorporated bodies.

Sec. 2. This Act shall be deemed a public Act, and shall remain in force for the term of fourteen years.

Approved February 26, 1869.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO LEASE THE STATE ROAD RUNNING FROM THE COUNTY OF GREENVILLE, IN THIS STATE, ACROSS THE SALUDA MOUNTAIN, TO THE COUNTY OF HENDERSON, IN NORTH CAROLINA.

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, The Comptroller-General of this State be, and he is hereby, authorized to lease the State Road, known as the Saluda Mountain Road, running from Greenville County, in this State, across the Saluda Mountain, to Henderson County, in North Carolina, to the highest bidder for the term of three years. The Comptroller-General shall give public notice in the newspapers of Greenville and the city of Columbia for thirty days, and receive sealed proposals for said road during that time, and shall lease said road within forty days after the passage of this Act.

Sec. 2. The said Comptroller-General is further directed to require a good and sufficient bond of the said lessee for keeping the road in good repairs, and to prescribe such other conditions of the said lease as may by him be judged proper and necessary to secure a faithful observance of all the requirements of the said lease.

Sec. 3. The said Comptroller-General is furthermore empowered to execute the said lease in the name of the State, and to do all other acts necessary to carry into effect the foregoing provisions of this Act.

Sec. 4. All Acts or parts of Acts conflicting with this Act are hereby repealed.

Approved February 26, 1869.

AN ACT TO INCORPORATE THE "HOME INSURANCE COMPANY," OF CHARLESTON.

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 the persons and bodies corporate who shall become stockholders in the manner hereinafter prescribed, and their successors, shall be a body politic and corporate, under the name, style and title of the “Home Insurance Company,” of Charleston.

SEC. 2. The capital stock of said company shall be two hundred thousand dollars, to be divided into eight thousand shares, of twenty-five dollars each, and shall be raised in the following manner: The following persons are hereby appointed Commissioners to receive subscriptions to the capital stock, to wit: Augustus L. Tobias, George W. Williams, F. J. Pelzer, Henry Cobia and Henry Buist. The said Commissioners, or a majority of them, shall open books, within thirty days from the passage of this Act, at such places in Charleston as they shall appoint, from 9 o’clock of the forenoon until 5 o’clock of the afternoon, and receive subscriptions to the said stock: Provided, The said Commissioners shall have given at least five days’ notice, by advertisement in two daily gazettes in the city of Charleston, of the time and place of receiving subscriptions, and shall require a payment of five dollars on each share, to be made at the time of subscription therefor, payment thereof to be made in the national currency of the banks of this or other States, or in the currency of the United States, or in stocks or bonds of the city of Charleston, or of this State, or of the United States, or other good and valid securities within the United States, the stocks or bonds to be estimated at the cash market value by the Commissioners: Provided, also, That the Board of Directors shall have power, in like manner and at such time as they shall see fit, to increase the said capital to the sum of one million dollars.

SEC. 3. The subscribers paying their subscription money, respectively, shall form the company, upon complying with the conditions and subject to the provisions hereinafter set forth.

SEC. 4. That if, at the opening of the books, more than eight thousand shares shall be subscribed, the Commissioners shall distribute the eight thousand shares of which the capital stock is to consist among the subscribers, as nearly as may be, in proportion to the number of shares subscribed by them, respectively; but the subscription of twenty shares or less shall not be reduced unless the whole number of shares subscribed for cannot otherwise be reduced to eight thousand.

SEC. 5. That in case the number of shares subscribed shall be less than eight thousand the Commissioners shall receive further subscriptions to make up that number at any time within one year after the first opening of the books.

SEC. 6. That the said company, under its corporate name, shall have succession of officers and members, and all the powers, privileges and franchises incident to a corporation, and shall be capable of taking, holding and disposing of their capital stock, according to such rules and regulations as they shall, from time to time, establish; and also of taking, holding, or disposing of, or investing, the increase, profits or emoluments of their said capital stock; and shall have full power and authority to have and use a common seal, and the same to alter and renew at their pleasure; and by the name and title aforementioned, shall be able and capable, at law and in equity, to sue and be sued, implead and be impleaded, answer and be answered unto, in all manner of suits, pleas, demands and judicial proceedings whatsoever; and they are authorized and
empowered to appoint a President, Directors, and other necessary officers, at such periods, and with such duties, as the said company shall see fit; and also to make rules and by-laws for the good government and management of the officers of the corporation: Provided, The said rules and by-laws shall not be repugnant to the Constitution and laws of this State and of the United States.

SEC. 7. That the said corporation shall have right and power to acquire, purchase, take and hold, in its corporate name, lands and real estate, and the same to demise, grant, sell, assign, exchange and convey, in fee simple or otherwise: Provided, The clear yearly income of the real estate so to be held shall not at any time exceed ten thousand dollars.

SEC. 8. That the said company is hereby authorized and empowered to make contracts and underwrite policies of insurance and indemnify against fire on buildings, goods, wares, merchandise, shipping and other property, lying, being, or deposited in this State, or elsewhere, as well as in the city of Charleston; and, also, to make contracts, and underwrite policies of assurance and indemnify upon marine risks, whether of vessels or of goods, merchandise or chattels, in whole or in part, foreign and domestic, whether upon the high seas, or in foreign ports, or in ports of the United States, or within any of the rivers, bays, creeks, canals or waters of this or any other State or country; and, also, to lend or advance money upon bottomry or respondentia.

SEC. 9. That in case of any loss whereby less than one-third of the capital stock of the said company shall be lost during the continuance of this charter, no dividend shall thereafter be made until the deficiency shall be made up by the stockholders of the company or by the accumulation of the profits of its business.

SEC. 10. That if the capital of the company be reduced by losses to less than two-thirds of the original capital stock, the deficiency shall be made up by the stockholders in six months after such reduction shall occur, and in default thereof, the affairs of the corporation shall be wound up, and they shall cease to do business.

SEC. 11. That if the affairs of the corporation are not wound up as directed in the preceding Section, and they proceed with business, then the President and Directors shall be, jointly and severally, liable to make good all engagements of the company entered into after the reduction of the capital, but nothing in this Section shall extend to any President or Directors who shall dissent to the proceedings of the company in these particulars, and who shall enter his protest in the minutes of the Board and publish the same in the daily gazettes of the city of Charleston.

SEC. 12. That the said corporation shall be invested with full power to enforce upon their members the due observance of all rules and by-laws for the good government and management of the affairs of the company, under such penalties as in and by the said rules and by-laws shall be limited and appointed; and to this end, if need be, shall and may institute and maintain in their corporate name, against any one or more of their members, all necessary suits, actions and pleas, either at law or equity, for the recovery of any sum or sums of money to the use of the said corporation, in as ample a manner as such suits might be maintained against persons not members of the corporation.

SEC. 13. That in all elections and other corporate acts done by the stockholders of the said company every stockholder shall be entitled to
one vote for each share owned by him or her, or standing in his or her name: Provided, That no stockholder shall be entitled to more than forty votes.

SEC. 14. That one-fourth of the capital of the company shall be paid in, and satisfactory proof thereof be furnished to the Comptroller-General, before the said company shall be authorized to commence business; and the residue of the capital shall be paid in at such times and in such manner as the company may appoint: Provided, The whole shall be paid within one year after they shall have commenced business, and evidence of the same furnished the Comptroller-General.

SEC. 15. That the books of the company shall be examined, from time to time, by such person or persons as the General Assembly may for that purpose appoint; and the persons so appointed shall have full power to compel the attendance of witnesses and the production of books and papers, and to inquire into the management of the company. In case of abuse or violation of their charter, the said company may be proceeded against by scire facias in the Court of Common Pleas and General Sessions in any of the Circuits of this State, and upon conviction shall be liable to have their charter annulled by the judgment of the Court.

SEC. 16. That at least one-half of the capital of said company shall be permanently invested in stock of this State, or of the city of Charleston, or of the United States, or in good stocks of incorporated companies within this State, or in bonds secured by first mortgage of real estate, worth not less than forty per cent. beyond the amount invested within this State; and the company may transfer and sell such stock, or any part thereof, or dispose of or collect the said bonds for the purpose of re-investment, whenever a due regard to the safety of its funds may require: Provided, however, That the said company shall not deal or trade in buying and selling any goods, wares, merchandise, commodities or stocks whatsoever.

SEC. 17. That no dividend exceeding twelve per cent. shall be declared upon the capital of the company. Any excess of profits above said per centage shall be carried to a surplus fund to meet losses and equalize dividends. In case, however, the profits fall below the per centage above specified, the dividends may be increased to that rate from the surplus fund. The interest upon the investment of said surplus fund may, however, be once in five years added to the dividend and distributed among the stockholders.

SEC. 18. The Board of Directors are hereby empowered to call in the remaining instalments on the shares of the capital stock in such sums and at such times as they may deem advisable: Provided, That two weeks’ notice be given of each call. And the said instalments shall be payable in the same medium as hereinbefore provided as to the first installment of five dollars.

SEC. 19. That this Act shall be deemed a public Act, and the charter hereby granted shall continue and be in force for twenty years.

Approved February 26, 1869.

No. 117. AN ACT TO REGULATE THE PRACTICE OF MEDICINE IN THIS STATE.

SECTION 1. Be it enacted by the Senate and House of Representatives
OF SOUTH CAROLINA.

A.D. 1869.

Qualified conditions.

Penalties.

AN ACT TO RENEW THE CHARTER OF THE FERRY ACROSS THE SAVANNAH RIVER KNOWN AS THE STONEY BLUFF FERRY.

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 the ferry over the Savannah River, in the County of Barnwell, known as the Stoney Bluff Ferry, be, and the same is hereby, re-established, rechartered and vested in Susan G. Brown, her heirs and assigns, for the term of ten years, who shall be allowed the same rates of toll as are now authorized by law: Provided, That the rates of toll of said ferry shall be subject to revision at the pleasure of the General Assembly.

Approved February 26, 1869.

AN ACT TO INCORPORATE THE AMATEUR LITERARY AND FRATERNAL ASSOCIATION, OF CHARLESTON.

Whereas A. J. Ransier, A. A. Aspinwall, J. N. Gregg, J. J. Canni-
Title.

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 passing of this Act, all those persons who now are, or who hereafter may become, members of the said Association, shall be, and the same are hereby, incorporated, and are hereby declared to be a body corporate, in deed and in law, by the name and style of the Amateur Literary and Fraternal Association, of Charleston, and by the said name shall have perpetual succession of officers and members, and a common seal, with power to change, alter and make new the same as often as the said corporation shall judge expedient.

Privileges.

SEC. 2. That the said corporation shall be capable in law to purchase, have, hold, receive, enjoy, possess, and retain to itself, in perpetuity or for any term of years, any lands, tenements, or hereditaments, or other property, of what nature soever, not exceeding the sum of fifty thousand dollars, or to sell or alien the same, as the said corporation shall think fit, and by its said name to sue and be sued, implead and be impleaded, in any Court of Law or Equity in this State; and to make such rules and by-laws, not repugnant to the laws of the land, as for the order, good government and management thereof, may be thought necessary and expedient.

SEC. 3. This Act shall be deemed a public Act, and continue in force for the term of fourteen years, and until the sitting of the next General Assembly thereafter.

Approved February 26, 1869.

No. 120. AN ACT TO AMEND AN ACT ENTITLED “AN ACT TO ORGANIZE THE CIRCUIT COURTS.”

Amendment.

SEC. 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 paragraph 3 of Section 3 of the Act entitled “An Act to organize the Circuit Courts,” passed the fifteenth day of August, A. D. 1868, be amended so as to read as follows: The Court of General Sessions at Walterboro, for the County of Colleton, on the third Monday after the fourth Monday in February, June and October; and the Court of Common Pleas at Walterboro, for the County of Colleton, on the Wednesday after the third Monday after the fourth Monday of February, June and October.

SEC. 2. All processes, writs and recognizances of every kind issued (or which, before the ratification of this Act, shall have been issued), and made returnable to the Court of General Sessions at Walterboro, for the County of Colleton, on the first Monday after the fourth Monday in February, June and October; and to the Court of Common Pleas at Walterboro, for the County of Colleton, on the Wednesday after the fourth Monday in February, June and October, shall be returnable to the terms of said Courts as herein established the same as if issued or taken in reference thereto.

Approved February 26, 1869.
AN ACT to incorporate the Columbia Building and Loan Association.

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 John Fisher, E. H. Heinitsch, R. L. Bryan, J. J. McCarter, W. B. Stanley, J. P. Thomas and W. K. Bachman, together with other persons who now are, or hereafter may be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, secured by mortgage of real estate or personal property, to their members and stockholders, by the name and style of "The Columbia Building and Loan Association," the capital stock of which shall consist of twelve hundred shares, to be paid in by successive monthly installments of one dollar on each share, so long as the corporation shall continue, the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for defaults in their payments, according to such regulations as may be prescribed by the by-laws of said corporation.

Sec. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such number and succession of members and officers as shall be ordained and chosen according to the said rules and by-laws made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State, and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

Sec. 3. That the funds of said corporation shall be loaned and advanced to the members and stockholders, upon the security of real or personal estate, in such mode, on such terms, and under such conditions, and subject to such regulations, as may from time to time be prescribed by the rules and by-laws of said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as are now or shall hereafter be mortgaged or conveyed to them, in good faith, by way of security upon its loans and advances; and may purchase at sales thereof, made according to law, upon judgments or decrees at law or in equity for the recovery of their debts; and to sell, alien or otherwise dispose of the same, as they, from time to time, may deem expedient.

Sec. 4. That whenever it shall occur that the funds of the said corporation shall remain unproductive and uncalled for for the space of two months, the corporation shall have power to loan whatever amount may be thus on hand to others than stockholders and members, for such time and at such rates of interest as may be established by virtue of such rules and by-laws as may be made by said corporation.

Sec. 5. That whenever the funds of the said corporation shall have accumulated to such an amount that, upon a fair and just division thereof, each stockholder and member shall have received, or be entitled to receive, the sum of two hundred dollars, or property of that value, for each and every share of stock by him or her so held, and such distribution and
AN ACT TO CONFIRM AND DECLARE VALID THE RECENT ELECTION OF MAYOR AND ALDERMEN OF THE CITY OF CHARLESTON.

Whereas an election for Mayor and Aldermen of the city of Charleston was held in said city on the tenth day of November, A. D. 1868, under the provisions of an Act entitled “An Act to provide for the election of the officers of the incorporated cities and towns in the State of South Carolina,” ratified the twenty-fifth day of September, A. D. 1868; and whereas certain irregularities are alleged to have occurred in the conduct of said election; and whereas the returns of the Managers of said election, together with the ballots, have been examined, and the case investigated by the Acting Board of Aldermen, who have declared as follows: That Gilbert Pillsbury received the largest number of votes for Mayor; that J. D. Geddings and James F. Green received the largest number of votes for Aldermen of Ward No. 1; and William McKinlay and E. W. M. Mackey the largest number of votes for Aldermen of Ward No. 2; and Robert Howard, David Barrow and T. J. Mackey the largest number of votes for Aldermen of Ward No. 3; and L. T. Potter, Richard Holloway, G. J. Cunningham, Charles Voight and W. R. H. Hampton the largest number of votes for Aldermen of Ward No. 4; and L. F. Wall and Philip Thorn, the largest number of votes for Aldermen of Ward No. 5; and M. H. Collins and Malcolm Brown, the largest number of votes for Aldermen of Ward No. 6; and E. P. Wall the largest number of votes for Alderman of Ward No. 7; and T. Small the largest number of votes for Alderman of Ward No. 8; therefore,

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 the election held in the city of Charleston on the tenth day of November, A. D. 1868, for the several offices of Mayor and Aldermen of said city, the result of which has been declared by the Acting Board of Aldermen of said city, be, and the same is hereby, confirmed and declared as valid to all intents and purposes as if the same had been conducted in strict accordance with the technicalities and provisions of existing laws.

SEC. 2. That immediately after the passage of this Act it shall be the duty of the Acting Mayor and Aldermen of the city of Charleston, on demand, to turn over all the property, books and papers pertaining to their several respective offices, to the persons declared by them to have received, on the tenth day of November, A. D. 1868, the largest number of votes for the several offices of Mayor and Aldermen of said city, and to vacate and surrender to said persons their several and respective offices.

SEC. 3. That for each and every days' detention or holding of the office of Mayor or Aldermen of the city of Charleston, contrary to the provi-
OF SOUTH CAROLINA.

Sections of this Act, the person or persons so offending shall be subject to a penalty of fifty dollars, the said penalty to be recovered in an action of debt by the person or persons aggrieved and kept out of office thereby.

SEC. 4. That any laws continuing in office persons elected or appointed to office previous to, during or under the late Provisional Government of South Carolina, or under or by virtue of any military orders, shall be held not to apply to, or continue in office, the present Acting Mayor and Aldermen of the city of Charleston, but, as to them, said laws shall be held to be null and void.

SEC. 5. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved March 1, 1869.

AN ACT TO ENABLE THE SAVANNAH AND CHARLESTON RAILROAD COMPANY TO COMPLETE THEIR ROAD.

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 the Savannah and Charleston Railroad Company is authorized and empowered to borrow and raise the sum of not more than five hundred thousand dollars, to be used in extending and rebuilding their road under the provisions of their charter.

SEC. 2. That for this purpose the said company is hereby authorized and empowered to issue bonds to the amount of not more than five hundred thousand dollars, payable twenty years after the date thereof, with coupons attached for interest at the rate of seven per cent. per annum payable semi-annually.

SEC. 3. That the said company is hereby further authorized and required to fund and redeem the coupons for interest of the bonds of the Charleston and Savannah Railroad Company, guaranteed by the State, now past due, and that may fall due on or before the first day of September, 1869, by issuing therefor an equal amount of their bonds, with coupons attached for interest, payable semi-annually, at the rate of seven per cent. per annum, and the principal to become due in twenty years after the date thereof. And the payment of the said bonds, so to be issued in substitution for interest coupons, shall be guaranteed by the State in the same manner, and as fully as the said original bonds of the Charleston and Savannah Railroad Company are now guaranteed; subject, however, to the provisions of Section 6 of this Act.

SEC. 4. The bonds hereinbefore authorized for rebuilding said road shall be used exclusively for the building thereof, and the outfit of the same. No salary shall be paid to any officer of the said road out of the funds so raised by this Act.

SEC. 5. The said railroad company shall deposit the interest on all their aforesaid bonds, as it becomes due, with the Financial Agent of the State of South Carolina, in the city of New York, and shall notify the creditors of the same by public advertisement in one newspaper in New York, one in Charleston and one in Savannah; and if said company shall fail to pay the interest on its debt within six months after it shall have

No salary to be paid.

Interest to be deposited.

Penalty.
Lien of the State.

A. D. 1869.

become due, or fail to pay, or provide for the payment of the principal of its debt within six months after it shall have become due, it shall be the duty of the Comptroller-General of the State, and he shall have the power, to take immediate possession of said road, with all its appurtenances, and lease the same to responsible parties, who shall have control thereof until the General Assembly shall by law provide for the settlement of the affairs of said company in the interest of all its creditors. The Governor of the State is hereby authorized and empowered to appoint two Directors to represent the State in the direction of said company.

SEC. 6. That the present lien of the State of South Carolina on said road shall, upon the issue of the bonds provided for in and by the first Section of this Act, be postponed and become a second lien, which said second lien shall extend over and cover the whole road, its outfit and real estate, as fully as is already provided for by law. The said road shall be completed by the first day of January, 1870.

SEC. 7. This Act shall not be of force until said Savannah and Charleston Railroad Company consent to the amendment of their charter, so that the property of said corporation shall be subject to taxation in conformity with Section 2 of Article XII of the Constitution, and said consent be certified, under the seal of said company, to the Comptroller-General and Secretary of State. Upon the filing of said consent, the said charter shall be deemed and held to be modified in conformity with said Section of the Constitution: Provided, That no tax shall be assessed or levied upon said road until the same shall have been completed.

In the Senate House, the second day of March, in the year of our Lord one thousand eight hundred and sixty-nine.

CHAS. W. MONTGOMERY, President of the Senate pro tem.
FRANKLIN J. MOSES, JR., Speaker House of Representatives.

Indorsed by the Governor: “Received March 2, 1869.”

OFFICE SECRETARY OF STATE,
COLUMBIA, S. C., March 6, 1869.

The foregoing Act having been presented to the Governor of this State for his approval, and not having been returned by him to the branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

F. L. CARDOZO,
Secretary of State of South Carolina.

No. 124. AN ACT TO CHANGE THE LOCATION OF THE COUNTY SEAT OF BARNWELL COUNTY FROM BARNWELL COURT HOUSE TO BLACKVILLE.

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 it shall be the duty of the Governor to issue his proclamation announcing a change of the County seat of Barnwell County from Barnwell Court House to the town of Blackville, on the receipt of a certificate from the Secretary of State of the filing in his
OF SOUTH CAROLINA.

A.D. 1869.

oflice of the cession, by the town of Blackville, of a suitable site for a court house and jail; and the County Commissioners of Barnwell County shall, thereupon, be authorized to take all needful measures, at the expense of the County, to effect such removal.

In the Senate House, the second day of March, in the year of our Lord one thousand eight hundred and sixty-nine.

CHAS. W. MONTGOMERY, President of the Senate pro tem.
FRANKLIN J. MOSES, Jr., Speaker House of Representatives.

Indorsed by the Governor: "Received March 2, 1869."

OFFICE SECRETARY OF STATE,
COLUMBIA, S. C., March 6, 1869.

The foregoing Act, having been presented to the Governor of this State for his approval, and not having been returned to the branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

F. L. CARDOZO,
Secretary of State of South Carolina.

AN ACT FURTHER TO AMEND THE ACTS INCORPORATING THE UNI-
VERSITY OF SOUTH CAROLINA.

No. 125.

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, The Board of Trustees of the University of South Carolina shall hereafter consist of seven members, who shall be elected on joint ballot by the General Assembly, and shall hold their offices for the term of four years and until their successors shall be appointed, no one of whom, during his continuance in office, shall be in any other manner connected with the University. Neither the said Board of Trustees, nor the Faculty of the University, shall make any distinction in the admission of students or the management of the University on account of race, color or creed.

SEC. 2. The Board of Trustees, when elected, shall meet at Columbia at such time and place as the Governor shall, by summons, direct, and the Governor of the State shall be the President of the Board of Trustees by virtue of his office; in his absence the Board shall elect one of their own number to act as President. The stated meetings of the Board shall be held at least once in three months; but the President of the Board shall have power to assemble it at any time in extra meeting, and it shall be his duty to do so whenever requested by the Faculty of the University; any five of the Board shall constitute a quorum for the transaction of business.

SEC. 3. The tuition fees to be paid by the students in the several schools shall hereafter be as follows: For entrance into the school of law or medicine, fifty dollars, with the privilege of entering any of the other schools, upon the payment of fifteen dollars for each school; for entrance into three or more of the other schools, fifteen dollars for each school; for
entrance into any two of the other schools (if a student shall enter but
two), twenty dollars; and for entrance into any one of the other schools
(if a student shall enter but one), twenty-five dollars. The tuition fees
shall be paid into the treasury of the University in advance, and shall be
set apart and known as "the tuition fund."

Sec. 4. To each of the Professors shall be paid, from the Treasury of
the State, quarterly, an annual salary of two thousand dollars, and to
the demonstrator of anatomy an annual salary of one thousand dollars.
There shall also be paid to each Professor, from "the tuition fund," as
additional salary, the sum of five hundred dollars, which shall be paid
at the expiration of the University term. If the tuition fund shall not
be sufficient therefor, the Treasurer shall apportion the same among the
Professors, and should there be, at the expiration of any University term,
a surplus of "the tuition fund," it shall be passed by the Treasurer into
the University fund, to be applied, under the direction of the Trustees, to
the general purposes of the University.

Sec. 5. The Trustees shall have authority to assign any Professor to
additional duties in any other school or schools without additional salary.
All Professors shall be members of the Faculty of the University; and
one of the members shall be chosen annually, by a vote of the Faculty,
to act as Chairman of the Faculty.

Sec. 6. When the first election of the Board of Trustees shall take
place, under the provisions of this Act, the offices of those who now con-
stitute the Board of Trustees shall cease and determine. All vacancies
in the Board of Trustees shall be filled by appointment of the Governor.

Sec. 7. There shall be admitted to the University one student annually
from each County in the State, who shall be entitled to entrance into as
many as three of the schools, not including either the school of law or
medicine, without the payment of tuition fees. Such student shall be
appointed by the Governor, on the nomination of the delegation in the
General Assembly from the County in which the students shall re-
spectively reside; the nomination to be made by the delegation in accord-
ance with such regulations as the Governor may prescribe: Provided,
That every student thus appointed shall show, upon examination before
the Faculty, the degree of proficiency required of other students for
admission into the University, and shall be otherwise admissible, accord-
ing to the regulations governing the University.

Sec. 8. The Board of Trustees shall have the authority to establish, in
connection with the State University, a preparatory school, under such
rules and regulations as they may think best to adopt: Provided, That a
course in the University shall not be made a condition of admission into
said school; And provided, further, That said school shall at no time re-
cieve any pecuniary aid from the State.

Sec. 9. All Acts or parts of Acts inconsistent with the provisions of
this Act are hereby repealed.

Approved March 3, 1869.

No. 126. AN ACT TO REGULATE THE AGENCIES OF INSURANCE COMPANIES NOT
INCORPORATED IN THE STATE OF SOUTH CAROLINA.

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 it shall not be lawful, after the first day of April, one thousand eight hundred and sixty-nine, for any agent of any insurance company in the United States, or any foreign State, not incorporated by the laws of this State, to take risks or transact any business of insurance in this State, without first obtaining a license from the Comptroller-General, which license shall expire on the 31st day of March of each year.

SEC. 2. That before the Comptroller-General shall issue such license to any agent of any insurance company not incorporated in South Carolina, there shall be filed in his office a certified copy of the charter of the company from which the said agent or attorney has received his appointment, and also a certified copy of the vote or resolution of the Trustees or Directors of said company appointing him such agent, accompanied by a warrant of appointment under the official seal of the company, and signed by the President and Secretary. Such warrant of appointment shall continue valid and irrevocable until another agent or attorney has been substituted, so that at all times, while any liability remains outstanding, there shall be within the State an agent or attorney as aforesaid, and shall contain a consent expressed, authorizing process of law to be served on said agent or attorney for all liabilities of every nature incurred in this State by said company, and that such service, made on such agent or attorney in the manner required by the laws of this State, shall be deemed legal and binding on the company or companies in all cases whatsoever, and that every judgment so recovered shall be conclusive evidence of the indebtedness of the company; and in addition to said warrant of appointment, there shall be filed and published a statement, made under oath of its President or Secretary, showing its assets and liabilities, and distinctly showing the amount of capital stock, and how the same has been paid, and of what the assets of the company consist, the amount of losses due and unpaid, and all other claims against the company, or other indebtedness, whether due or not due at the time of the filing of the statement above, and shall further show:

1st. That said companies have fulfilled the provisions of their respective charters, and of the extensions and amendments thereto, in every particular, and whether there has been any change of charters since last statement.

2d. The amount of policies outstanding, as near as can be ascertained.

3d. The character of the risks, and the rule governing companies and their agents in taking the same, both as to locality and amount.

4th. The particular character of the assets, specifying the amount of cash and public, bank, manufacturing or other stocks and bonds, or other securities, held by the companies, with the evidence that they are held by them, the rule of investment in real estate, securities, and the general localities of real estate secured to companies.

5th. The amount received from premiums, and whether sufficient to pay losses, &c.

6th. Whether there have been any changes in agencies during the preceding year.

SEC. 3. That every agent or attorney obtaining such license shall also cause such license to be published in some newspaper, to be designated by the Comptroller-General, having circulation in the County in which he
AN ACT TO RATIFY, CONFIRM AND AMEND THE CHARTER OF THE
CHARLESTON, SOUTH CAROLINA, MINING AND MANUFACTURING COMPANY.

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, The charter taken out by the Charleston, South Carolina, Mining and Manufacturing Company, under the provisions of an Act entitled "An Act to authorize and regulate the creation of private corporations within this State," approved December 20th, Anno Domini eighteen hundred and sixty-six, be, and the same is hereby, amended as follows: The capital stock shall consist of six hundred thousand dollars, and shall be divided into six thousand shares of one hundred dollars each; and the President and Directors of said company may issue stock to the full amount of the assessed value thereof, said assessment to be taken from the books of the Assessors of the County in which said property is situated, and the stock so issued shall be declared and taken to be full stock, and not liable to any further calls.

SEC. 2. The said company shall have the right to increase its capital to one million of dollars by a vote of the stockholders thereof, representing two-thirds of the capital stock, at any meeting of the stockholders called in the manner prescribed by the by-laws.

SEC. 3. Every stockholder of said company shall be, jointly, severally and individually, liable for all debts that may be contracted for materials...
furnished, or that may be due and owing to all their laborers, servants
and apprentices, for services performed for said corporation: Provided,
That no person holding stock in the said company as executor, adminis-
trator, guardian or trustee, and no person holding such stock as collateral
security, shall be personally subject to any liability as stockholder of
such company, but the person pledging such stock shall be considered as
holding the same, and shall be liable as stockholder accordingly: And
provided, further, That no stockholder shall be personally liable for more
than the par value of his stock, or for the payment of any debt con-
tracted by the said company which is not to be paid within one year from
the time the debt is contracted, nor unless a suit for the collection of such
debt shall be brought against said company within one year after the
debt shall become due. And no suit shall be brought against any stock-
holder who shall cease to be a stockholder in said company for any debt
so contracted, unless the same shall be commenced within two years from
the time he shall have ceased to be a stockholder in said company, nor
until an execution against the company shall have been returned unsatis-
fied in whole or in part.

Sec. 4. The said company is authorized to locate its principal office or
place for transacting its business at Charleston, Baltimore, Washington,
New York or Philadelphia, and to hold its corporate meetings, and carry
on any part of its business, at either of the said cities, but its principal
office or places of business shall not be changed but by a vote of the stock-
holders representing two-thirds of the stock, at a meeting of the stock-
holders regularly called.

Sec. 5. In ratification and confirmation of the powers and privileges
heretofore granted, be it further enacted, That the said company shall
have such number of officers as shall be ordained and chosen by the rules
and by-laws to be made for their government and direction, and shall
have power and authority to make all rules and by-laws not repugnant to
the Constitution and laws of this State; to regulate the issue of scrip and
transfer of shares; to have and to keep a common seal, and the same to
alter at will; to sue and be sued, plead and be impleaded, in any Court
of Law or Equity; to purchase, take and hold, sell and alien, in fee
simple or for any less estate, lands, tenements, hereditaments, goods,
chattels, rights and credits which may be connected with, or in any man-
ner conducive to, the purpose for which said company is established; to
dig and mine for earths, marls, rocks and materials; to manufacture the
same, and such other materials as they may purchase, into chemicals,
acids and fertilizers; to carry on trade therein, and to cultivate such
lands as are now owned or may be purchased by the company for the
purposes aforesaid.

Sec. 6. That this Act shall be deemed and taken to be a public Act,
and shall be and continue of force for the term of thirty years.

Approved March 8, 1869.

AN ACT TO PROVIDE FOR THE REVISION AND CONSOLIDATION OF . No. 128.
THE STATUTE LAWS OF THE STATE OF SOUTH CAROLINA.

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, In pursuance of Section 3 of Article V of the Constitution of this State, this General Assembly will proceed to elect three Commissioners, whose duty it shall be to revise, simplify, digest, arrange and consolidate, under proper heads, all the statute laws of the State, general and permanent in their nature, which shall be in force at the time when they make their final report.

SEC. 2. In performing this duty the Commissioners shall bring together all statutes and parts of statutes which, from similarity of subject, ought to be brought together, omitting redundant and obsolete enactments, and making such alterations as may be necessary to reconcile the contradictions, supply the omissions and amend the imperfections of the original text; and they shall arrange the laws under titles, chapters, sections, or other suitable divisions and sub-divisions, and with head notes briefly expressive of the matter contained in such divisions; also, with side notes, so drawn as to point to the contents of the text, and with references to the original text from which each section is compiled, and to decisions of the Courts of the State expounding or explaining the same, as they may deem expedient. They shall also provide, by a temporary index, or other suitable means, for an easy reference to every portion of their report.

SEC. 3. When the Commissioners have completed the revision and consolidation of the statutes, as aforesaid, they shall cause a copy of the same, in print, to be submitted to the General Assembly, that the statutes so revised and consolidated may be re-enacted, if the General Assembly shall so determine; and at the same time they shall suggest to the General Assembly such contradictions, omissions and imperfections as may appear in the original text, with the mode in which they have reconciled, supplied and amended the same; and they may also designate such statutes or parts of statutes as in their judgment ought to be repealed, with their reasons for such repeal.

SEC. 4. The Commissioners shall be authorized to cause their work to be printed, in parts, as fast as it may be ready for the press, and to distribute copies of the same to members of the General Assembly, and to such other persons, in limited numbers, as they may see fit, for the purpose of obtaining their suggestions; and they shall report, from time to time, to the General Assembly, their progress and doings.

SEC. 5. The statutes so revised and consolidated shall be reported to the General Assembly as soon as practicable, and the whole work closed without unnecessary delay.

SEC. 6. That justice may be administered in a uniform mode of pleading, without distinction between law and equity, the Commissioners shall revise, simplify and abridge the rules, practice, pleadings and forms of the Courts now in use in the State, and report a code of procedure for the adoption of the General Assembly at its next session.

SEC. 7. The Commissioners shall receive, as compensation for their services, at the rate of three thousand five hundred dollars per annum; and they shall also receive, for reasonable expenses of clerical services, books, printing, stationery, and other necessary and incidental matters, not exceeding five thousand dollars annually, said expenditures to be accounted for to the Comptroller-General on proper vouchers.

Approved March 9, 1869.
AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE MANNER OF KEEPING AND DISBURSING FUNDS BY CERTAIN OFFICERS."

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 Section (6th) sixth of an Act entitled "An Act to regulate the manner of keeping and disbursing funds by certain officers" be, and the same is hereby, amended, by striking out the word "September" wherever it occurs in said Section, and placing in lieu thereof the word "October."

Approved March 9, 1869.

AN ACT TO PRESCRIBE CERTAIN RULES TO BE OBSERVED IN THE GOVERNMENT OF FERRIES AND BRIDGES PRIVILEGED TO CHARGE TOLLS.

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 it shall be the duty of the managers and attendants of all public ferries and bridges, having the privilege by law to charge toll for the passage of persons, animals and vehicles or other goods, to cause the rates chargeable for such passage to be posted in legible letters or characters in some conspicuous place, stating the legal amount to be paid, so as to be read for information without inconvenience, at the approach to such ferry or bridge.

SEC. 2. Any neglect of the duties prescribed in the foregoing Section, or any toll exacted at higher rates than may be allowed by law, shall, upon conviction of the parties so neglecting before any Justice of the Peace or Magistrate, be punished with a fine of not less than ten nor more than fifty dollars, which fines shall be added to the funds for the maintenance of common schools in the County where such ferry or bridge may be situated.

Approved March 9, 1869.

AN ACT TO RENEW THE CHARTER OF THE CHARLESTON BIBLE SOCIETY.

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 the charter originally granted on the twentieth day of December, Anno Domini 1826, to the Charleston Bible Society be, and the same is hereby, revived and renewed, and that all donations, grants, devises and legacies heretofore made to the said Charleston Bible Society are hereby confirmed and established: Provided, That the value shall not exceed the amount limited by said charter.

Sec. 2. This Act shall be a public Act, and shall continue in force for the term of fourteen years.

Approved March 9, 1869.
AN ACT TO AMEND AN ACT ENTITLED “AN ACT TO ESTABLISH QUARANTINE AT GEORGETOWN, CHARLESTON AND HILTON HEAD.”

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 an Act entitled “An Act to establish quarantine at Georgetown, Charleston and Hilton Head” be so amended as that wherever the words “Health Officer” occur in said Act they shall be understood to mean the Health Officer or his deputies:

Provided, That said deputies shall in all cases be graduates of a regular medical school.

Additional amendment.

Additional amendment.

SECTION 2. That the aforesaid Act be further amended as follows: All vessels arriving on and after the first day of November, having had during the voyage a case of small-pox, cholera, or typhus, or infectious, or contagious disease, and every vessel from a foreign port having passengers, and not hereinbefore declared subject to quarantine, shall, on her arrival, be anchored at quarantine ground, and be visited by the Health Officer, or his deputies, but shall not be detained beyond the time requisite for due examination, unless she shall have had on board during the voyage some case of small-pox, typhus, or other infectious or contagious disease, in which case she shall be subject to such quarantine as the Health Officer or his deputies shall prescribe. And it shall be the duty of the Health Officer or his deputies, whenever necessary for the public health, to cause the persons on board of any vessel to be vaccinated.

Approved March 9, 1869.

No. 133. AN ACT TO INCORPORATE THE CARMEL CHURCH, IN PICKENS COUNTY.

Whereas B. F. Glenn, J. Monroe Smith, William H. Ford and B. M. Mulliken, as Trustees of the Carmel Church, in Pickens County, have prayed to be incorporated; therefore,

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 those persons who now are, or who hereafter shall or may become, members of the said society, shall be, and the same are hereby, incorporated, and are hereby declared to be a body corporate in deed and in law, by the name and style of the Carmel Church, of Pickens County, for the advancement of Christianity in the State of South Carolina; and, by the said name, shall have perpetual succession of officers and members, and a common seal, with power to change, alter and make new the same as often as the said corporation shall judge expedient.

SEC. 2. That the said corporation shall be capable, in law, to purchase, have, hold, receive, enjoy, possess and retain to itself, in perpetuity, or for any term of years, any lands, tenements or hereditaments, or other property, of what nature soever, not exceeding the sum of fifty thousand dollars, or to sell or alien the same, as the said corporation shall think fit; and by its said name to sue and be sued, implead and be impleaded, in any Court of law or equity in this State; and to make such rules and by-
laws, not repugnant to the laws of the land, as, for the order, good government and management thereof, may be thought necessary and expedient.

SEC. 3. That this Act be deemed a public Act, and, as such, shall be judicially noticed in all the Courts of this State.

Approved March 9, 1869.

AN ACT TO ESTABLISH THE LIEN OF MAGISTRATES' EXECUTIONS.

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 executions issued by Magistrates upon causes of action tried and adjudged by them, shall be entered by the Sheriff, upon the request of the plaintiff, in the execution book now kept by law in his office, except in cases where the Sheriff is a party to the suit, or interested in the event, in which cases they may be entered in the Coroner's office; and such executions so entered shall, from the date of entry, have the same lien upon property that is given by law to executions issued by the Court of Common Pleas: Provided, That nothing herein contained shall apply to executions for an amount less than twenty dollars, exclusive of costs.

SEC. 2. Levies and sales under such executions shall be made only by the Sheriff or his lawful deputy, (or the Coroner, as the case may be,) under the same forms and rules as now govern Sheriffs' sales.

SEC. 3. That the fees of the Sheriff for services under this Act shall be the same as those now allowed by law.

SEC. 4. That all Acts and parts of Acts in relation to Magistrates' executions in conflict with this Act be, and the same are hereby, repealed.

Approved March 9, 1869.

AN ACT TO ESTABLISH A PUBLIC FERRY IN YORK COUNTY.

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 the ferry opened by B. F. Boyd, across the Catawba River, be, and the same is hereby, declared to be a public ferry, and vested in the said B. F. Boyd, with the following rates of toll, for the term of fourteen years: For each man and horse, ten cents; for each led horse, five cents; for each foot passenger, five cents; for each wagon drawn by four horses, seventy-five cents; for each wagon and carriage drawn by two horses, fifty cents; for each wagon drawn by one horse, twenty-five cents; for each gig or sulky, twenty-five cents; for each cart and horse, twenty-five cents; for each head of cattle, five cents; for each hog, sheep or goat, three cents; and for long or double ferriage, double the amount of the above rates: Provided, That children going to and returning from school, and voters going to and returning from the polls, on election day, shall be passed free of charge over such ferry.

Approved March 13, 1869.
AN ACT TO ENABLE THE BANKS OF THE STATE TO RENEW BUSINESS OR TO PLACE THEM IN LIQUIDATION.

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 the banks incorporated by authority of this State, and which have, by said authority, issued bills of credit known as bank bills, and have failed to comply with said corporate privileges, by refusing to pay their bills of credit, and are now thus failing to comply with the provisions of said Act of incorporation in this particular, and shall so continue to violate said Act until the first day of December, 1869, shall forfeit all corporate rights and privileges, and are forbidden to transact any business as banking institutions: Provided, That the redemption of their bills in United States currency shall be deemed the fulfillment of their obligations to the holders of said bills.

SEC. 2. That it shall be the duty of the Comptroller-General, immediately after the ratification of this Act, to furnish each of the said banks of the State with a copy thereof, and they shall report thereon to the Comptroller-General, giving a full statement of all the property, and assets, and liabilities of the bank, and shall furnish a full statement of all their transactions every thirty days thereafter; and for every case of failure or neglect to so report, the officers of the bank shall forfeit and pay twenty-five dollars for each day so failing, to be collected by the Sheriff of the County on the order of the Comptroller-General, approved by the Governor, to be appropriated to the use of the State; and if any of the banks agree to redeem their bills, the Comptroller-General shall give notice of said agreement in one or more of the newspapers of this State, and shall notify the Judge of the Circuit in which such bank or banks may be situated of each and every bank failing to comply with the requirements of the first Section of this Act, whose duty it shall be to appoint a suitable person as receiver of each of the aforesaid banks, who shall, after having filed a bond, with good and sufficient security, to be approved by the said Judge, take charge of the property and assets of the bank.

SEC. 3. That the said receiver shall furnish the Comptroller-General with a full statement of all the property and assets belonging to the said bank, immediately after receiving the same, and shall proceed to the final settlement of the accounts of the bank, in conformity to such rules as the Circuit Court may direct.

SEC. 4. Any of the banks redeeming their bills in conformity with the provisions of the second Section of this Act, and are able to redeem the same, and have remaining in their possession assets of the market value of fifty thousand dollars, may resume business as a banking corporation, after satisfying the Governor and the Comptroller-General that they are possessed in fact of the said amount; and the Comptroller-General shall make known the same by public notice in one or more newspapers of the State.

SEC. 5. The banks resuming business in accordance with the provisions of this Act shall report to the Comptroller-General, as now provided by law, and their charters shall be deemed as redeemed for the amount so advertised by the Comptroller-General: Provided, That no bank shall be so rechartered with a capital of less than fifty thousand nor more than
one million dollars: Provided, further, That all banks rechartered and recommencing business under this Act shall be subject to taxation.

Sec. 6. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 13, 1869.

AN ACT TO INCORPORATE CERTAIN SOCIETIES IN THE CITY OF CHARLESTON.

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 Cupid Voitt, John L. Fenwick, John B. Wright, Samuel B. Garrett, Thomas Miller and others, who now are, or may hereafter be, members and officers of the Young Men's Charitable Society, of Charleston; and that Hamlet Muly, Jonas Bird, Peter Mazyok, Joseph M. Duncan, George Watkins, William Lawrence and others, who now are, or may hereafter be, members and officers of the Ephrath Burial Ground and Charitable Society, of Charleston, and their successors, officers and members, be, and they are hereby, declared to be bodies politic and corporate, by the name and style of the Young Men's Charitable Society, and the Ephrath Burial Ground and Charitable Society; and that the said corporations shall, by their corporate names, sue, be sued, implead and be impleaded in the Courts of this State; and shall be able and empowered, in law, to purchase, have, hold, enjoy and possess any goods, chattels, lands, tenements or real estate of what kind or nature soever; and the same, or any part thereof, to sell, alien or convey, at their will and pleasure: Provided, however, That the property so to be held shall not exceed the annual value of five thousand dollars; and the said corporations shall have power to make a common seal, with power to change and alter the same as often as they shall deem necessary.

Sec. 2. And be it further enacted, That this Act shall be deemed and taken to be a public Act, and shall continue in force for the term of fourteen years, and until the next meeting of the General Assembly thereafter.

Approved March 13, 1869.

AN ACT TO ALTER AND AMEND AN ACT ENTITLED “AN ACT TO ALTER AND AMEND THE CHARTER OF THE KING’S MOUNTAIN RAILROAD COMPANY,” PASSED DECEMBER 16, 1851.

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 an Act of the General Assembly entitled “An Act to alter and amend the charter of the King’s Mountain Railroad Company,” passed December 16th, A. D. 1851, be, and the same is hereby, altered and amended, so that thereafter the number of Directors of the said railroad shall be five (5) instead of eight (8). A majority of them shall constitute a quorum for the transaction of business.
A. D. 1869.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 13, 1869.

No. 139. AN ACT TO RENEW THE CHARTER OF A FERRY ACROSS THE CONGAREE RIVER.

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 a ferry across the Congaree River, at the site of the old Columbia Ferry, be, and the same is hereby, rechartered and vested in J. Saunders Guignard and John G. Guignard, their heirs and assigns, for the term of fourteen years, and the said J. Saunders Guignard and John G. Guignard shall be allowed the same rates of toll as are now authorized by law: Provided, That voters going to and returning from the polls on election days, and children going to and returning from school, shall be passed free over said ferry.

In the Senate House the fifteenth day of March, in the year of our Lord one thousand eight hundred and sixty-nine.

CHAS. W. MONTGOMERY, President of the Senate pro tem.
FRANKLIN J. MOSES, JR., Speaker House of Representatives.

Indorsed by the Governor: “Received March 15, 1869.”

OFFICE SECRETARY OF STATE,
COLUMBIA, S. C., March 19, 1869.

The foregoing Act having been presented to the Governor of this State for his approval, and not having been returned by him to the branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

F. L. CARDOZO,
Secretary of State of South Carolina.

No. 140. AN ACT TO EMPOWER THE JUDGES OF THE CIRCUIT COURT TO GRANT RELIEF IN CASE OF ERRONEOUS JUDGMENTS OBTAINED DURING THE EXISTENCE OF THE PROVISIONAL GOVERNMENT OF SOUTH CAROLINA.

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 in case a judgment or decree has been, or hereafter shall be, rendered by a Court of Common Pleas or Equity, it shall be lawful for either party, plaintiff or defendant, to move, before the presiding Judge of the Circuit in which said judgment was obtained, to vacate or set aside said judgment, upon satisfactory proof being made to said Judge that said judgment is erroneous and ought to be set aside; and, upon such proof being made, the presiding Judge is hereby
authorized to vacate and set aside said judgment, and to order a trial de novo: Provided, That, except as to causes arising under the Provisional Government of South Carolina, no motion shall be entertained for a new trial in any cause unless the motion be made within two years after the judgment rendered.

SEC. 2. That, upon service of notice of motion for the purpose hereinbefore stated, and satisfactory security given for the payment of said judgment in the event a new trial shall not be granted, the said security to be approved by the Clerk of the Court for the County in which such judgment was obtained, the presiding Judge is hereby empowered to order a stay of all proceedings until the hearing and decision of said motion.

Approved March 16, 1869.

AN ACT TO AUTHORIZE SYLVANUS MAYO TO BUILD A DOCK AND COLLECT WHARFAGE IN THE TOWN OF BEAUFORT.

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 Sylvanus Mayo be, and he is hereby, authorized to build a wharf to deep water, in front of the property owned by him, in the town of Beaufort, to collect wharfage on the same, and to use, sell or lease the said wharf for his own use and benefit, subject to any laws now existing, or hereafter to be made, in relation to such property.

Approved March 16, 1869.

AN ACT TO PROVIDE FOR THE COLLECTION OF WHARFAGE AT HILTON HEAD.

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 Sylvester Russell be allowed to collect wharfage at his wharf at Hilton Head, in accordance with the laws and regulations concerning the collection of wharfage.

Approved March 16, 1869.

AN ACT TO ORGANIZE AND GOVERN THE MILITIA OF THE STATE OF SOUTH CAROLINA.

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 able-bodied male citizens between the ages of eighteen and forty-five years, residing in this State, and not exempted by the laws of the United States, shall be subject to military duty, excepting—
A.D. 1869.

1st. All persons in the army or navy or volunteer forces of the United States.

2d. Regularly ordained or licensed ministers and preachers of the Gospel.

3d. The Lieutenant-Governor, members and officers of the General Assembly, the Secretary of State, Attorney-General, Comptroller-General, State Auditor, Commissioner of Bureau of Agricultural Statistics, Superintendent of Education, State Engineer and Surveyor, State Treasurer, and clerks and employees in their offices, judicial officers of the State, including Justices of the Peace, Sheriffs, Coroners, Constables, civil officers of the United States, ferrymen employed at any ferry on a post road, and millers.

4th. All persons entertaining conscientious scruples against bearing arms, practicing physicians, professors, teachers and students in colleges, academies and common schools.

5th. Persons regularly and honorably discharged from the army and navy of the United States, in consequence of the performance of military or naval duty, in pursuance of any law of this State, and all persons who now are or may hereafter be active members of regularly incorporated fire companies in this State.

6th. Commissioned officers who shall have served as such in the loyal militia of this State, or in any one of the United States, for the space of seven years; but no such officer shall be exempt unless by his resignation after such term of service, duly accepted, or in some other lawful manner he shall have been honorably discharged.

7th. Idiots, lunatics, paupers, and persons convicted of infamous crimes, shall not be subject to military duty.

Enrollment. Sec. 2. That under the directions of the Commander-in-Chief all persons liable to military duty within this State who are not already members of the National Guard, as hereinafter provided, shall, immediately upon the passage of this Act, and from time to time thereafter, as the Commander-in-Chief shall deem necessary, but as often as once in every two years, be enrolled. Such enrollment shall distinctly specify the names and residences of the persons enrolled, and shall also divide the same into two classes; the persons between the ages of eighteen and thirty years to constitute the first class, and the persons between the ages of thirty and forty-five years to constitute the second class. Four copies of such enrollment shall be made by the officer making the same, one of which, after being corrected, shall be retained by him, another shall be filed in the office of the Town or City Clerk in which such company is enrolled, another shall be filed in the office of the Clerk of the Courts of Record in the County where such district is situated, and the fourth shall be filed in the Adjutant-General’s office. The persons making said enrollment shall be compensated at the rate of one dollar and fifty cents per day for every day necessarily spent in making and copying the same; the number of days not to exceed ten; and the amount of such compensation shall be paid by the Treasurer of the State, upon production of the certificates of the Clerk of the Courts of Record in the County, and of the Adjutant-General, that such rolls have been duly filed, on or before the first day of February in each year in which such enrollment shall be made: Provided, That the Commander-in-Chief may, if he deem it necessary, extend the term of completing the first enrollment under this Act,
OF SOUTH CAROLINA.

not to exceed twenty days, and authorize payment for the same, as hereinbefore specified and set forth.

Sec. 3. That all persons duly enrolled who shall neglect to attend the musters and drills provided for in this Act, except in cases of sickness, shall be subject to a fine of one dollar for each day so neglecting, which, if not paid to the County Treasurer on or before the fifteenth day of March next ensuing, shall be collected by the collector or receiver of taxes of the city or County in which the person so neglecting is enrolled; and the Board of County Commissioners, at their annual meetings, are authorized and directed to annex a list of the several delinquents, with the fines set opposite their respective names, to the assessment rolls of the several towns and wards; and the warrants for the collection of the same shall direct the collector or receiver of taxes to collect the amount from every person appearing, by the said assessment roll, liable to pay the same in the same manner as other taxes are collected, the same to be paid to the County Treasurer. And when the name of any person, between the ages of eighteen and twenty-one years, shall appear on the said roll liable to pay the said fine, the said warrant shall direct the collector to collect the same of the father, guardian or employer with whom such person shall reside or be employed, or out of any property such minor may own or possess in the city, village, town or ward in said County; and such collector shall proceed and execute such warrant, and no property now exempt from other executions shall be exempt from the payment of such fine.

Sec. 4. The County Treasurer of each County shall, on or before the twenty-fifth day of April in each year, pay the Treasurer of the State, upon his orders, the actual sum received from delinquents who have failed to attend such musters and drills; and it shall be the duty of the officers commanding the several regiments to furnish the County Commissioners the names who have failed to attend such musters and drills. The County Commissioners shall give the names of the persons so failing to the County Auditor, and, unless they are excused, shall place an extra assessment of one dollar per day on their general tax, if a property holder; and in case said delinquent or any of them are not property holders, then he or they shall be compelled to work the public roads at a rate not exceeding one dollar per day.

Sec. 5. The bond required to be executed by the collectors, receivers of taxes and County Treasurers, shall also apply and extend to any moneys required to be collected for military purposes by this Act.

Sec. 6. That all tavern keepers, persons keeping boarders in their families, keepers of boarding houses, and any master or mistress of any dwelling-house, shall, upon the application of any officer authorized to make such enrollment, give information of the names of all persons residing or lodging in such house liable to be enrolled, and all other proper information concerning such persons as such officers may require.

Sec. 7. That if any person of whom information is required by any such officer, in order to enable him to comply with the provisions of this Act, shall refuse to give such information, or shall give false information, he shall forfeit and pay twenty dollars for each item of information demanded of him by any such officer and falsely stated, and a like sum for each individual name concealed or falsely stated; and every person who shall refuse to give his own name and proper information, when applied
to by any such officer, or shall give a false name or information, shall
forfeit and pay a like sum, such penalties to be recovered in any Court of
competent jurisdiction, in the name of the State of South Carolina; and
it is hereby made the duty of such officer to report the names of all per-
sons who may incur any penalty, under this Section, to any Magistrate
or Justice of the Peace in the County for prosecution.

Publication. Sec. 8. That whenever an enrollment shall be made as provided in this
Act, the Board of County Commissioners shall cause to be published,
one week for four weeks previous to the first day of February, in a
newspaper with circulation in the County, or by written or printed pla-
cards, in not less than four public places, a notice that such rolls have
been completed and filed as aforesaid; which notice shall also specify
that any person who claims that he is, for any reason, exempt from milit-
ary duty, shall, on or before the 15th day of February next ensuing, file
a written statement of such exemption, certified by affidavit, in the office
of said Clerk of the Courts of record, or before a Justice of the Peace or
Magistrate, in said County; and the publication of such notice shall be
sufficient notice of such enrollments to all persons named therein. Such
roll shall be made in the form prescribed by the Commander-in-Chief,
and the Adjutant-General shall furnish all the enrolling officers suitable
blanks and instructions for the completion of such enrollment.

Sec. 9. That all persons claiming exemption shall file a written state-
ment of the same, verified by affidavit, in the office of the Town Clerk of
the township in which he resides, on or before the fifteenth day of
January, in default of which such person shall lose the benefit of such
exemption, except such as are especially exempted by this Act or by Act
of Congress.

Sec. 10. That the person making such enrollment shall, thereupon, if
such person be exempt according to law, mark the word “exempt”
opposite the name of each person presenting such exemption; if such
exemption be permanent, the name of such person shall not be included
in any subsequent enrollment. If any person shall swear falsely in such
affidavit, he shall, upon proof thereof, be adjudged guilty of perjury in
any Judicial Court of competent jurisdiction.

Sec. 11. That the persons thus enrolled shall form the reserve militia
of the State of South Carolina; those over eighteen and not over thirty
years of age shall constitute the reserve of the first class; and those over
thirty and under forty-five years of age shall constitute the reserve of the
second class.

Sec. 12. That if any officer charged with any duty under the provi-
sions of this Act, shall refuse or neglect to perform any of the duties re-
quired of him by this Act, he shall forfeit and pay the sum of not less
than fifty nor more than one hundred dollars for each and every offence,
to be recovered in the name of the people of the State of South Carolina;
and such officer shall, as an additional penalty, be deemed guilty of a
misdemeanor; and it shall be the duty of the Solicitor of the Judicial
Circuit within which said offender resides, upon the complaint of the
commanding officer of the regiment, or on the part of the Board of
County Commissioners, to prosecute the same. Any penalty incurred
and paid, or collected under this Section, shall be paid into the treasury
of the County, for the use of the military fund of the County where the
fund may have accrued.
SEC. 13. That the Adjutant-General, under the direction of the Com-  
mander-in-Chief, shall organize and apportion the militia, and the  
districts therefor, into divisions, brigades, regiments, squadrons, troops,  
batteries and companies, and cause the same to be numbered and lettered as  
nearly in conformity with the laws and regulations governing the army of  
the United States as circumstances will permit, and may after divide,  
annex or consolidate the same, and the districts thereof, as he may judge  
expedient.  

SEC. 14. That the organized militia of this State shall be known as the  
National Guard of the State of South Carolina, and shall consist of such  
divisions, brigades, regiments and battalions, and in addition thereto, such  
batteries of light artillery, and troops and squadrons of cavalry, as the  
Commander-in-Chief may deem expedient; and nothing herein contained  
shall be so construed as to interfere with the power of the Commander-in-  
Chief, in case of war or insurrection, or of imminent danger thereof, to  
order drafts of the militia, and to form new regiments, battalions, brigades  
or divisions, as he may deem just and proper: Provided, That there shall  
be no military organizations, or formations for the purpose of arming,  
drilling, exercising the manual of arms, or military manoeuvres, not au-  
thorized under this Act, and by the Commander-in-Chief, and any neg-  
lect or violations of the provisions of this Section shall, upon conviction,  
be punished with imprisonment at hard labor in the State Penitentiary  
for a term not less than one year, nor more than three years, at the dis-  
cretion of a competent Court.  

SEC. 15. That an Assistant Adjutant-General may be appointed, if  
deemed necessary, by the Governor, by and with the advice and consent  
of the Senate. His salary shall be at the rate of fifteen hundred dollars  
per year, while on duty. The duties of Quartermaster-General shall de-  
volve upon the Adjutant-General in times of peace.  

SEC. 16. That in case of invasion, insurrection or rebellion, or immi-  
nent danger thereof, the Governor shall appoint, by and with the advice  
and consent of the Senate, a Quartermaster-General, Commissary-General  
and a Surgeon-General.  

SEC. 17. That the arms, equipments and munitions of the State shall  
be stored under the direction of the Commander-in-Chief, and in such  
places as he may designate.  

SEC. 18. That all officers of the militia (except as herein provided)  
shall be appointed and commissioned by the Governor. They shall draw  
pay only when engaged in actual service.  

SEC. 19. That all commissioned officers of the militia shall be ap-  
pointed and commissioned by the Commander-in-Chief, and may be re-  
moved from office on recommendation by the commanding officer of their  
respective brigades and divisions. Removal may also be made by deci-  
sion of a court martial, or retiring or examining board, pursuant to law,  
and for misconduct any officer may be suspended by the Commander-in-  
Chief.  

SEC. 20. That the militia of this State shall be mustered and drilled  
at such times as the Commander-in-Chief or commanding officers of divi-  
sions, brigades and regiments may direct.  

Approved March 16, 1869.
AN ACT TO PROVIDE A LIEN ON BUILDINGS AND LANDS TO PARTIES FURNISHING LABOR AND MATERIALS THEREON.

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 any person to whom a debt is due for labor performed or furnished, or for materials furnished, and actually used in the erection, alteration or repair of any building or structure upon any real estate, by virtue of an agreement with, or by consent of, the owner of such building or structure, or any person having authority from, or rightfully acting for, such owner, in procuring or furnishing such labor or materials, shall have a lien upon such building or structure, and upon the interest of the owner thereof in the lot of land upon which the same is situated, to secure the payment of the debt so due to him, and the costs which may arise in enforcing such lien under this Act, except as is provided in the following Sections.

SEC. 2. Such lien for materials furnished shall not attach, unless the person furnishing the same, before so doing, gives notice to the owner of the property to be affected by the lien, if such owner is not the purchaser, that he intends to claim such lien.

SEC. 3. Such lien shall not avail or be of force against any mortgage actually existing and duly recorded prior to the date of the contract under which the lien is claimed.

SEC. 4. The owner of any such building or structure in process of erection, or being altered or repaired, other than the party by whom or in whose behalf a contract for labor and materials has been made, may prevent the attaching of any lien for labor thereon not at the time performed, or materials not then furnished, by giving notice, in writing, to the person performing or furnishing such labor, or furnishing such materials, that he will not be responsible therefor.

SEC. 5. Such lien shall be dissolved, unless the person desiring to avail himself thereof, within thirty days after he ceases to labor on, or furnish labor or materials for, such building or structure, files in the office of the Clerk of the Court of Common Pleas of the County in which the same is situated a statement of a just and true account of the amount due him, with all just credits given, together with a description of the property intended to be covered by the lien, sufficiently accurate for identification, with the name of the owner or owners of the property, if known, which certificate shall be subscribed and sworn to by the person claiming the lien, or by some one in his behalf, and shall be recorded in a book kept for the purpose by the Clerk, who shall be entitled to the same fees therefor as for recording mortgages of equal length.

SEC. 6. No inaccuracy in such statement, relating to the property to be covered by the lien, if the property can be reasonably recognized, or in stating the amount due for labor or materials, shall invalidate the proceedings, unless it appears the person filing the certificate has wilfully and knowingly claimed more than is his due.

SEC. 7. Unless a suit for enforcing the lien is commenced within ninety days after the person desiring to avail himself thereof ceases to labor on, or furnish labor or material for, such building or structures, the lien shall be dissolved.

SEC. 8. The lien may be enforced by petition to the Court of Common
OF SOUTH CAROLINA.

Please in the County where the building or structure is situated. The petition may be filed in term, or in the Clerk's office in vacation, and the date of the filing shall be deemed the commencement of the suit.

Sec. 9. When the amount of the claim does not exceed one hundred dollars, the lien may be enforced by a petition to a Justice of the Peace; and such Justice shall have like power and authority within their jurisdiction as herein conferred upon the Court of Common Pleas, with like rights of appeal to the parties, as exist in other civil cases.

Sec. 10. The petition may be inserted in a writ of original summons, and be served, returned and entered as other civil cases.

Sec. 11. Whether filed as a petition, or inserted in such summons, the petition shall contain a brief statement of the contract on which it is founded, and of the amount due thereon, with a description of the premises subject to the lien, and all other material facts and circumstances; and shall pray that the premises may be sold, and the proceeds of the sale be applied to the discharge of the demand.

Sec. 12. The Court may at any time allow either party to amend his pleadings as in actions at common law.

Sec. 13. Any number of persons who have actually performed labor, or furnished labor or materials on one or more buildings or structures upon different lots of land, where the labor was performed for the same owner, contractor, or other person, may join in the same petition for their respective liens, and the same proceeding shall be had in regard to the rights of each petitioner, and the respondent may defend as to each petitioner, in the same manner as if he had severally petitioned for his individual lien.

Sec. 14. The Court in which the petition is entered shall order notice to be given to the owner of the building or structure, that he may appear and answer thereto at a certain day in the same term, or at the next term, by serving him with an attested copy of the petition, with the order of the Court thereon, fourteen days at least before the time assigned for the hearing; and the Court shall also order notice of the filing of the petition to be given to all other creditors who have a lien of the same kind upon the same estate, by serving them with a copy of the last mentioned order in like manner.

Sec. 15. If it appears to the Court that any of the parties entitled to notice are absent, or that they cannot probably be found to be served with the notice, the Court may, instead of the personal notice before mentioned, or in addition thereto, order notice to all persons interested, by publishing in some newspaper the substance of the petition, with the order of the Court thereon, assigning the time and place for a hearing, or may order such other notice to be given as may, under the circumstances of the case, be considered most proper and effectual.

Sec. 16. If, at the time assigned for the hearing, it appears to the Court that any of the persons interested had not had a sufficient notice of the suit, the Court may order further notice to them, in such manner as may be considered most proper and effectual.

Sec. 17. At the time assigned for the hearing, or within such further time as the Court allows for that purpose, every creditor having a lien of the kind before mentioned upon the same property, may appear and prove his claim; and the owner and each of the creditors may contest the several claims of every other creditor, and the Court shall hear and determine
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Questions of fact.

SEC. 18. Every material question of fact arising in the case shall be submitted to a jury, if required by either party or thought proper by the Court; and the trial shall be had upon a question stated, or an issue framed, or otherwise, as the Court may order. A jury shall be had before a Justice of the Peace only as in other civil cases.

Court to determine amount.

SEC. 19. The Court shall ascertain and determine the amount due to each creditor who has a lien of the kind before mentioned upon the property in question; and every such claim due, absolutely and without any condition, although not then payable, shall be allowed, with a rebate of interest to the time when it would become payable.

Pro rata claims.

SEC. 20. When the owner fails to perform his part of the contract, and by reason thereof the other party, without his own default, is prevented from completely performing his part, he shall be entitled to a reasonable compensation for as much as he has performed, in proportion to the price stipulated for the whole, and the Court shall adjust his claim accordingly.

Sale of property.

SEC. 21. If the lien is established in favor of any of the creditors whose claims are presented, the Court shall order a sale of the property to be made by any officer authorized to serve civil process between the same parties.

A portion may be sold.

SEC. 22. If part of the property can be separated from the residue, and sold, without damage to the whole, and if the value thereof is sufficient to satisfy all debts proved in the case, the Court may order a sale of that part, if it appears to be most for the interest of all parties concerned.

Notice of sale.

SEC. 23. The officer who makes the sale shall give notice of the time and place, in the manner prescribed in relation to the sale on execution of a right of redeeming mortgaged lands, unless the Court orders a different notice to be given.

Redemption.

SEC. 24. Any interest in real estate so sold may be redeemed in the manner provided in the case of a sale on execution of the right of redeeming mortgaged lands.

Distribution of proceeds.

SEC. 25. If all the claims against the property covered by the lien are ascertained at the time of ordering the sale, the Court may order the officer to pay over and distribute the proceeds of the sale, after deducting all lawful charges and expenses, to and among the several creditors, to the amount of their respective debts, if there is sufficient therefor; and if there is not sufficient, then to divide and distribute the same among the creditors in proportion to the amount due to each of them.

May be postponed.

SEC. 26. If all the claims are not ascertained when the sale is ordered, or if, for any other reason, the Court finds it necessary or proper to postpone the order of distribution, it may direct the officer to bring the proceeds of the sale into Court, there to be disposed of according to the decree of the Court; and if by reason of the claims of attaching creditors, or for any other cause, the whole cannot be conveniently distributed at once, the Court may make two or more successive orders of distribution, as the circumstances may require.

Surplus to be paid to owner.

SEC. 27. If there is any surplus of the proceeds of the sale, after making all the payments before mentioned, it shall be forthwith paid over to the owner of the property; but such surplus, before it is so paid over, shall be liable to be attached or taken on execution in like manner as if it proceeded from a sale made by the officer on an execution.
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SEC. 28. If the interest of the owner in the building, structure or land is under attachment at the time of filing and recording the statement of the account, the attaching creditor shall be preferred to the extent of the value of the buildings and land as they were when the statement was recorded; and the Court shall ascertain, by a jury or otherwise, as the case may require, what proportion of the proceeds of the sale shall be held subject to the attachment as derived from the value of the property when the statement was recorded.

SEC. 29. If the attaching creditor recovers judgment, he shall be entitled to receive on his execution the proportion of the proceeds held subject to his attachment, or as much thereof as may be necessary to satisfy his execution, and the residue of the proceeds shall be applied in the same manner as if there had been no such attachment.

SEC. 30. If the interest of the owner of the property is attached after the recording of the statement, the proceeds, after discharging all prior liens and claims, shall be applied to satisfy the execution of such attaching creditor.

SEC. 31. If an attachment is made after the recording of such statement, and if, after the attachment, another like statement is recorded, the creditor in the latter statement shall be entitled to be paid only out of the residue of the proceeds remaining, after paying all that is due on the demands, a statement of which is recorded before the attachment, and satisfying the attaching creditor.

SEC. 32. When there are several attaching creditors they shall, as between themselves, be entitled to be paid according to the order of their attachments; but when several creditors, who are entitled to the lien provided for in this Act, have equal rights, as between themselves, and the fund is insufficient to pay the whole, they shall share it equally, in proportion to their respective debts.

SEC. 33. If the person for whom the work is done or materials are furnished has an estate for life, or any other estate less than a fee simple in the land, or if the property at the time of recording the statement is mortgaged, or under any other incumbrance, the lien before provided for shall bind his whole estate and interest therein in like manner as a mortgage would have done, and the creditor may cause the right of redemption, or whatever other right or estate the owner had in the property, to be sold and applied to the discharge of his debt, according to the provisions of this Act.

SEC. 34. If the person indebted dies or conveys away his estate or interest before the commencement of a suit on the contract, the suit may be commenced and prosecuted against his heirs or whoever holds the estate or interest which he had in the premises at the time the labor or materials were performed or furnished; or if a suit is commenced in his life time, it may be prosecuted against his executors, administrators, heirs or assigns in like manner as if the estate or interest had been mortgaged to secure the debt.

SEC. 35. If the creditor dies before the commencement of the suit, the suit may be commenced and prosecuted by his executors and administrators; or if commenced in his life time, it may be prosecuted by them as it might have been by the deceased, if living.

SEC. 36. If it appears in any stage of the proceedings that the suit was commenced by the petitioning creditor before his right of action accrued,
Recommencement of suits.

Costs.

Suit at common law.

Lien discharged.

Regulations.

Ships or vessels.

Statement to be filed.

Recorded.

or after it was barred, or if he become non-suit, or fails to establish his claims, suit may be prosecuted by any other creditor having such lien, in the same manner as if it had been originally commenced by him, if the circumstances of the case are such that he might then, or at any time after the commencement of the original suit, have commenced a like suit on his own claim.

SEC. 37. If the suit is commenced by the petitioning creditor before his right of action accrues, his claim may nevertheless be allowed, if the suit is carried on by any other creditor, as provided in the preceding Section; but he shall not in any case be entitled to costs; and he may be required to pay the costs incurred by the debtor, or such part thereof as the Court may deem reasonable.

SEC. 38. The costs in all other respects shall be subject to the discretion of the Court, and shall be paid from the proceeds of the sale, or by any of the parties to the suit, as justice and equity require.

SEC. 39. Nothing contained in this Act shall be construed to prevent a creditor in such contract from maintaining an action thereon at the common law in like manner as if he had no such lien for the security of his debt.

SEC. 40. When a debt secured by such lien is fully paid, the creditor, at the expense of the debtor, shall enter on the margin of the registry, where the statement is recorded, a discharge of his lien, or shall execute a release thereof, which may be recorded where the statement is recorded.

SEC. 41. All the regulations concerning the endorsement of original writs shall apply to the endorsement of petitions filed under this Act.

SEC. 42. When by virtue of a contract, expressed or implied, with the owners of a ship or vessel, or with the agents, contractors, or sub-contractors of such owners, or any of them, or with any person having been employed to construct, repair or launch such ship or vessel, or to assist them, money is due to any person for labor performed, materials used, or labor and materials furnished in the construction, launching, repairs of, or for constructing the launching-ways for, or for provisions, stores, or other articles furnished for or on account of such ship or vessel in this State, such person shall have a lien upon the ship or vessel, her tackle and furniture, to secure the payment of such debt; which lien shall be preferred to all others thereon, except mariner's wages, and shall continue until the debt is satisfied.

SEC. 43. Such lien shall be dissolved, unless the person claiming the same filed, within four days from the time the ship or vessel departs from the port at which she was when the debt was contracted, in the office of the Clerk of the Court of Common Pleas of the County within which the ship or vessel was at the time the debt was contracted, a statement, subscribed and sworn to by himself, or by some person in his behalf, giving a just and true account of the demand claimed to be due to him, with all just credits; and also the name of the person with whom the contract was made, the name of the owner of the ship or vessel, if known, and the name of the ship or vessel, or a description thereof sufficient for identification; which statement shall be recorded by said Clerk of the Court of Common Pleas, in a book kept by him for that purpose, for which he shall receive the same fees as for recording other papers of equal length.

SEC. 44. If the ship or vessel is partly constructed in one place and
partly in another, either place shall be deemed the port at which she was when the debt was contracted, within the meaning of this Act; and no inaccuracy in the description of the ship or vessel, if she can be recognized thereby, or in stating the amount due for labor or materials, shall invalidate the proceedings, unless it appears that the person filing the certificate has knowingly and wilfully claimed more than his due.

SEC. 45. Such lien may be enforced by petition to the Court of Common Pleas for the County where the vessel was at the time the debt was contracted, or in which she is at the time of instituting proceedings. The petition may be entered in Court, or filed in the Clerk's office in vacation, or may be inserted in a writ of original summons, with an order of attachment, and served, returned and entered as other civil actions, and the subsequent proceedings for enforcing the lien shall, except as hereinafter provided, be as prescribed for enforcing liens on buildings and lands, so far as the same are applicable. At the time of entering or filing the petition, a process of attachment against such ship or vessel, her tackle, apparel and furniture, shall issue and continue in force, or may be dissolved like attachments in civil cases, but such dissolution shall not dissolve the lien.

SEC. 46. The petition shall contain a brief statement of the labor, materials, or work done or furnished, or the stores, provisions or other articles furnished, and the amount due therefor, with a description of the ship or vessel subject to the lien, and all other material facts and circumstances, and shall pray that the ship or vessel may be sold and the proceeds of the sale applied to the discharge of the demand.

SEC. 47. The Court may at any time allow either party to amend his pleadings as in actions at common law.

SEC. 48. Any number of persons having such liens upon the same ship or vessel may join in the same petition to enforce the same; and the same proceedings shall be had in regard to the respective rights of each petition, and the respondent may defend as to each petitioner in the same manner as if they had severally petitioned for their individual liens.

SEC. 49. When there is money due to more than one person holding a lien upon a ship or vessel under the provisions of this Act, all parties interested having been cited to appear and answer, the claims of all shall be marshaled, and the Court shall make such order or decree as may be necessary to prevent the enforcement of a double lien for the same labor, materials, stores, provisions or other articles, and to secure the just rights of all. And the proceeds arising from the sale of such ship or vessel, after deducting all proper costs and expenses, shall be distributed among the several claimants to the amount of their respective debts: Provided, That when such proceeds are insufficient to satisfy the liens of all those having liens for labor, they shall receive a per centage on their respective claims one-third greater, as near as may be, than those having liens for materials, stores or other articles.

Approved March 16, 1869.

AN ACT TO AMEND THE CHARTER OF THE SULPHURIC ACID AND SUPER-PHOSPHATE COMPANY.

SECTION 1. Be it enacted by the Senate and House of Representatives

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of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Sulphuric Acid and Superphosphate Company shall have power from time to time to increase their capital stock to any amount not exceeding five hundred thousand dollars, including their present capital stock, whenever a majority of the stockholders present at any general meeting, or the Board of Directors by their authority, shall determine. And such additional stock shall be divided among the stockholders exactly in proportion to their shares in the capital stock of the company at the time of such increase. But in case any stockholder should not desire to take, or should neglect for one month to take, his or her proportion of such increased stock, the same shall be allotted or disposed of among the other stockholders, and books may be opened for the purpose of obtaining additional subscribers to such increased stock, in such manner as the Board of Directors may deem expedient. And in no case shall the members who are unwilling to take their proportion in such increase of stock be assessed to contribute or to make up such increase.

Affidavit. SEC. 2. Whenever any such increase of capital shall have been made as aforesaid, the President and Secretary shall make affidavit of the fact, and file the same in the office of the Secretary of State, and make publication thereof once a week for three consecutive weeks in a newspaper in the city of Charleston, which shall be legal notice to all persons dealing with said corporation.

Powers. SEC. 3. The said company shall have succession of officers and members, to be chosen according to the rules and by-laws, made or to be made for their government and direction, and shall have power and authority to make by-laws not repugnant to the laws of the land; to have, use and make a common seal, and the same to break and alter at will; to sue and be sued, plead and be impleaded, in any Court of Law or Equity; to purchase, take, hold, sell and convey, in fee simple or for less estate, any lands, tenements, or hereditaments, goods, chattels, rights and credits, which may be connected with, or in any manner conducive to, the purposes for which said company is established; to dig and mine for earths, marls, rocks and minerals; to manufacture the same, and such other materials as they may purchase or acquire, into chemicals, acids and fertilizers; to carry on trade therein; and to cultivate such lands as may be purchased or acquired by the said company for the purposes aforesaid.

Liability. SEC. 4. The stockholders in the said company shall be jointly and severally liable for all debts that may be due and owing to all their laborers, servants and apprentices, for services performed for such corporation, and which the said corporation shall fail to pay; said stockholders shall be also liable to the amount of their respective share or shares of stock in said corporation for all its debts and liabilities; and, subject to these provisions, the said corporation may carry on its business, free from the restrictions, limitations and provisions imposed by the second Section of the Act to authorize and regulate the creation of private corporations within this State, approved 20th December, A. D. 1866.

Construct railroad. SEC. 5. The said company is hereby authorized to construct a railroad or train way from the navigable waters on which their works are situate to the Northeastern and South Carolina Railroads, and for that purpose to lay their track along and across any public way: Provided, That such precautions are taken as to offer no hindrance to the public use of such way.
SEC. 6. That this charter shall remain in force for thirty years after
the passage of this Act, and until the end of the next ensuing
session of the General Assembly: Provided, That on the expiration or
dissolution of the said corporation, the property thereof shall be vested in
the several members of said corporation in proportion to their respective
shares in the capital stock after payment of all the debts of the said
corporation.

Approved March 19, 1869.

AN ACT TO ESTABLISH A LAZARETTO OR QUARANTINE HOSPITAL
IN THE HARBOR OF CHARLESTON.

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 the Governor of the State and
the Health Officer of the port of Charleston be, and are hereby, author-
ized to establish, at some point on Morris Island to be by them selected,
a quarantine hospital or lazaretto, together with the necessary buildings
for the accommodation of a keeper, nurses, and other attendants.

SEC. 2. The station of the Health Officer or his deputies shall be at a
suitable point on Sullivan's Island, or at Fort Johnson, as may be thought
best for the expeditious boarding and examination of vessels arriving
from all ports into the harbor of Charleston; the location of said station
to be determined upon by the Health Officer, with the approval of the
Governor; and the necessary buildings shall be erected for the accommo-
dation of the Health Officer and his deputies.

SEC. 3. The sum of eight thousand dollars, if so much be necessary, is
appropriated out of any moneys in the Treasury not otherwise
appropriated for the immediate erection and completion of the buildings
and appurtenances absolutely necessary to meet the intention of this Act;
said appropriation to be expended for the purposes hereinbefore men-
tioned, under the supervision of the Governor and the Health Officer of
the said port of Charleston.

Approved March 19, 1869.

AN ACT TO PROTECT LABORERS AND PERSONS WORKING UNDER CON-
TRACT ON SHARES OF CROPS.

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 contracts made between owners
of land, their agents, administrators or executors, and laborers, shall be
witnessed by one or more disinterested persons, and, at the request of
either party, be duly executed before a Justice of the Peace or Magis-
trate, whose duty it shall be to read and explain the same to the parties.
Such contracts shall clearly set forth the conditions upon which the la-
borer or laborers engaged to work, embracing the length of time, the
A.D. 1869.

Crops to be divided.

amount of money to be paid, and when; if it be on shares of crops, what portion of the crop or crops.

SEC. 2. That whenever labor is performed under contract on shares of crop or crops, such crop or crops shall be gathered and divided off before it is removed from the place where it was planted, harvested or gathered. Such division to be made by a disinterested person, when desired by either party to the contract. And such disinterested party shall be chosen, by and with the consent of the contracting parties, whenever the parties fail to agree upon any disinterested party, or if complaint is made that the division has been unfairly made, within ten days after such division, it shall be the duty of the Justice of the Peace or Magistrate residing nearest the place where such crop or crops are planted, harvested or gathered, to cause, under his immediate supervision, such equitable division as may be stipulated in the contract. Such disinterested party or Justice of the Peace or Magistrate shall receive a reasonable compensation for such service, to be paid by both of the contracting parties, according to their several interests, except in cases of an attempt to willfully defraud the other by one of the contracting party; then such compensation shall be paid by the party so attempting to defraud the other. When such division has been made, each party shall be free to dispose of their several portions as to him or her or them may seem fitting: Provided, That if either party be in debt to the other for any obligation incurred under contract, the amount of said indebtedness may be then and there settled and paid by such portion of the share or shares of the party so indebted as may be agreed upon by the parties themselves, or set apart by the Justice of the Peace or Magistrate, or any party chosen to divide said crop or crops.

Debts to be settled.

Lien on crop.

SEC. 3. That whenever laborers are working on shares of crop or crops, or for wages in money or other valuable consideration, they shall have a prior lien upon said crop or crops, in whosever hands it may be. Such portion of the crop or crops to them belonging, or such amount of money or other valuable consideration due, shall be recoverable by an action in any Court of competent jurisdiction.

Violation of contract.

Remedy.

SEC. 4. That whenever such contract or contracts are violated, or attempted to be violated or broken, or whenever fraud is practiced, or attempted to be practiced, by either party to such contract or contracts, at any time before the conditions of the same are fulfilled and the parties released therefrom, complaint may be made before a Justice of the Peace or Magistrate, or may be carried before any Court having jurisdiction in such cases, where the extent and character of the offence shall be determined. If the offending party be the land owner or owners, his, her, or their agent or agents, and fraud has been practiced, or attempted to be practiced, either in keeping any account or accounts between him, her, or them, and the other party or parties to such contract or contracts, or in the division of the crop or crops, or the payment of money or other valuable consideration, upon proof to conviction, such offender or offenders shall forfeit and pay a fine, not less than fifty (50) dollars, nor more than five hundred (500) dollars; or if it be a disinterested party chosen to make a division or divisions of crops hereinbefore provided, he, she, or they, shall be liable to an action of trespass, and shall be tried in any Court of competent jurisdiction, and on proof to conviction, be fined in a sum not less than fifty nor more than five hundred dollars, or be imprisoned for a period not less than one month nor more than one year, at
the discretion of the Court. If the offending party be a laborer or laborers, and the offence consist either in failing wilfully and without just cause to give the labor reasonably required of him, her, or them, by the terms of such contract, or in other respects shall refuse to comply with the conditions of such contract or contracts, or shall fraudulently make use of or carry away from the place where the crop or crops he, she, or they may be working are planted, any portion of said crop or crops, or anything connected therewith or belonging thereto, such person or persons so offending shall be liable to fine or imprisonment, according to the gravity of the offence, and upon proof to conviction before a Justice of the Peace or a Court of competent jurisdiction.

SEC. 5. Any Justice of the Peace or other officer before whom complaint is made, and whose duty it is to try such cases as is hereinbefore provided, who shall offend against the true intent and meaning of this Act, or shall refuse to hear and determine, impartially, all cases that may be brought before him, under the provisions of this Act, and all peace officers, whose duty it is to apprehend all offenders against the laws of the State, who shall refuse to perform their duty in bringing to justice any and all offenders against this Act, shall be liable to a charge of malfeasance in office, and upon proof to conviction shall be forthwith removed from office, and fined in a sum not less than fifty nor more than one hundred dollars.

SEC. 6. All Acts and parts of Acts in any way conflicting with the provisions of this Act are hereby repealed.

SEC. 7. This Act shall take effect and have full force of law from and after its passage.

Approved March 19, 1869.

AN ACT TO PROVIDE FOR THE ENUMERATION OF THE INHABITANTS OF THIS STATE.

Whereas, by the fourth Section of the second Article of the Constitution of this State, as ratified on the 14th, 15th and 16th days of April, A. D. 1868, it is provided that for the purpose of an apportionment of the representation of the several Counties of the State an enumeration of the inhabitants shall be made in 1869, and again in 1875, and shall be made in the course of every tenth year thereafter, in such manner as shall be by law directed:

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 the Governor be, and he is hereby, authorized and required to appoint one person in each County of the State, who shall be charged with taking the census, and who shall be authorized to appoint such assistants as may be necessary: Provided, That the number of assistants shall not exceed four in each County, except in the County of Charleston, in which County the number of assistants shall not exceed six.

SEC. 2. That each and every person so appointed to take the census shall, before entering on the duties of his office, take, before some Magistrate or Justice of the Peace, the following oath, to-wit: "I, A. B., do
solemnly swear (or affirm, as the case may be,) that I will honestly, faithfully and impartially take a correct census of all the inhabitants residing within the portion of the County to which I have been appointed as census taker, and will, in all respects, truly perform all the duties with which I am charged: So help me God.” And a certificate from the Magistrate or Justice of the Peace who shall administer the said oath that the same has been duly taken before him shall accompany and be delivered with each and every return of the census.

SEC. 3. That it shall be the duty of each and every person appointed to take the census, by virtue of this Act, to call personally on the head or some member of each family in the County, or portion of the County, for which he or they shall have been appointed, and obtain from such head of a family or member thereof, as aforesaid, the number of persons contained in such family, and such other information as may be required and directed by the Commissioner of the Bureau of Agricultural Statistics.

SEC. 4. That each head or member of a family shall, when summoned thereto by the persons appointed under this Act to take the census, at his, her, or their residence or place of business, make, on oath or affirmation, a correct return of all persons of whom his or her family is composed, and also report such other information to said census takers as may be required by law; and the persons so appointed to take the census are hereby authorized to administer such oaths; and upon the failure of any person to make such returns or reports, when required, he or she shall be subject to a penalty of twenty-five dollars, to be recovered in any Court of competent jurisdiction.

SEC. 5. That upon the completion of such returns and reports, each census taker shall deposit the same, in a sealed package, with the Auditor of his County, accompanied by a certificate, to be endorsed by some Magistrate or Justice of the Peace, purporting that the following oath had been duly taken by such census taker previous to the delivery of such package to said Auditor, to-wit: “I, A.B., do solemnly swear (or affirm, as the case may be,) that this packet contains a just, true, correct and impartial return of all the inhabitants of the census district to which I have been appointed, and a faithful report of such information as was required by the Commissioner of the Bureau of Agricultural Statistics, so far as it was practicable to obtain the same: So help me God.”

SEC. 6. That it shall be the duty of the census takers for the County, under the direction of the Commissioner of the Bureau of Agricultural Statistics, to divide their several Counties into convenient districts for taking the census herein provided for, to distribute blanks, books and instructions to the census takers, to receive their returns when completed, and forward the same by the first day of November next to the Commissioner of the Bureau of Agricultural Statistics, and to render such further assistance to said Commissioner in the premises as that officer may desire.

SEC. 7. That it shall be the duty of the Commissioner of the Bureau of Agricultural Statistics to have prepared, on or before the fifteenth day of April next, suitable books, blanks and instructions to facilitate the registration provided for in this Act and the collection of such statistical information as said Commissioner may deem of sufficient importance to the people of this State; and when the census takers shall have made the
returns hereinbefore provided for, the said Commissioner shall forthwith report the results of such registration to the Governor of the State for the time being, and shall make a collated return of the statistics to the General Assembly at its next regular session.

Sec. 8. That the Governor of the State for the time being shall immediately after receiving from the Commissioner of the Bureau of Agricultural Statistics the report provided for in the seventh Section of this Act, examine the same, and, in case it shall appear to him that any person or persons appointed to take the census as aforesaid shall in anywise have failed to comply with the duties imposed on him or them by this Act, either in taking the census or in making the other returns as hereinbefore specified, he shall forthwith cause the same to be taken and returned pursuant to the provisions of this Act wherever defaults shall have been made.

Sec. 9. That the census taker employed in taking the census shall be entitled to receive, as compensation for his services, the sum of five dollars per day, and his assistants four dollars per day, whilst actually employed, and no more. Such compensation shall be paid monthly out of any moneys in the Treasury not otherwise appropriated, upon warrants to be drawn by the Comptroller-General whenever he shall have received satisfactory proof that the services of the claimant have been faithfully rendered in compliance with the provisions of this Act. And the Commissioner of Agricultural Statistics is hereby authorized to employ clerical service to assist him in collating and making his returns, such service to be paid for out of the contingent fund of the Bureau of Agricultural Statistics, and not to exceed the sum of three hundred dollars.

Approved March 19, 1869.

AN ACT TO INCORPORATE THE LONGSHOREMEN'S PROTECTIVE UNION ASSOCIATION, OF CHARLESTON.

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 Tobias Y. Clark, Charles Swinton, May Edwards, Richard Green, Anthony Grant, and such other persons as may now or hereafter shall be associated with them, are hereby made and declared to be a body politic and corporate, by the name and style of the Longshoremen's Protective Union Association, of Charleston.

Sec. 2. That the association aforesaid shall have succession of officers and members according to its by-laws, and shall have power to make by-laws, not repugnant to the laws of the land, and to have, use and keep a common seal, and the same to alter at will, to sue and be sued, and plead and be impleaded, in any Court in this State. It is hereby empowered to retain, possess and enjoy all such property, real and personal, as it may possess, or be entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by it, and to sell, alien or transfer the same.

Sec. 3. That this Act shall be a public Act, and continue in force for the term of twelve years from the date of its ratification.

Approved March 19, 1869.
AN ACT TO AUTHORIZE THE CONSOLIDATION OF THE CHARLOTTE AND SOUTH CAROLINA RAILROAD COMPANY AND THE COLUMBIA AND AUGUSTA RAILROAD COMPANY, AND AMENDING THE ChARTERS THEREOF.

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 the Charlotte and South Carolina Railroad Company and the Columbia and Augusta Railroad Company shall, upon the consent of the stockholders of each company, be consolidated, and form one and the same body corporate, under the name of the Charlotte, Columbia and Augusta Railroad Company, possessing all the rights, powers, privileges, immunities and franchises conferred upon said companies by the several Acts heretofore passed and now in force, incorporating said companies, and amending the charters thereof: Provided, That nothing herein contained shall be so construed as to validate any Act of the General Assembly passed under the Provisional Government guaranteeing the aid of the State in the construction of the road: Provided, further, That nothing herein contained shall be so construed as to conflict with the Constitution of this State as ratified by the people on April 14th, 15th and 16th, 1868, or an Act entitled "An Act to provide for the assessment and taxation of property," as ratified on the 15th of September, 1868.

SEC. 2. That the affairs of the said consolidated company shall be managed and directed by a general board, to consist of eighteen Directors, to be elected by the stockholders from among their number: Provided, That four of the Directors shall be elected from amongst the stockholders residing in the State of North Carolina, and four amongst the stockholders residing in the State of Georgia.

SEC. 3. That the question of approving the consolidation of companies herein authorized shall be submitted to meetings of the stockholders of each of the said companies, to be called by the Presidents thereof within six months from the passage of this Act, of which one month's public notice shall have been given in the newspapers of the cities of Charlotte, Columbia and Augusta, at which meetings the question shall be submitted to the decision of the respective companies, and determined in the manner provided in their respective charters, now in force, for the decision of matters upon which it is necessary for the stockholders to act as a company.

SEC. 4. That all questions of property, debts, credits, equalization of stock, and other matters of detail that may arise upon the consolidation of companies herein authorized, shall be determined by the respective companies at the meetings hereinbefore provided for, or at adjourned meetings held subsequent thereto.

SEC. 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 19, 1869.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE ATTACHMENTS."

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 so much of Sections five, six, seven, nine, ten, eleven, twelve, thirteen and fourteen of the Act entitled “An Act to regulate attachments,” ratified the twenty-fourth day of September, A. D. 1868, as relates to the seizure, upon a warrant of attachment, of real and personal estate, books of account, vouchers and papers relating to the property, debts, credits and effects of the debtor, together with all evidences of his title to real estate, and the practice and mode of procedure upon such attachment and seizure, including collections, and the commencement of suits and legal proceedings, shall be, and the same is hereby, extended to the attachment and seizure of property and choses in action under and by virtue of execution or other final process.

SEC. 2. That no execution or other final process upon a judgment, order or decree rendered on a writ of mandamus, quo warranto, habeas corpus, or prohibition, shall be stayed by, or in consequence of, a writ of error or appeal taken therefrom.

Approved March 19, 1869.

AN ACT TO ESTABLISH A FERRY BETWEEN HILTON HEAD ISLAND AND THE MAIN-LAND, IN BEAUFORT COUNTY.

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 the Ferry over Scull Creek, known as “Buckingham Ferry,” from the Island of Hilton Head, Beaufort County, to the main-land be, and the same is hereby, established for the term of fourteen years, and that Cuffy Steward shall have the right to collect toll over the same at the same rates as are now established.

Approved March 19, 1869.

AN ACT TO REPEAL SECTION EIGHT OF “AN ACT TO ALTER THE ACT ENTITLED ‘AN ACT TO AMEND THE CRIMINAL LAW.’”

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 Section 8 of an Act, passed on the 21st day of December, A. D. 1866, entitled “An Act to alter the Act entitled ‘An Act to amend the criminal law,’” be, and the same is hereby, repealed.

Approved March 23, 1869.

AN ACT TO INCORPORATE THE SOUTH CAROLINA IMPROVEMENT AND TRUST COMPANY.

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 Henry J. Fox, William F. Martin, J. G. Miller, B. F. Whittemore, R. J. Donaldson, O. L. Jerralds, W. J. Clapp, H. Best, John McCulla, F. A. Babcock, D. Thomas, Wm. Harris and M. S. Gill, and their associates, are hereby created a body politic and corporate, by the name and style of the South Carolina Improvement and Trust Company, for the purpose of securing and employing foreign and domestic capital in the purchase of lands, mills, mill sites, water powers, valuable franchises and other property, and in the erection of mills and factories, and in supplying and operating the same, and also in stocking and working plantations and disposing of the same: Provided, however, That the said corporation shall be organized and go into operation within one year after the passage of this Act.

SEC. 2. That the said corporation shall have power to purchase, acquire, hold, use and dispose of real estate in any of the several Counties in this State, but not in any other State, except the same shall be required to secure the payment of claims held by said corporation, to erect mills and factories in this State, and to stock, furnish and operate the same, and to dispose of, generally, the articles so made and manufactured, and to stock, and work, and operate farms and plantations within this State, and to dispose of, generally, the products of the same. Said corporation shall have power, also, to borrow money by issuing interest-bearing bonds equal in amount to its paid in capital, as hereinafter provided, and to mortgage its corporate franchises and property to secure the payment of the same; to adopt by-laws, and elect officers, and employ agents and labor in pursuance of the same.

SEC. 3. The capital stock of said corporation shall be five hundred thousand dollars, divided into shares of one hundred dollars each. The Directors of said corporation may, at any time, with the consent, in writing, of the stockholders holding a majority of the stock, increase such capital. The shares shall be deemed personal property, and may be transferred in such manner as shall be prescribed by the by-laws of the corporation. The Directors of the corporation hereby created may issue full paid stock for the purpose of purchasing property, both real and personal, and also for the employment of labor and services, professional and otherwise, necessary for the purposes of the corporation, to the amount of the value thereof, and the stock so issued shall not be liable to any further assessments; neither shall the holders thereof be liable for any other payments on such stock under the provisions of this Act; but in all statements and reports of the corporation hereby created such stock shall not be stated or reported as being cash paid into the corporation, but shall be stated and reported according to the fact.

SEC. 4. The mortgages mentioned herein, and the bonds to be issued to secure the payment of the same, hereinbefore and hereinafter mentioned, shall be subject to the following conditions: Said mortgages shall be, in their order, liens on the corporate franchises and property of said corporation. The bonds shall be made payable in twenty years from their date, bearing interest at the rate of seven per cent., payable annually, and the Directors may confer on any holder of any such bond the right to convert the principal due and owing thereon into stock of said corporation, at any time not exceeding ten years from the date of the same, under such regulations as the Directors may see fit to adopt. Such bonds shall be issued only when it shall appear, on the written oaths of the President
and Secretary of said corporation, that its unencumbered real estate, cash assets and other property amounts in value to the sum of twenty thousand dollars, and then only to that amount, except that similar amounts of bonds may be issued whenever the property and assets are shown in the same manner to have increased in value to an additional amount of twenty thousand dollars, and so on with every subsequent increase to that amount, until the several amounts shall embrace the maximum limit of the capital.

SEC. 5. The first nine persons named in the first Section of this Act shall constitute the first Board of Directors of the corporation hereby created, and shall hold their places as such until the first day of April, 1870, and until others shall be elected in their stead, and a majority of them may, at any meeting of their Board at any time hereafter, designate three or more of their number to open books, after twenty days' previous public notice in any paper regularly published in this State, receive subscriptions to the capital stock of the corporation hereby created, at such place or places, and under such regulations, and the per centage to be paid, in all respects, as the Board of Directors may prescribe. The number of Directors, after the first election, shall not be less than seven or more than twenty-one, to be fixed upon by the by-laws. An election of Directors shall take place on the first Monday in April, in the year 1870, and annually thereafter on that day, at an hour and place to be designated in the by-laws, and the persons then elected by a majority of shares voted upon by the stockholders, in person or by proxy, shall constitute the Directors for the ensuing year, and until others shall be elected in their places. And in case it shall happen at any time that an election of Directors shall not be made on the day herein designated, it shall be lawful to hold such election on some day thereafter, on full and reasonable notice to the stockholders. All vacancies which shall occur in the Board of Directors shall be filled by appointment by a majority of the remaining members of the Board for the balance of the term. A majority of said Board shall form and constitute a quorum.

SEC. 6. The officers of the corporation hereby created shall consist of a President, Vice-President, Treasurer and Secretary, who shall be elected by the Board of Directors from their number, and such committees may be appointed, and such subordinate officers, agents and employees, as the Board may deem proper and necessary.

SEC. 7. The term of said corporation is hereby limited to fifty (50) years. Said corporation shall have power to adopt and use a corporate seal, to sue and be sued, to plead and be impleaded, and also to establish its principal office in the city of New York, and such branch offices in different sections of the State, and in foreign countries, as the company may require.

SEC. 8. Should it be deemed for the interests of this company, or for the improvement of its real estate, or for the marketing of its products, to have road improvements, then it is hereby granted to them the privilege of constructing roads, either plank or macadamized, with the privilege of connecting with any other road in the State.

SEC. 9. This corporation shall enjoy all the privileges that are awarded under the general laws of the State to any corporation, together with the special privileges accorded by this charter.

Approved March 23, 1869.
AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE MANNER OF DRAWING JURORS."

SEC. 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 Section 5 of the Act entitled "An Act to regulate the manner of drawing juries," ratified the 25th day of September, Anno Domini 1868, be, and the same is hereby, amended by the addition of the following at the end of the Section: "Provided, always, That the list, when completed, shall be such that the number of names of white voters thereon shall bear, to the number of names of colored voters, as near as may be, the same proportion as the whole number of white voters bears to the whole number of colored voters in the township, city or County, as the case may be."

SEC. 2. Section 19 of said Act is hereby amended by striking out the word "cities," and inserting in lieu thereof the words "the city of Charleston."

SEC. 3. That the following be substituted for Section 20, to-wit: "The Mayor and Aldermen and Clerk of the said city shall have and exercise all the powers and duties with regard to drawing, and all other matters relating to jurors therein, which are in this Act required to be performed by the Selectmen and Town Clerks of their respective towns, and all venires for jurors to be returned from said city shall be served on the Mayor and Aldermen."

SEC. 4. That the proviso to Section 25 be stricken out.

SEC. 5. That Section 42 be stricken out, and the following substituted, to-wit: "This Act shall take effect from its passage."

SEC. 6. That immediately after the passage of this Act, if any one or all of the townships of any County shall not have been duly organized, and a jury list therefor made according to law, the Sheriff and Clerk of the Court of Common Pleas for the County shall, in connection with the County Commissioners, or a majority of those in office, make up a jury list for the County, according to the provisions of this Act, exercising for this purpose all the powers conferred upon Selectmen of towns. The list, when prepared, shall be posted up at or near the court house door, by the said Clerk and Commissioners, for ten days at least, after which they shall have power to revise, correct and adopt the same. Of the list adopted by the Clerk and Commissioners, they shall cause the names to be written, each one on a separate paper or ballot, and shall roll up or fold the ballots so as to resemble each other as much as possible, and so that the name written therein shall not be visible on the outside, and they shall place the ballots in a box to be kept by the Clerk for that purpose. This box shall be securely locked and sealed, and only opened at the time and for the purpose of drawing jurors. The list of jurors and the box, as thus made up, shall be the list and box out of which jurors shall be drawn, until the organization of the townships is effected and the jury list therefor is made up, and one term of the Court thereafter.

SEC. 7. The County Clerk, in the presence of the County Commissioners, or any one of them—if they or any one of them, on notice, fail to attend, then in the presence of the Sheriff of the County—shall, at the time mentioned in Section 8 of said Act for issuing writs of venire facias for jurors, and in the manner provided, Selectmen and Town Clerks in
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Section 14 of said Act, proceed to draw the jurors and issue writs of venire therefor.

SEC. 8. All Acts or parts of Acts relative to the qualifications and manner of drawing jurors heretofore passed, except the Act to which this is an amendment, are hereby repealed.

Approved March 23, 1869.

AN ACT TO MAKE APPROPRIATIONS AND RAISE SUPPLIES FOR THE YEAR COMMENCING IN OCTOBER, ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT.

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 the following sums be, and they are hereby, appropriated for the payment of the various officers and expenses of the State Government, that is to say: For salaries: For the Governor, three thousand five hundred dollars; for the Secretary of State, three thousand dollars; for the Private Secretary of the Governor, two thousand dollars; for the Adjutant and Inspector-General, twenty-five hundred dollars; for the Assistant Adjutant and Inspector-General, fifteen hundred dollars; for the Comptroller-General, three thousand dollars; for the State Treasurer, twenty-five hundred dollars: for the chief clerk to the State Treasurer, eighteen hundred dollars; for the Auditor of the State, twenty-five hundred dollars; for Superintendent of Education, twenty-five hundred dollars; for the Chief Constable, fifteen hundred dollars; for the Chief Justice of the Supreme Court, four thousand dollars; for the two Associate Justices, seven thousand dollars; for the eight Circuit Judges, twenty-eight thousand dollars; for the eight Circuit Solicitors, eight thousand dollars; for the three Chancellors, to January 1, 1869, fifteen hundred dollars; for the Attorney-General, three thousand dollars; for the Attorney-General's clerk, one thousand dollars; for the Clerk of the Supreme Court, fifteen hundred dollars; for State Reporter, fifteen hundred dollars; for the Keeper of the State House, three hundred dollars; for the Superintendent of the South Carolina Penitentiary, two thousand dollars; for the State Librarian, four hundred dollars; for the three Health Officers, three thousand nine hundred dollars; for the County Auditors, thirty-one thousand five hundred dollars; for two watchmen for the State House and Grounds, nine hundred dollars; for arrearages of salary due Judge Thomas W. Glover, one thousand dollars.

SEC. 2. Executive Department: For contingent fund of the Governor, twenty-five thousand dollars, out of which shall be paid the expenses of the Bureau of Agricultural Statistics, to be drawn upon the order of the Governor; for the contingent fund of the Treasurer, fifteen hundred dollars; for fire-proof safes for Treasurer and Comptroller-General, three thousand dollars; for contingent fund of the Comptroller-General, one thousand five hundred dollars; for contingent fund of the State Auditor, one thousand dollars; for contingent fund of the Adjutant and Inspector-General, one thousand five hundred dollars; for the contingent fund of the Superintendent of Education, fifteen hundred dollars; for the con-
A. D. 1869.

Judiciary.

Judiciary Department: For purchase of books for the Supreme Court Library, one thousand dollars, to be paid on the order of the Chief Justice; for contingent expenses of Supreme Court, under Section 7 of an Act ratified the eighteenth day of September, 1868, two thousand dollars.

Civil expenses.

SEC. 3. For contingent accounts, seventy thousand dollars, out of which shall be paid the expenses of tax notices, assessment books, and other forms for the whole State, to be paid by the Treasurer, on the warrant of the Comptroller-General; Provided, No accounts for cost on tax executions returned nulla bona shall be paid out of this appropriation, except on the warrants of the Comptroller-General, already drawn; for the pay of County School Commissioners, twenty thousand dollars, if so much be necessary; for support of Lunatic Asylum, sixteen thousand dollars; for deficiency in appropriation of eighteen hundred and sixty-seven for the support of the Lunatic Asylum, four thousand five hundred dollars; for the education of the deaf, dumb and blind, three thousand dollars, to be drawn on the order of the Governor; for deficiency in appropriation of eighteen hundred and sixty-seven for construction of South Carolina Penitentiary, twelve thousand three hundred dollars, and for continuing the construction of South Carolina Penitentiary, and other expenses incidental thereto, seventy-five thousand dollars, if so much be necessary, to be paid on the order of the Governor; for quarantine expenses, three thousand dollars—accounts to be approved by the Governor, and paid on the warrant of the Comptroller-General; for transportation and clothes for discharged convicts from the South Carolina Penitentiary, fifteen hundred dollars; for permanent printing, twelve thousand dollars, if so much be necessary; for the Catawba Indians, twelve hundred dollars, to be paid upon the order of the Governor.

State Police.

SEC. 4. For payment of State Police, ten thousand dollars, if so much be necessary.

Educational.

SEC. 6. Educational Department: For the support of Free Schools, fifty thousand dollars, in addition to the amount raised by the capitation tax, to be apportioned to the several Counties, in conformity to Section 5 of Article X of the Constitution; for the pay of the Professors in the University of South Carolina, twenty-two thousand dollars, if so much be necessary; for one demonstrator of anatomy, one thousand dollars; for a Librarian, Treasurer and Secretary of the Faculty, fifteen hundred dollars; for the Bursar and Marshal, five hundred dollars; for insurance and repairs of the University buildings, eighteen hundred dollars; all of which shall be paid upon the order of the Governor.

SEC. 7. For the payment of the interest on the public debt, accrued since the same was last funded, five hundred thousand dollars.

SEC. 8. Military Expenses: To defray the expenses of enrollment, organization and equipment of the militia, twenty thousand dollars, if so much be necessary, to be paid on the order of the Governor.
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SEC. 9. For the payment of the salaries of the Commission to codify the laws of the State, ten thousand five hundred dollars. All contingent expenses connected therewith and allowed by law shall be paid out of the contingent fund of the State, upon the order of the Comptroller-General.

SEC. 10. That all taxes assessed and payable under this Act shall be paid in the following kinds of funds, viz.: The Bills Receivable of the State, United States currency, National Bank notes, gold and silver coin.

SEC. 11. The Auditor of the State is hereby authorized and directed to levy, and cause to be collected, a sufficient per centum of taxes, to raise a necessary amount of money, upon the assessed valuations of the property of the State, to meet the appropriations enumerated in this Act: Provided, There shall not be assessed and collected, under the provisions of this Act, an amount exceeding one million dollars.

Approved March 23, 1869.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO PREVENT PERSONS HOLDING CERTAIN OFFICES OF EMOLUMENT FROM LEAVING THE STATE."

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 an Act entitled "An Act to prevent persons holding certain offices of emolument from leaving the State," ratified the thirteenth day of March, in the year of our Lord one thousand seven hundred and eighty-nine, be, and the same is hereby, repealed.

Approved March 23, 1869.

AN ACT TO INCORPORATE THE DORN MINING AND MANUFACTURING COMPANY OF SOUTH CAROLINA, FOR MINING AND OTHER PURPOSES.

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 Cyrus H. McCormick, Robert M. Funkhouser, of New York, and Henry R. Casey, of Georgia, and such persons as now are or may become hereafter associated with them, their successors and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the Dorn Mining and Manufacturing Company, by which name they are hereby made capable in law to have, hold, purchase, receive, work, sell, mortgage, lease, enjoy and retain to them, their successors and assigns, lands, tenements, mines of all characters, and chattels of whatsoever kind, as may be deemed by them most conducive to the objects and interest of said corporation, which are mining and working for gold and other minerals, and manufacturing the same in Abbeville County, and other parts of South Carolina, and of sending the same to market.
SEC. 2. That said corporation, by its title aforesaid, may sue and be sued, plead and be impleaded, in any Court of this State, make and use a common seal, altering the same at their pleasure; establish, alter and amend such by-laws and regulations as shall be deemed proper by them, not in conflict with the Constitution or laws of this State or the United States.

SEC. 3. The capital stock of said company shall be five hundred thousand dollars, with the right to increase the same by a vote of a majority of the stockholders to any sum not exceeding one million of dollars; that said company shall commence business as soon as its capital stock is fully subscribed, and one hundred thousand dollars of the same paid up, which stock may be paid either in money or real estate, the same to be divided into such number of shares as said corporation may determine, said shares to be assignable and negotiable under such rules as said corporation may prescribe.

SEC. 4. That there shall be annual meetings of the stockholders, at such time and place as they may designate, for the purpose of choosing a Board of Directors, to consist of not less than five nor more than nine, each of whom shall be a stockholder, and a President and other officers of said corporation, to manage its affairs.

SEC. 5. That said company shall keep an office at their principal mine in Abbeville County, which, for all judicial purposes, shall be deemed its location, and also one in the city of New York, if they choose, and all meetings of stockholders and Directors may be held at such place, in or out of this State, as may be directed by the by-laws of the company.

SEC. 6. Said company are authorized to construct and use such wagon road, train road or railroad as may be deemed by them necessary for the successful mining of their lands, and the carrying on of their business over and along public roads, the same not obstructing the said roads, and on private property, subject to such damages or compensation to the owners of such other lands as are reasonable and just in view of the advantages and disadvantages to such owners of such operations, to be ascertained and payment thereof enforced as follows: The owner or owners of said lands to appoint one arbitrator, the Dorn Mining and Manufacturing Company to appoint one, the Justices of the Peace of the County to select a third, all being freeholders of said County, and the three, upon an examination of such property, and consideration of such evidence as may be adduced before them, shall, in view of all the facts, and of the advantages and disadvantages resulting to the owners of such lands, assess just and reasonable damages arising from such acts of said company. In the event of the neglect or refusal of either party to appoint an arbitrator, or in any case, from any cause, they fail to make an award, a majority of the said Justices of the Peace of the County where said lands lie, shall, upon application of said company, appoint arbitrators, who shall assess the damages as above provided; and the arbitrators selected in either of these ways, all being freeholders of said County, shall return their award into the Clerk's office of the Supreme Court of said County, upon which award said Clerk shall issue an execution against said company for the damages and costs, which may be collected without any reference to any stay or relief law; said award to be final and conclusive between the parties, upon payment of which, with the costs, either to such owner or into said Clerk's office by said company, they may enter upon such property and proceed with said work.
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SEC. 7. That all the property, real and personal, of said company shall be liable for its debts, and the private property of the stockholders shall be liable for the debts of the company to the amount of stock subscribed and not actually paid in money or in property at the time of the commencement of any suit against them.

SEC. 8. That this Act shall continue in force for thirty years from and after its passage, and the privileges and franchises granted by this charter shall not be withdrawn for ten years after the passage of this Act.

Approved March 23, 1869.

AN ACT TO PROVIDE FOR THE CONVERSION OF STATE SECURITIES.

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 the State Treasurer is hereby authorized, on the application of any person holding stock of the State of South Carolina, to take the same, and issue in lieu thereof coupon bonds of said State, signed by the Governor, and countersigned by the Treasurer of the State, in sums of one hundred dollars, five hundred dollars and one thousand dollars, bearing six per cent. interest, the same as said stock; said interest to be paid semi-annually, and the principal within twenty years; and both principal and interest to be payable at the Financial Agency of the State of South Carolina, in the city of New York.

SEC. 2. That the State Treasurer is hereby authorized, on the application of any person holding coupon bonds of the State of South Carolina, to take up the same, and issue in lieu thereof stock of said State, signed by the Governor and countersigned by the Treasurer of the State, in sums of one hundred, five hundred and one thousand dollars, bearing the same rate of interest as the bonds so taken up, and both principal and interest to be payable at the Financial Agency of the State of South Carolina, in the city of New York.

SEC. 3. That it shall be lawful for the Treasurer to charge and receive for each certificate of stock or bond exchanged, as provided in the first and second Sections of this Act, one dollar, to be appropriated to his own use, and a further sum of fifty cents for each blank used in the transaction, said sum to be for the use and benefit of the State of South Carolina.

Approved March 23, 1869.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO DEFINE THE JURISDICTION, AND REGULATE THE PRACTICE OF PROBATE COURTS."

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 Section twenty-three of the Act entitled "An Act to define the jurisdiction and regulate the practice of Probate Courts" be amended by inserting between the words "any" and "order," in the first line, the word "final."

Approved March 23, 1869.
AN ACT TO PROVIDE FOR AN ELECTION TO FILL CERTAIN VACANCIES IN COUNTY OFFICES.

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 the Governor be, and is hereby, authorized and requested, within thirty days from and after the passage of this Act, to order an election for the purpose of filling each and every vacancy in the various County offices throughout the State, which has occurred by reason of death, resignation, or inability to serve, or from any other cause.

SEC. 2. That the said election shall be conducted, except so far as relates to three days' registration, in accordance with the provisions of an Act entitled "An Act providing for the next general election, and the manner of conducting the same," passed the twenty-sixth day of September, in the year of our Lord one thousand eight hundred and sixty-eight.

Approved March 23, 1869.

No. 162. AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN OF GREENVILLE, AND FOR OTHER PURPOSES.

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 are constitutionally qualified to vote for members of the General Assembly of this State, and who may have resided within the present corporate limits of the town of Greenville for sixty days, and their successors, and those also who now reside and may have resided for sixty days within a circuit of one-fourth of a mile from said corporate limits, and their successors, are hereby declared 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 corporate and politic, and shall be known and called by the name of the city of Greenville, shall have a common seal, may sue and be sued, implead and be impleaded, in any Court of Law or Equity in this State, and may 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 its corporate limits shall extend one and one-fourth miles in every direction from the courthouse as a centre.

SEC. 3. That the municipal powers of said city shall be, and are hereby, vested in a Mayor and six Aldermen, to be chosen as hereinafter mentioned and directed, who shall be denominated the Mayor and Aldermen of the city of Greenville, and shall be persons who actually reside within the limits of the said corporation, and have so resided for at least sixty days immediately preceding their election.

SEC. 4. That on the second Monday in September of each year, an election for Mayor and Aldermen shall be held at such convenient place
or places within said city as may be designated by said Mayor and Aldermen, at which elections all such persons as have been hereinafter declared members of the said corporation shall be entitled to vote by general ballot: 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 City Clerk, in a book or books to be kept by him for that purpose, at least thirty days before every such election: And provided, That the present Intendant and Wardens of the town of Greenville shall be Mayor and Aldermen, respectively, of the said city of Greenville during the balance of their present term of office.

SEC. 5. That the Mayor and Aldermen, to be elected as above directed, before they enter upon the duties of their office, shall, in addition to the oath prescribed in Section 30 of Article II of the Constitution, take the following oath, to-wit: "I (Mayor or Alderman of the city of Greenville,) do solemnly swear (or affirm, as the case may be,) that I will equally and impartially, to the best of my skill and judgment, exercise and discharge the trust reposed in me, and will endeavor to carry into effect the purposes for which I have been elected. So help me God." And that the said Mayor and any four or more of the Aldermen shall constitute a quorum to do the business of the Board; and in case of the death, resignation or removal from town of the Mayor aforesaid, the said Aldermen, or a majority of them, shall elect from among themselves a Mayor to fill such vacancy occasioned as aforesaid; and that in case of death, removal from office or resignation of any of the said Aldermen, then, and in such case, the Mayor and any two or more of the said Aldermen shall appoint a time and place for electing another Alderman to fill the vacancy so occasioned, after having given five days' previous notice of such election.

SEC. 6. That the Mayor may, as often as occasion requires, summon the Aldermen to meet together; and the said Mayor and Aldermen shall have, and they are hereby vested with, full and ample power, from time to time, under their common seal, to make all such ordinances, rules and regulations relative to the streets and markets of the said city as they may think proper and necessary, and establish such by-laws as may tend to preserve the quiet, peace, safety and good order of the inhabitants thereof not inconsistent with the Constitution and laws of the State; and that they may impose fines and penalties for the violations thereof, which may be recovered in a summary way before the said Mayor and Aldermen, as hereinafter provided, who, and each and every one of whom, shall be Magistrates ex officio within the limits of the said city, and shall otherwise be vested with all power and authority that Magistrates are vested with throughout the State: Provided, nevertheless, That all such ordinances, by-laws, rules and regulations so made be duly promulgated, and that no such fine, in any one case and for any single offence, exceed the sum of fifty dollars.

SEC. 7. That when any fine imposed by the said Mayor and Aldermen by virtue of this Act shall exceed twenty dollars, the same may be recovered before any Magistrate or Justice of the Peace for Greenville County; and when such fine shall be for twenty dollars or under, they may be recovered before the said Mayor and Aldermen or any three of them. All which fines, when recovered, shall be applied to the use of said city.

SEC. 8. The said Mayor and Aldermen of said city, in addition to all
A. D. 1869. Taxation.

Such fines and penalties as may be incurred and recovered, and all licenses for taverns, for sales at auction, public shows, and for wholesale and retail dealers in liquors within said city, all of which the said Mayor and Aldermen, or a majority of them, shall have the right to grant, in their discretion, shall, annually, levy on the assessed property of the city a tax sufficient to discharge and defray all expenses of carrying into effect the ordinances, rules, regulations and laws made and established as above provided: Provided, Said tax does not exceed fifty cents upon every one hundred dollars' worth of real and personal property as assessed and equalized.

Sec. 9. That the Mayor and Aldermen are hereby authorized and empowered to make such ordinances as they may deem expedient in relation to licensing persons who are, or may be, engaged in and carrying on any business within their corporate limits: Provided, That no ordinance shall be made inconsistent with the Constitution of this State and laws of the land.

Treasurer.

Sec. 10. That the said Mayor and Aldermen are hereby authorized to appoint a Treasurer to collect the taxes imposed under and by virtue of this Act; and it shall be the duty of the said Treasurer to collect the same, and for this purpose he shall have and exercise all the powers conferred upon County Treasurers. All property upon which a tax shall be assessed is hereby declared and made liable for the payment thereof in preference to other debts due by the person owning the property at the time of the assessment, except debts and taxes due to the State, which shall be first paid.

Executions.

Sec. 11. That the Mayor and Aldermen of the said city be, and are hereby, authorized and empowered to issue an execution against the body of every person for any sum of money imposed by way of fines against whom an execution against the property of such person shall have been previously issued for the same, and a return therein made by a marshal of said city, or the Sheriff of Greenville County, on oath, that no property of such person could be found wherewith to satisfy said execution, and, upon the arrest of such person, he is hereby entitled to have the benefit of the prison bounds Act before a Magistrate instanter, upon notifying the Mayor thereof.

Foundries.

Sec. 12. That the said Mayor and Aldermen shall have power to prohibit the building and working of any blacksmith shop, forge, furnace or foundry on Main street, or in any other public part of the city.

Mayor pro tempore.

Sec. 13. That in case of the sickness or temporary absence of the said Mayor, the said Aldermen, or any five of them, may select from amongst themselves a Mayor pro tempore to act as Mayor during such sickness or temporary absence, and said Mayor pro tempore, and any four or more of said Aldermen, shall constitute a quorum to do business.

Scales.

Sec. 14. That the said Mayor and Aldermen of the said city of Greenville are hereby authorized and empowered to establish and keep up one or more public scales or scale houses, with proper scales and weights, for weighing cotton and other articles sold by weight in the said city, by and at the expense of the said city.

Weighers.

Sec. 15. That the said Mayor and Aldermen be, and they are hereby, authorized to appoint one or more public weighers, who shall be sworn by the said Mayor faithfully to perform the duties of said office, and who shall be removable for misconduct or incompetency by said Mayor and
Aldermen; and when reference is had to any of the public scales used by said weighers by the authority of said Mayor and Aldermen, on the same day that the contract of sale is made, the certificate of the public weigher shall be conclusive evidence of the weight of the cotton, or any other article sold by weight, in any Court of Justice in which an action shall be pending, touching the weight of such article, and the said Mayor and Aldermen are hereby authorized to assess a sum not exceeding six cents on each bale of cotton, and a proportional sum on other articles weighed, to be paid by the seller, for the use of said city.

SEC. 16. That the public scales and weights established in pursuance of this Act shall be the standard to which all others in the said city shall conform; and if any person shall use, in weighing any article whatsoever sold in said city, weights and scales differing from the said standard, such person, on conviction in the Court of Sessions for Greenville County, shall be fined and imprisoned at the discretion of the Court.

SEC. 17. That the Mayor and Aldermen of the said city of Greenville be, and they are hereby, authorized and empowered to regulate the sales at auction within the limits of the said city, and to grant licenses to auctioneers: Provided, That nothing herein contained shall extend to sales by or for Sheriffs, Coroners, executors or administrators, or by any other person under the order of any Court or Magistrate.

SEC. 18. That the Mayor and Aldermen of the city of Greenville be, and they are hereby, authorized to borrow money by issuing city stocks, from time to time, to the amount of one hundred thousand dollars, if so much be necessary, to pay the extraordinary expenditures of said city, but never in any form to make the city liable for exceeding that amount in the aggregate: Provided, That the private property of the citizens of the said city of Greenville shall not be liable, in law or in equity, for the payment of the corporate debts that shall or may be created under the granted powers herein made, or in any other mode than by a regular and uniform taxation.

SEC. 19. All Acts or parts of Acts inconsistent with or supplied by this Act are hereby repealed.

Approved March 23, 1869.

AN ACT TO DEFINE THE DUTIES OF STATE REPORTER, AND TO PROVIDE FOR THE PUBLICATION OF THE SUPREME COURT REPORTS.

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 the Reporter of the Supreme Court appointed according to the provisions of Article IV, Section 7, of the Constitution, shall, before entering upon the duties of his office, take and subscribe the oath of office before the Clerk of the Supreme Court.

SEC. 2. That it shall be the duty of the Justices of the Supreme Court to prepare and deliver to the Reporter full notes of all decisions made by them, which they shall deem of sufficient importance to publish.
A.D. 1869.

Duty of Reporter.

SEC. 3. That the Reporter shall faithfully and truly prepare all such decisions for publication; and when, in the opinion of the Court, it shall be necessary for a proper understanding of the decision, he shall report therewith a brief statement of the case and argument.

Reports to be printed.

SEC. 4. That as often as the decisions of said Court shall be sufficient to constitute a volume of not less than five hundred pages, it shall be the duty of the Reporter to procure to be printed and published, in a neat and substantial manner, of ordinary law size, an edition of five hundred (500) copies of such report: Provided, That they shall be printed by the State Printer at prices paid as per the contract made for printing for the General Assembly. Upon the completion of such publication the Comptroller-General shall draw his warrant upon the Treasury of the State for the cost of publication.

Proviso.

Delivered to Secretary of State.

SEC. 5. That the whole edition, when published, shall be delivered to the Secretary of State, who shall retain one hundred (100) copies of the same, to be distributed as hereinafter required. He shall exchange copies of each volume, if practicable, for such reports, or other works on Law and Equity, as the Justices of the Supreme Court shall designate, which works shall be placed in the Library of the Supreme Court. He shall offer the remainder of such editions for sale, at a price not to exceed three and one-half dollars per volume, the proceeds of which sale shall be placed in the Treasury.

Exchanges.

Copyright.

SEC. 6. That the copyright of all volumes of reports published in accordance with this Act, shall be vested in and remain the property of the State.

Salary.

SEC. 7. That the annual salary of the Reporter of the decisions of the Supreme Court shall be fifteen hundred (1500) dollars, to be paid quarterly, as the salaries of other public officers are.

SEC. 8. That all Acts and parts of Acts repugnant hereto are hereby repealed.

Approved March 23, 1869.

No. 164.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO FIX THE SALARY AND REGULATE THE PAY OF CERTAIN OFFICERS," RATIFIED THE TWENTY-SIXTH DAY OF SEPTEMBER, 1868.

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 so much of the above Act as fixes the salary of the Private Secretary of the Governor at fifteen hundred (1,500) dollars per annum be amended by striking out "fifteen hundred (1,500) dollars," and inserting in lieu thereof "two thousand (2,000) dollars," and by adding the State Auditor, whose salary shall be twenty-five hundred (2,500) dollars per annum, who shall also be authorized to employ a clerk, at the rate of one thousand dollars per annum.

SEC. 2. This Act shall take effect from the first day of November, 1868.

Approved March 25, 1869.
AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF CHESTER.

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 after the passage of this Act, all citizens of this State having resided sixty days in the town of Chester shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Chester, and its corporate limits shall extend one mile in each direction from the court house in said town.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, who shall be elected on the second Monday in January in every year, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

SEC. 3. That the election for Intendant and Wardens of the said town shall be held in the court house, or some other convenient public place in the said town, from nine o'clock in the morning until five o'clock in the afternoon; and when the polls shall be closed, the Managers shall forthwith count the votes and proclaim the election, and give notice, in writing, to the persons elected. The Intendant and Wardens shall appoint three Managers to hold the ensuing and any subsequent election. Whenever there shall not be an Intendant and Wardens, or Intendant and Warden, from any cause whatever, it shall be the duty of the Clerk of the Court for Chester County to order such election forthwith, and appoint three Managers for the same. The Managers, in each case, shall, before they open the polls for said election, take an oath fairly and impartially to conduct the same. And that the Intendant and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to-wit: "As Intendant (or Warden) of the town of Chester, I will, equally 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 purposes for which I have been elected: So help me God." The said Intendant and Wardens shall hold their offices from the time of their election until the second Monday in January ensuing, and until their successors shall be elected and qualified.

SEC. 4. That in case a vacancy should occur in the office of Intendant or any of the Wardens, by death, resignation, removal, or otherwise, or in case of a tie in said election, an election to fill such vacancy shall be held by the appointment of the Intendant and Wardens or Warden, as the case may be, or the Clerk of the Court of Chester County, if there should be no Intendant or Wardens, ten days' public notice thereof being previously given, and in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of their number to act in his stead during the time.
A.D. 1869.

Jurisdiction.

SEC. 5. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the jurisdiction and powers of Magistrates within the limits of the said town. And the Intendant shall and may, as often as he may deem necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, may constitute a quorum to transact business; and they shall be known by the name of the Town Council of Chester, and they and their successors hereafter to be elected may have a common seal, which shall be affixed to all the ordinances. And the said Town Council shall have authority to appoint, from time to time, as they may see fit, such and so many proper persons to act as Marshals or Constables of said town as the said Town Council may deem necessary and expedient for the preservation of the peace, good order and police thereof, which persons, so appointed, shall, within the corporate limits of said town, have the power, privileges and emoluments, and be subject to all the obligations, penalties and regulations provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Council. And the said Town Council shall have power to establish or to authorize the establishment of the market house in said town. And the said Town Council shall have full power and authority, under their corporate seal, to make all such rules, by-laws and ordinances, respecting the streets, roads, market house and the business thereof, and the police system of the said town, as shall appear to them necessary and proper for the security, welfare and convenience, and for preserving health, order and good government within the same. And the said Town Council may impose fines for offences against their by-laws and ordinances, and appropriate the same to the public use of said town; and the said Council shall have the same power which Magistrates now have to compel the attendance of witnesses and requiring them to give evidence upon the trial before them of any person for a violation of any of their by-laws or ordinances, but no fine above the sum of twenty dollars shall be collected by the said Council, except by suit in the Court of Common Pleas: And provided, also, That no fine shall exceed fifty dollars; and also that nothing herein contained shall authorize the said Council to make any by-laws or ordinances inconsistent with or repugnant to the laws of this State; and all the by-laws, rules and ordinances the said Council may make shall, at all times, be subject to revision or repeal by the General Assembly of this State.

Constables.

Powers.

SEC. 6. That the said Intendant and Wardens shall have full power to abate and remove nuisances in the said town; and it shall also be their duty to keep all roads, ways and streets within the corporate limits of the said town open and in good repair, and for that purpose they are invested with all the powers heretofore granted to Commissioners of Roads; and shall have full power to classify and arrange the inhabitants of said town liable to street, road, or other public duty therein, and to force the performances of such duty under such penalties as are now, or shall hereafter be, prescribed by law: Provided, That the said Town Council may compound with persons liable to perform such duty upon such terms and on the payment of such sums as may be established by laws or ordinances: And provided, also, That the individuals who compose the said Town Council shall be exempt from the performance of road and police duty, and the inhabitants of said town are hereby exempt from road and police duty without the corporate limits of said town.
OF SOUTH CAROLINA.

SEC. 7. That the power to grant or refuse license for billiard tables, to keep tavern, or to retail spirituous liquors within the limits of said corporation be, and the same is hereby, vested in the Town Council of Chester, and the said Council may grant licenses to retail spirituous liquors to such persons, and in such quantities, at such rates, and upon such terms and conditions, as the said Council may deem fit and proper; and the said Intendant and Wardens shall have the full and only power to impose a tax on all shows or exhibitions, for gain or reward, within the limits. And all money paid for license for retailing spirituous liquors, keeping tavern, and billiard tables, and the tax on all shows for gain or reward, within the said limits, shall be appropriated to the public use of said corporation.

SEC. 8. That the said Town Council of Chester shall have power and authority to require all persons owning a lot or lots in said town to make and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any of the public streets of said town, if, in the judgment of the Council, such sidewalks shall be necessary; the width thereof, and the manner of their construction, to be designated and regulated by the Town Council; and for default or refusal to make and keep in repair such sidewalks, the Town Council may cause the same to be made or put in repair, and require the owner to pay the price of making or repairing: Provided, That such contract for making or repairing be let to the lowest bidder.

SEC. 9. That the said Town Council of Chester shall have power to arrest and commit to jail, for a space of time not exceeding twelve hours, and to fine, not exceeding twenty dollars, any person or persons who shall be guilty of disorderly conduct in said town, to the annoyance of citizens thereof; and it shall be the duty of the marshal of the town to make such arrest, and to call to his assistance the posse comitatus, if necessary, and upon failure to perform said duty, he shall be fined in a sum not exceeding twenty dollars for each and every offence.

SEC. 10. That the said Town Council of Chester shall have power to grant or refuse licenses to parties within the limits of said town, and the parties to whom such licenses are granted shall be subject to such regulations as may by ordinance be established. They shall also have power to impose and collect an annual tax upon the assessed property of said town: Provided, No tax shall be imposed in any one year to exceed the rate of ten cents on each hundred dollars of such assessed property, and that the money so raised shall be applied to the use of said town. The said Town Council shall have the power to enforce the payment of all taxes levied by the said Town Council, to the same extent and in the same manner as is now or hereafter shall be provided by law for the collection of the general State taxes.

SEC. 11. That the said Town Council of Chester shall have power to regulate sales at auction within the limits of said town, and to grant licenses to auctioneers: Provided, Nothing herein contained shall extend to sales by a Sheriff, Clerk of the Court, Judge of Probate, Coroner, executor or administrator, assignee in bankruptcy, or by any other person out of the order, decree of any Court, Justice of the Peace, or Magistrate.

SEC. 12. That this Act shall be deemed a public Act, and shall continue in force for twenty years, and till the end of the session of the Gen-

A. D. 1869.
No. 166. AN ACT TO PROVIDE FOR THE PLACE OF HOLDING COURT IN BARNWELL COUNTY.

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, Whenever, pursuant to the provisions of an Act to change the location of the County seat of Barnwell County from Barnwell Court House to Blackville, ratified the second day of March, A.D. 1869, the Governor shall issue his proclamation announcing a change of the County seat of Barnwell County from Barnwell Court House to the town of Blackville, the Courts of Sessions and Common Pleas for said County of Barnwell shall thereupon and thereafter be held at the town of Blackville, at the same times heretofore provided by law for the holding of said Courts in said County.

Approved March 26, 1869.

No. 167. AN ACT TO VEST IN ISAAC G. LONG THE CHARTER OF A WATER COURSE THROUGH KINGSTON LAKE AND MAPLE SWAMP, IN HORRY COUNTY.

Whereas a number of residents in the vicinity of Kingston Lake and Maple Swamp, in Horry County, have petitioned the General Assembly that a charter be granted to Isaac G. Long, vesting in him certain powers and privileges therein set forth; therefore,

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 Isaac G. Long be, and he is hereby, authorized and empowered to open a water course through Kingston Lake and Maple Swamp, from the head waters of the same as far as to the road leading from Conwayboro, South Carolina, to Fair Bluff, North Carolina, a distance of about twenty miles, for the purpose of floating timber, and getting the same to market.

Sec. 2. That the said Isaac G. Long shall have and enjoy the exclusive charter, with the right of way through Kingston Lake and Maple Swamp, for the purpose mentioned in Section one of this Act, with the privilege of charging and receiving fifty cents for each stick of timber floated by any other person on said water course, as compensation for cutting and clearing out said Lake and Swamp: Provided, That the said Isaac G. Long shall first enter into recognizance with the County Commissioners of Horry County, in the sum of two thousand dollars, with two good sureties, conditioned to clear out as much as four miles each year, for five
years, of the said water course, or to complete the whole work within five years from the ratification of this Act.

Sec. 3. That this Act shall remain of force for the term of twenty years.

Approved March 26, 1869.

AN ACT TO ESTABLISH CERTAIN FERRIES.

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 a ferry over Seneca River, at or near the site of Cherry's Bridge, in the County of Oconee, and on the road leading from Pendleton to Walhalla, be chartered and vested in George Cherry, his heirs and assigns, who shall be allowed the following rates of toll, to-wit: Four horse teams, fifty cents; three horse teams, forty cents; two horse teams, thirty cents; one horse team, twenty cents; ox teams, same as horse teams; horse and buggy, twenty-five cents; two horses and a buggy, forty cents; man on horseback, ten cents; foot passengers, five cents; loose horses and mules, five cents each; cattle, three cents; hogs, sheep and goats, two cents. This charter to remain in force for the term of seven years, or until the said bridge be rebuilt: Provided, that the Governor, Lieutenant-Governor, and his suite, ministers of the Gospel, and persons going to and returning from muster, shall be exempt from paying toll at the said ferry.

Sec. 2. That the charter of the ferry over the Waccamaw River, known as "Hemmingway's Ferry," on the main road leading from Conwayboro to Little River, be, and the same is hereby, renewed and extended for the term of fourteen years from the passage of this Act; and the right to collect tolls over the same is hereby vested in W. Hardy, his heirs, successors and assigns, who shall be allowed the same rates of toll as have been heretofore established by law.

Sec. 3. That the ferry over the Great Pee Dee River at Mars Bluff, in the County of Marion, commonly called the Mars Bluff Ferry, the term of which is now expired, be, and the same is hereby, re-established, re-chartered and vested in the heirs-at-law of Samuel F. Gibson, and their assigns, for the term of ten years, who shall be allowed the same rates of toll as are now authorized by law.

Sec. 4. That the ferry over the Catawba River, known as Cureton's Ferry, on the main road leading from Lancaster Court House to Rock Hill and Yorkville, South Carolina, be, and the same is hereby, re-chartered and vested in John Samuel Cureton, his heirs and assigns, for the term of ten years, with authority to charge the following rates of toll: For each wagon drawn by six horses, mules or oxen, one dollar; for each wagon drawn by four horses, one dollar; for each wagon drawn by three horses, fifty cents; for each wagon or carriage drawn by two horses, forty cents; for each buggy drawn by two horses, forty cents; for each buggy drawn by one horse, twenty-five cents; for each man on horseback, ten cents; for each loose horse, five cents; for cattle, each, three cents; for hogs and sheep, each, two cents; for each foot passenger, five cents.
SEC. 5. That the ferry over the North Santee River, in the County of Georgetown, commonly called the North Santee Ferry, situated on the direct road leading from Georgetown to Charleston, be, and the same is hereby, re-established, rechartered and extended for the term of fourteen (14) years from the passage of this Act; and the right to collect tolls over the same is hereby vested in Nathaniel Holmes, his heirs, successors and assigns, who shall be allowed the same rates of toll as have heretofore been established by law.

SEC. 6. All Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 26, 1869.

No. 169. AN ACT TO EXTEND THE TIME IN WHICH THE CAMDEN BRIDGE COMPANY MAY REBUILD THEIR BRIDGE.

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 the time allowed to the Camden Bridge Company within which to complete the rebuilding of their bridge across the Wateree River by the statute passed December, A. D. one thousand eight hundred and sixty-five, and entitled "An Act to extend to the Camden Bridge Company the time within which to rebuild their bridge," be, and the same is hereby, extended to two years from the passage of this Act.

SEC. 2. That while the said bridge is so being rebuilt, the said company shall have the right to keep up and continue their ferry near said bridge, as now existing, with the same rates of toll as are now allowed at said ferry by law.

Approved March 26, 1869.

No. 170. AN ACT TO PREVENT AND PUNISH DUELING.

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 every person who shall challenge another to fight at sword, pistol, rapier, or any other dangerous weapon, or who shall accept any such challenge, shall, for every such offence, on conviction thereof, be deprived of the right of suffrage, and be disabled forever from holding any office of profit or honor under this State, and shall be imprisoned in the Penitentiary for a term not exceeding two years, at the discretion of the Court.

SEC. 2. That every person who shall willingly or knowingly carry or deliver any such challenge, in writing, or verbally deliver any message intended as, or purporting to be, such challenge, or who shall be present at the fighting of any duel as a second or aid, or give countenance thereto, shall, for every such offence, on conviction thereof, be forever
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disabled from holding any office of profit or honor under this State, and shall be imprisoned in the Penitentiary for a term not exceeding two years, at the discretion of the Court.

Approved March 26, 1869.

AN ACT TO ALTER AND AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF KINGSTREE."

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 an Act entitled "An Act to incorporate the village of Kingstree," approved on the nineteenth day of December, A. D. one thousand eight hundred and sixty-six, be, and the same is hereby, altered and amended as follows: That, from and after the passage of this Act, all and every person or persons who shall have resided within the corporate limits of the village of Kingstree for two months are hereby declared to be members of the corporation hereby to be created.

SEC. 2. That the said persons shall, from and after the passing of this Act, become a body politic and corporate, and shall be known and called by the name of the "Town of Kingstree," and its corporate limits shall extend one mile in every direction from the court house as a centre, except on the side next to Black River, which river shall constitute the boundary in that direction.

SEC. 3. That the said town shall be governed by an Intendant and four Wardens, who shall have resided in the State for one year, and within the limits of the corporation sixty days immediately preceding their election. The said Intendant and Wardens shall be elected on the second Monday in September in each year, ten days' notice being previously given, and shall continue in office for one year, and until the election and qualification of their successors; and all male inhabitants of said town who shall have attained the age of twenty-one years, and resided therein two months immediately preceding the election shall be entitled to vote for said Intendant and Wardens.

SEC. 4. That said election shall be held in some convenient public place in said town from eight o'clock in the morning until four o'clock in the evening; and when the polls shall be closed, the Managers shall forthwith count the votes and declare the election, giving notice in writing to the persons elected. The Intendant and Wardens for the time being shall always appoint three Managers to conduct the election, who, before they open the polls for said election, shall take an oath fairly and impartially to conduct the same. And the Intendant and Wardens, before entering upon the duties of their offices, 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 Kingstree, I will, equally 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 purposes for which I have been elected. So help me God." And if any person, upon being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay...
A. D. 1869.

Vacancies. Sec. 5. That 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, as the case may be, ten days' previous notice being given; and in case of sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of their number to act as Intendant during the time.

Powers. Sec. 6. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the powers of Magistrates in this State within the limits of the said town, except for the trial of small and mean causes. 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 Town Council of Kingstree; and they and their successors, hereafter to be elected, may have a common seal, which shall be affixed to all their ordinances; may sue and be sued, plead and be impleaded, in any Court of Law or Equity in this State, and purchase, hold, possess and enjoy to them and their successors, in perpetuity or for any term of years, any estate, real, personal or mixed, and sell, alien and convey the same: Provided, The same shall not exceed, at any one time, the sum of ten thousand dollars. And the Intendant and Wardens shall have full power to make and establish all such rules, by-laws and ordinances, respecting the roads, streets, market and police of said town, as shall appear to them necessary and requisite for the security, welfare and convenience of the said town, or for preserving 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 uses of the said corporation: Provided, That no fine shall exceed fifty dollars for any one offence.

Ordinances. Sec. 7. That the Intendant and Wardens of said town shall have full and only power to grant or refuse licenses to keep taverns or retail spirituous liquors, within the corporate limits of said town, upon such conditions and under such circumstances as to them shall seem proper and right: Provided, That in no instance shall the price of a license to keep a tavern or to retail spirituous liquors be fixed at a less sum than is established by the laws of the State; 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 licenses, shall be appropriated to the public uses of said town: Provided, That the Intendant and Wardens, duly elected and qualified, shall not have power to grant any license to keep taverns or retail spirituous liquors to extend beyond the term for which they have been elected.

Licenses. Sec. 8. That it shall be the duty of the said Intendant and Wardens to keep all roads, streets and ways within their corporate limits open and in good repair, and for that purpose they are invested with all the powers and duties of Surveyors of highways and Selectmen of towns. 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 of said
town, and all persons refusing or failing to pay such commutation shall
be liable to such fine, not exceeding twenty dollars, as the Town Council
may impose.

SEC. 9. They shall also have power to impose an annual tax, not ex-
ceeding twenty cents on every hundred dollars of the assessed value of
all real and personal estate lying within the corporate limits of said town,
the real and personal estate of churches and school associations excepted.
The said 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 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. The said Council shall
have power to enforce the payment of all taxes levied under the author-
ity 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 col-
lection of the general State tax, except that executions to enforce the
payment of the town taxes shall be issued under the seal of the corpo-
tation and directed to the Town Marshal or other person especially ap-
pointed by the said Town Council to collect the same; and all property
upon which a tax shall be levied is hereby declared and made liable for
the payment thereof in preference to all other debts against the said
property, except debts due the State, which shall first be paid.

SEC. 10. That the said Town Council shall have power and authority
to require all persons owning a lot or lots in said town to make and keep
in good repair sidewalks in front of said lot or lots, whenever the same
shall front or adjoin any public street of said town, if in the judgment of
the Council such sidewalk shall be necessary, the width thereof, and the
manner of their construction to be designated and regulated by the said
Council; and for default or refusal, after reasonable notice, to make and
keep in repair such sidewalks, the Town Council may cause the same to
be made or put in repair, and require the owner to pay the price of mak-
ing or repairing. And the said Town Council are hereby empowered to
sue for and recover the same by action of debt in any Court of competent
jurisdiction; Provided, That such contract for making or repairing be let
to the lowest bidder.

SEC. 11. 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 the 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 necessary for the improvement and convenience of
said town: Provided, That no new street, road or way shall be open with-
out first having obtained the consent of the land owner or owners through
whose premises any such new street, road or way may pass.

SEC. 12. That the said Town Council shall have power, and are hereby
authorized, to elect one or more marshals, (in addition to the Sheriff of
the County of Williamsburg, who shall also be a marshal of the town,) to
fix their salaries and prescribe their duties, who shall be sworn in and
invested with all the powers, and subjected to all the duties and liabilities, that Constables now have or are subject to by law, in addition to the duties and liabilities specially conferred and imposed on them by the Town Council: Provided, That their jurisdiction shall be confined within the limits of said town.

SEC. 13. That the said Town Council shall have power to establish a guard house, and to prescribe, by ordinance, suitable rules and regulations for keeping and governing the same; and, until such guard house shall be established, they shall be authorized to use a room in the common jail of Williamsburg County 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 to the provisions of this Act; and the said Town Council may, by ordinance, or the said Intendant and Wardens in person, any one or more of them, authorize and require any marshal of the town, or any Constable specially appointed for that purpose, to arrest and to commit to the said guard house or jail of Williamsburg County, as the case may be, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of 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 town marshals to arrest and commit all such offenders, when required so to do, who shall have power to call to their assistance the posse comitatus, if need be, to aid in making such arrests; and upon the failure of said marshals 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, which said cost and expenses shall be collected in the same manner as is provided by this Act for the collection of fines imposed for the violation of ordinances: Provided, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offence for which he may have been committed.

SEC. 14. That the said Town Council shall have the power to collect the taxes from all persons representing publicly, within their corporate limits, for gain or reward, any plays or shows of what nature or kind soever, to be used for the purposes of said town.

SEC. 15. That all fines which shall hereafter be collected for retailing without license within the corporate limits of said town shall be paid one-half to the informer and the other half to the Council, for the use of said town.

SEC. 16. That the said Town Council shall have full power and authority to abate all nuisances within the corporate limits, and also to appoint a Board of Health for said town, and to pass such ordinances as may be necessary to define the powers and duties of said Board, and to impose fines and penalties upon the members of said Board for neglect of duty or refusal to serve: Provided, That no fine hereby authorized to be imposed shall exceed the sum of twenty dollars.

SEC. 17. That the said Town Council shall have power to borrow money for the public use of the corporation by issuing, from time to time, as occasion may require, the bonds of the corporation, bearing interest at a rate not to exceed seven per centum per annum, to be paid semi-annually, for an amount not to exceed five thousand dollars; and for the
payment of the interest and the ultimate redemption of the principal, according to the terms of the loan, the said corporation shall be at all times liable: Provided, That the private property of the inhabitants of said town shall be bound for the redemption of said loan in no other way than by the imposition of an annual tax, according to the provision of this Act.

SEC. 18. That the Intendant and Wardens elect shall, during their term of office, be exempt from street duty. 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 possession belonging to the corporation, and deliver up all books, records and other papers incident to their office to their successors; and on failure so to do, they shall be liable to be fined in a sum not exceeding one hundred dollars, to be collected in any proper action by the Town Council.

SEC. 19. That for any wilful violation or neglect 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, as prescribed in the preceding Section, besides being liable for damages to any person or persons injured.

SEC. 20. That all ordinances heretofore passed by the Town Council of Kingstree, in conformity with the authority granted by such existing laws as do not conflict with the Constitution of the State, shall be, and they are hereby, declared legal and valid.

SEC. 21. That all Acts, and parts of Acts, heretofore passed in relation to the incorporation of the village of Kingstree be, and the same are hereby, repealed.

SEC. 22. This Act shall be deemed a public Act, and continue in force for the term of fifteen years from the date of its ratification.

Approved March 26, 1869.

AN ACT TO REPEAL THE TENTH SECTION OF AN ACT ENTITLED “AN ACT TO APPOINT A BOARD OF COMMISSIONERS FOR THE CITY OF CHARLESTON, WITH POWER AND AUTHORITY TO DECLARE IN WHAT CASES THE STREETS, LANES AND ALLEYS SHALL BE WIDENED, AND TO PROVIDE FOR CARRYING INTO EXECUTION THE OBJECTS OF THE SAID BOARD, AND FOR OTHER PURPOSES THEREIN MENTIONED.”

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 Section 10 of an Act entitled “An Act to appoint a Board of Commissioners for the city of Charleston, with power and authority to declare in what cases the streets, lanes and alleys shall be widened, and to provide for carrying into execution the objects of said Board, and for other purposes therein mentioned,” be, and the same is hereby, repealed.

Approved March 26, 1869.
AN ACT TO INCORPORATE THE VARIOUS BOARDS OF TRUSTEES OF THE METHODIST EPISCOPAL CHURCH IN SOUTH CAROLINA.

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, The Methodist Episcopal Church of the United States be, and the same is hereby, authorized to organize religious societies and churches in this State, in accordance with the rules and requirements of the discipline of said church.

SEC. 2. Whenever five or more persons are associated, being organized and appointed Trustees of the Methodist Episcopal Church according to the discipline thereof, they shall be, and are hereby, declared a body politic with powers and privileges incident to a corporation for religious purposes.

SEC. 3. Such Trustees shall have succession of officers as provided by said church's discipline; may receive, hold and manage all the property, both real and personal, belonging to said society or church, and hold in trust gifts, grants, bequests or donations made to such society or church for the support of public worship and other religious purposes, being governed in their official action by the discipline of said Methodist Episcopal Church.

SEC. 4. Each society or church organized as herein provided shall, at their organization, draw up a statement of the same, setting forth the facts, signed by the Chairman and Secretary, which statement shall be recorded in the office of the County Clerk.

Approved March 26, 1869.

AN ACT TO AUTHORIZE THE FINANCIAL AGENT OF THE STATE OF SOUTH CAROLINA, IN THE CITY OF NEW YORK, TO PLEDGE STATE BONDS AS COLLATERAL SECURITY, AND FOR OTHER PURPOSES.

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 the Financial Agent of the State of South Carolina, in the city of New York, be, and he is hereby, authorized to pledge the bonds of the State, which the State now has, or may hereafter have in its possession, as collateral security for State loans: Provided, That in all transactions he shall conform to the provisions of an Act entitled "An Act to authorize a loan to redeem the obligations known as the Bills Receivable of the State of South Carolina," ratified the twenty-sixth day of August, A. D. 1868.

SEC. 2. That Section 1 of an Act entitled "An Act to authorize a State loan to pay the interest on the public debt," passed the twenty-sixth day of August, 1868, and Section 1 of an Act entitled "An Act to authorize a loan to redeem the obligations known as the Bills Receivable of the State of South Carolina," passed the same date, be so amended as to extend the time during which said loans may be negotiated to twenty-four months from the passage of said Acts.

SEC. 3. That the Financial Agent of the State of South Carolina, in
OF SOUTH CAROLINA.

the city of New York, be, and he is hereby, directed to make and forward to the Comptroller-General of the State a report of his transactions, quarterly, which report the Comptroller-General is hereby directed to include with his annual report to the General Assembly.

Approved March 26, 1869.

AN ACT TO FACILITATE THE SETTLEMENT OF THE AFFAIRS OF THE BANK OF THE STATE OF SOUTH CAROLINA.

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 immediately after the passage of this Act the Governor shall appoint a President and three Directors of the Bank of the State of South Carolina, who shall exercise all the powers heretofore reposed by law in the President and Directors of the Bank of the State of South Carolina. Said President and Directors shall serve without pay, and until their successors are elected and qualified.

SEC. 2. The Attorney-General of the State shall supervise and control all suits in law or equity heretofore brought, or hereafter to be brought, by or against said corporation, and the monies realized in any of said suits in favor of the corporation or the State shall be paid over and disposed of under the orders of the Court. All suits by or against said corporation shall be pressed to a conclusion with the least possible delay. All causes in favor of said corporation, where service of writ and declaration is had on the adverse party at least twenty days before the meeting of the Court to which the writ is returnable, shall be and stand for trial at the first or return term, and no cause shall be continued by the Court except upon good and substantial cause shown.

Approved March 26, 1869.

AN ACT TO CHARTER THE SOUTH CAROLINA CENTRAL RAILROAD COMPANY.

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 for the purpose of establishing a railroad at a point on the Northeastern Railroad, at or near Gourdin's Depot, Williamsburg County, thence to Manning, Clarendon County, thence to Sumter County, thence to the State line, through Chesterfield County, in the direction of Charlotte, North Carolina, with the privilege of building a branch of the same, running from Manning, Clarendon County, to Kingstown or Columbia, Richland County, which company, when formed with the conditions herein prescribed, shall have corporate existence as a body politic in perpetuity.

SEC. 2. That this charter, with the rights and privileges incidental thereto, is hereby granted to and vested in Henry J. Fox, B. A. Walker, H. D. Corbett, E. C. Green, F. J. Moses, Jr., J. H. Feriter, John A. Salters, William Harris, Elias E. Dickson, and their associates.
SEC. 3. That for the purpose of raising the necessary capital stock of said company it shall be lawful to open books of subscription in such towns and cities as may be deemed for the best interest of the corporation, under the direction of the corporators, to an amount not exceeding two million five hundred thousand dollars ($2,500,000), in shares of one hundred dollars each, to constitute a joint capital stock, for the purpose of constructing and carrying into operation the aforesaid railroad, or any part thereof. The time and place for receiving subscriptions shall be fixed by a majority of the corporators, and if they fail so to do, then by any three of the corporators hereinbefore named, having given due notice of the same in any newspaper or newspapers of the State; and the subscription books shall be kept open for thirty days at such places as said corporators may decide; that on each share of stock subscribed the said subscribers shall pay two dollars to the corporators, who shall deposit the same in some National Bank. When one hundred thousand dollars are subscribed, the said corporators, or any three of them, shall give notice of the time and place of meeting for organization in some public newspaper.

SEC. 4. Whenever the said sum of one hundred thousand dollars is subscribed, the subscribers, their executors, administrators and assigns, shall be, and they are hereby, declared to be incorporated into a company, and shall have all the rights and privileges conferred upon the Northeastern Railroad Company, according to their original charter, each subscriber being entitled to a vote for each share of stock; (said charter was ratified December 16, A. D. 1851:) Provided, That nothing herein contained shall be so construed as to exempt the said company from the payment of taxes.

SEC. 5. The said company shall have the right to build bridges across navigable rivers: Provided, They shall put in good and sufficient draws, and shall construct necessary stations and turnouts, with one or more tracks to the road, with such gauge as will correspond to that of the Northeastern Railroad, and may co-operate with such road or roads as may be chartered by the State of North Carolina, forming but one road, at their discretion: Provided, That the said road shall be commenced within one year and completed within five years after the passage of this Act, or the charter thereof shall be forfeited: And provided, further, That said road shall be subject to the provisions of an Act entitled "An Act to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways, and other works of internal improvement," ratified September 22, A. D. 1868.

Approved March 26, 1869.

No. 177. AN ACT TO AUTHORIZE D. C. WILSON & CO. TO BUILD A DOCK AND COLLECT WHARFAGE IN THE TOWN OF BEAUFORT.

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 D. C. Wilson & Co. be, and are hereby, authorized to build a dock to deep water in front of the property
owned by them in the town of Beaufort; to collect wharfage on the same, and to use, sell or lease said dock for their own benefit, subject to any laws now existing, or hereafter to be made, in relation to such property: Provided, That said D. C. Wilson & Co. shall not interfere with the wharf already constructed, and now owned by James L. Barnwell, without compensation therefor, said compensation to be determined by three arbitrators to be appointed by the Court of Common Pleas in the same manner as referees are appointed.

Approved March 26, 1869.

AN ACT TO INCORPORATE THE WATeree AND NORTH CAROLINA RAILROAD COMPANY.

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 William M. Shannon, Joseph B. Kershaw, John M. DeSaussure, James Dunlap, James A. Young, James M. Davis, and their associates and successors, are hereby constituted a body politic and corporate, by the name and style of the Wateree and North Carolina Railroad Company.

SEC. 2. That the said company is hereby authorized to construct a railroad from the town of Camden to some point on the North Carolina line, as nearly on a line between Camden and the town of Goldsborough, North Carolina, as may be practicable; and also a railroad from the town of Camden to the North Carolina line, in the direction of Charlotte, North Carolina.

SEC. 3. That for the purpose of raising the capital stock of the said company, it shall be lawful to open books in the town of Camden, under the direction of James Dunlap, James A. Young and James M. Davis; at Lynchwood, Kershaw County, under the direction of L. W. R. Blair, John R. Shaw, B. S. Lucas and Daniel Bethune; at Cheraw, under the direction of Henry Melva, Alexander McQueen, L. S. Prince and Thomas E. Rowe; at Flat Rock, Kershaw County, under the direction of J. Ross Dye and Lemuel B. Stephenson; at Lancaster, under the direction of James L. Reed, John D. Wylie, William A. Moore and W. M. Connors, for the purpose of receiving subscriptions to an amount not exceeding two millions of dollars, in shares of one hundred dollars each, for the purpose of constructing the railroads provided for by this Act.

SEC. 4. That the amounts subscribed at the places at which books are opened along the proposed lines towards Goldsborough and Charlotte, respectively, shall only be called in, the parties required to pay the same or regarded in any way as stockholders in the said company for the purpose of building, and in connection with the railroad along the line where such subscriptions are made.

SEC. 5. That the times and places for receiving such subscriptions shall be fixed by the Commissioners in the town of Camden, or a majority of them, and shall be advertised for thirty days in one or more newspapers in this State, and the books for receiving such subscriptions shall be kept open for sixty days at each of the places where the same shall be opened.

SEC. 6. That on each share of the stock subscribed, the subscriber shall pay to the Commissioner receiving such subscription the sum of five dol-
lars, and no subscription shall be valid without such payment; and at
the expiration of the time hereby prescribed for keeping open the books,
the said Commissioners shall make a return of the subscriptions taken
by them, and the sums paid thereon, to the Commissioners in the town of
Camden.

Sec. 7. That when the sum of three hundred thousand dollars shall be
subscribed in the manner herein prescribed, the said company may meet
and organize at such time and place as may be designated by a majority
of the Commissioners herein named for the town of Camden, due notice
having first been given.

Sec. 8. That for the purpose of organizing and forming this company,
all the powers conferred by the charter of the Northeastern Railroad
Company on the Commissioners therein named shall be vested in the
Commissioners named in this Act: Provided, The Commissioners named
at any point shall only have any power or be called into the exercise of
any such power in the event of subscriptions taken and steps instituted
towards building the road along the route where such Commissioners were
required to open books; and all the powers, rights and privileges granted
by the charter, and the amendments thereto, of the Northeastern Rail-
road Company, to that company, shall be, and the same are hereby,
granted to the Wateroe and North Carolina Railroad Company, subject
to the conditions therein named, except as to the amount of capital stock,
the sum necessary to authorize organization, and except so far as the
special provisions of this Act may otherwise require the same to be mod-
ified or varied: Provided, That nothing herein contained shall be con-
strued so as to exempt the said company from the payment of taxes:
Provided, further, That said road shall be subject to the provisions of an
Act entitled "An Act to declare the manner by which the lands, or the
right of way over the lands, of persons or corporations may be taken for
the construction and uses of railways and other works of internal im-
provement," ratified September 22, A. D. 1868.

Sec. 9. That this Act shall be deemed a public Act, and continue in
force fifty years: Provided, That the work for the execution whereof the
said company is incorporated shall be commenced within one year from
the first day of January next, and be completed within five years after
its commencement.

Approved March 26, 1869.

No. 179. AN ACT TO CHARTER BROXTON'S FERRY, ACROSS THE GREAT SALT-
KEHATCHIE RIVER.

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 the ferry commonly called Brox-
ton's Ferry, on the Great Saltkehatchie River, shall be, and the same is
hereby, established a public ferry, and vested in William M. Simmons,
his heirs, executors and assigns, for the term of seven years, with the
privilege of collecting the following rates of toll, to-wit: For each wagon
drawn by four horses, mules or oxen, seventy-five cents; for each wagon
drawn by three horses, mules or oxen, sixty-five cents; for each wagon
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drawn by two horses, mules or oxen, fifty cents; for each carriage or buggy drawn by two horses, mules or oxen, fifty cents; for each carriage or buggy drawn by one horse, mule or ox, thirty-five cents; for each man on horseback, ten cents; for each foot passenger, five cents: Provided, That children going to and returning from school, and voters going to and returning from the polls on election day, shall be passed free.

Approved March 26, 1869.

AN ACT TO REGULATE THE MANNER OF GRANTING A FINAL DISMISSAL TO EXECUTORS, ADMINISTRATORS, TRUSTEES, GUARDIANS OR COMMITTEES.

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 hereafter it shall not be lawful for any of the Judges of Probate in this State to grant a final discharge to any executor or executrix, administrator or administratrix, trustee, guardian or committee without he, she or they first giving public notice in some County newspaper, (if there should be no newspaper published in the County, then in some public journal having the greatest circulation therein,) for the space of at least one month, that on a day certain he, she or they will apply to the Judge of Probate for the County where his, her or their bond is filed, for a final discharge: Provided, The said publication shall be tri-weekly in the cities of Charleston and Columbia.

Sec. 2. Be it further enacted, That all Acts or parts of Acts of the General Assembly of this State which are inconsistent with Section 1 of this Act be, and the same are hereby, repealed.

Approved March 26, 1869.

AN ACT TO INCORPORATE THE HOMESTEAD, BUILDING, PLANTING AND LOAN ASSOCIATION OF SOUTH CAROLINA.

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 Richard H. Cain, Wm. M. Thomas, Charles H. Vanderhorst, Isaac R. Morgan, Lewis Prioleau, Joseph Morris, W. B. Nash, L. Wimbush, G. Barber, and their associates and successors, be, and they are hereby, constituted a body corporate and politic, under the name and style of the “Homestead, Building, Planting and Loan Association, of South Carolina,” for the purpose of purchasing lands, houses, plantations and rights of way, mill sites, water powers, and for building of houses, mills, trainways, factories, machine shops, and operating the same within this State; also, renting, leasing, hiring and selling the same to any parties whatsoever.
Sec. 2. That the capital stock of said association shall consist of two hundred and fifty thousand dollars, to be divided into shares of two hundred dollars each, with the privilege of increasing the same to an amount not exceeding two millions of dollars; but when the sum of three thousand dollars shall have been subscribed and paid in, in the manner hereinafter provided, the said association may be organized and go into operation.

Sec. 3. That for the purpose of raising the capital stock of said association, books of subscription may be opened by or under the direction of R. H. Cain, Wm. M. Thomas, Charles H. Vanderhorst, Isaac R. Morgan, Lewis Prioleau and Joseph Morris, and their associates, at such time and in such places as they may think proper, and shall be authorized to keep open such books until three thousand dollars has been subscribed and paid in, and they shall give public notice of the time and place of opening said books.

Sec. 4. That the said Richard H. Cain, Wm. M. Thomas, Charles H. Vanderhorst, Isaac R. Morgan, Lewis Prioleau and Joseph Morris shall, immediately after the subscriptions to the said association shall amount to three thousand dollars in actual cash paid in, call a meeting of the stockholders for an election of such officers as the by-laws, agreed upon by said stockholders, shall prescribe.

Sec. 5. That the profits of said association may, from time to time, be divided among the stockholders according to such rules and regulations as they may prescribe, not repugnant to the laws of this State.

Sec. 6. That the stock of said association may be transferred in such manner and form as may be directed by the by-laws of the association.

Sec. 7. That said association shall have power and authority to furnish supplies and make advances to planters and farmers engaged in the cultivation of the soil, and for all such supplies furnished and loans made may require and receive a lien upon any real or personal estate, and upon any growing crop, to the extent of such supplies, advances and loans: Provided, That the same shall not interfere with any existing liens: And they shall also have power and authority to purchase, take and hold, in fee simple or for years, to them and their successors, any lands, tenements or hereditaments and other property of whatsoever kind and description, which they may find necessary for the purposes of said association, and to transfer and dispose of the same as they may think proper; and shall have power and authority to make all by-laws, not repugnant to the laws of the land, to have and keep a common seal, and the same to alter at will, to sue and be sued, plead and be impleaded, in any Court of Law or Equity in this State, and shall have and enjoy all and every right and privilege incident to corporate bodies, according to the laws of this State.

Sec. 8. That the said corporation shall have the power to purchase, acquire, hold, use and dispose of real estate in any of the several Counties of this State. They may own property in other States where it is so required to secure the payment of claims held by said corporation. They may employ foreign and domestic capital in carrying on the same.

Sec. 9. This Act shall be deemed a public Act, and shall continue in force for fifty years.

Approved March 26, 1869.
OF SOUTH CAROLINA.

AN ACT TO INCORPORATE THE TOWN OF PICKENS.

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 are, or hereafter may be, habitants of the town of Pickens, 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 Pickens, and its limits shall be deemed and held to extend one-half a mile in each direction from the court house.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the first Monday in April next, on which day, as well as on the first Monday in April of every year thereafter, an election shall be held for an Intendant and four Wardens, (who shall be citizens of the United States, and shall have been residents of said town for sixty days immediately preceding said election,) at such place in said town as the Intendant and Wardens shall designate, ten days' public notice thereof, in writing, being previously given; and that all male inhabitants of the said town, of the age of twenty-one years, who have resided therein sixty days previous to the election, shall be entitled to vote for said Intendant and Wardens; and the election shall be held from nine in the morning until three o'clock in the afternoon, when the poll shall be closed, and the Managers shall count the votes and proclaim the election, and give notice thereof to the persons elected; and that the Intendant and Wardens, for the time being, shall appoint the Managers to hold the ensuing election. That the Intendant and Wardens, before entering upon the duties of their offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to-wit: "As Intendant (or Warden) of Pickens, I will equally and impartially, to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace, and carry into effect, according to law, the purposes of my appointment. So help me God."

SEC. 3. That in case a vacancy shall occur in the office of Intendant, or any of the Wardens, by death, resignation, removal from State, or from any other cause, an election shall be held by the appointment of the Intendant and Wardens, as the case may be, ten days' notice thereof, as aforesaid, 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 such sickness or absence.

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 Magistrates of this State, in matters civil and criminal, within the limits of said town; 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 Pickens; 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 Marshals or Constables as they shall deem expedient and proper, which officers shall have all the powers,
powers 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 and au-
thority, under their corporate seal, to ordain and establish all such rules
and by-laws and ordinances, respecting the streets, ways, public wells,
and springs or fountains of water, markets and police of the said town,
and for preserving health, peace, order, and good government within the
same, as they may deem expedient and proper; and the said Council may
affix fines for offences against such by-laws and ordinances, and appro-
priate the same to the use of the corporation; but no fine shall exceed
fifty dollars. All fines may be recovered by an action for debt, before a
proper tribunal.

Nuisances. Sec. 5. That the said Council shall have power to abate and remove
nuisances within the limits of said town, and also to classify and arrange
the inhabitants liable to police duty, and to require them to perform such
duty as occasion may require, and to enforce the performance thereof,
under the same penalties as are now, or may hereafter be, established by
law: Provided, always, nevertheless, That the said Town Council shall
have power to compound with persons liable to perform such duty upon
such terms as they shall by ordinance establish.

Streets. Sec. 6. That it shall be the duty of the Intendant and Wardens to
keep all streets and ways, which may be necessary for public use within
the limits of the said town, open and in good repair, and for that purpose
they are hereby invested with all the powers, rights and privileges granted
by law to the Commissioners of Roads within the limits of said town; and
for neglect of duty they shall be liable to the pains and penalties imposed
by law upon Commissioners of Roads for like neglect; and they are
hereby individually exempt from the performance of road and police
duty, and the inhabitants of said town are hereby excused from road and
police duty without the limits of said corporation.

Road work. Sec. 7. That the said Intendant and Wardens shall have power to com-
pound with persons liable to work on the said streets and ways, and to
release such persons as may desire it, upon the payment of such sum of
money as they may deem a fair equivalent therefor, to be applied by them
to the use of the said corporation.

Property. Sec. 8. That the said Town Council of Pickens shall also be empowered
to retain, possess and enjoy all such property as they may now be possessed
of or entitled to, or which shall hereafter be given, bequeathed to or in
any manner acquired by them, and to sell, alien or in any way transfer
the same or any part thereof: Provided, The amount of property so held
or stock invested shall in no case exceed twenty thousand dollars.

Tax. Sec. 9. That the said Town Council of Pickens shall also have power to
impose an annual tax on all real and personal property within the
corporate limits of said town: Provided, Said tax does not exceed fifteen
cents on the one hundred dollars.

Sales. Sec. 10. That the Intendant and Wardens of the town of Pickens shall
have power to regulate sales at auction within the limits of said town, and to
grant licenses to auctioneers: Provided, That nothing herein contained
shall extend to sales by or for Sheriffs, Clerks of Courts, Judge of Probate,
Coroners, executors and administrators, assignees, or by any other person
under the order of any Court or Magistrate.

Sidewalks. Sec. 11. That the Intendant and Wardens of the town of Pickens shall
have power and authority to require all persons owning a lot or lots in
the said town of Pickens to keep in repair the sidewalks adjacent to their
lots, respectively, and for default in this matter shall have power and
authority to impose a fine not exceeding fifteen dollars.

SEC. 12. That the power to refuse or grant licenses to keep a tavern or
to retail intoxicating drinks be, and the same is hereby, vested in the
Town Council of the town of Pickens; and that they be also invested
with all necessary power, by ordinance or ordinances, to suppress or regu-
late the sale of intoxicating drinks, to be drank at the place where sold,
or in or upon any of its appurtenances, or in or upon any of the high-
ways, streets, lanes, alleys, commons, kitchens, stores, shops, public build-
ings, booths, stalls or out-houses of the said town, or within one-half a
mile of the court house of the County of Pickens, in the said town of
Pickens: Provided, That no rule or regulation shall be made inconsistent
with the Constitution and laws of the State.

SEC. 13. That this Act shall be taken and deemed as a public Act in all
Courts of justice, and shall continue of force until repealed.

Approved March 26, 1869.

AN ACT TO INCORPORATE THE PALMETTO FIRE AND MARINE IN-

SUREANCE COMPANY.

SECTION 1. Be it enacted by the Senate and House of Representatives
of the State of South Carolina, now met and sitting in General Assem-
bly, and by the authority of the same, That Edwin Bates, Andrew M.
Moreland, George L. Cunningham, W. Y. Leitch, R. B. Carpenter, E. W.
Marshall, Henry Gerdts and D. H. Chamberlain, of the city of Charle-
ston, and others, and their successors and assigns, according to the rules
by them to be established, for the purposes hereinafter mentioned, shall
be, and they are hereby, created a body politic and corporate, in law and
in fact, under the name, style and title of the Palmetto Fire and Marine
Insurance Company; and by the same name, style and title, shall have
succession of officers and members, and all the powers, privileges and
franchises incident to a corporation; and shall be capable of taking,
holding and disposing of their capital stock according to their present or
future rules, regulations and institutions, and also of taking, holding and
disposing of, or investing, as the said corporation shall, from time to
time, judge fit, the increased profit and emolument of their said capital
stock, to their own proper use; and shall have full power and authority
to make, have and use a common seal, with such device and inscription
as they shall deem proper, and the same to break, alter and renew at
their pleasure; and, by the name, style and title aforesaid, shall be able
and capable, in law and equity, to sue and be sued, implead and be im-
pleaded, answer and be answered unto, in all or any of the Courts or
tribunals of this State, in all manner of suits, pleas and demands whatso-
ever; and they are hereby authorized and empowered to appoint a President
and other officers and Directors, in such numbers, at such periods, and with
such duties as they shall see fit; and also to make rules, by-laws and
ordinances, and to do everything needful for the good government and
management of the affairs of the said corporation: Provided, always,
A. D. 1869.

Powers.

That the said rules, by-laws and ordinances shall not be repugnant to the Constitution and laws of the United States or of this State.

SEC. 2. That the said corporation shall have a right and power to purchase, acquire, take and hold, in their said corporate name, lands and real estate, and the same to demise, grant, sell, assign and convey, in fee simple or otherwise: Provided, The yearly income of the real estate so to be held shall not at any time exceed one hundred thousand dollars.

SEC. 3. That the said corporation shall have the right and power, by their said name, and by the signature of the President for the time being, or by the signature of such other person or persons, and with such ceremonies of authenticity as they shall, from time to time, in and by their rules and by-laws, ordain and appoint, to make contracts and underwrite policies of insurance and indemnity upon marine risks of vessels, or of goods and merchandise, in whole or in part, foreign or domestic, whether lying in foreign ports or shipped upon the high seas, or in any ports of the United States, or within any of the rivers, bays, creeks, canals or waters of this State, lying or being laden or to be laden; and also, in like manner, to make contracts and underwrite policies of insurance and indemnity against fire on all buildings, goods, wares, merchandise and other property liable to destruction or accident by or from fire, or the effects thereof, situate, lying, being or deposited in this State or elsewhere; and also, in like manner, discount bills of exchange, foreign and inland, and promissory notes; and also to advance money upon bottomry and respondentia bonds; and, generally, to perform and transact all the business relating to the objects aforesaid, according to the usage and custom of merchants; and, by such contracts, effectually to bind and pledge their said capital stock.

SEC. 4. That the said corporation shall be, and they are hereby, invested with full power to enforce upon their own members the due observance of all legal by-laws and regulations for their better government, under such penalties as they shall, in and by such by-laws, limit and prescribe; and to that end, if need be, shall and may institute and maintain, in their said corporate name, against any one or more of their members, either at law or in equity, all just and necessary suits, actions and pleas for the recovery of all and any sum or sums of money to the use of the said corporation, in as ample a manner as such suits might be maintained against persons not members of the said corporation; any law, usage or custom to the contrary thereof, in anywise, notwithstanding.

SEC. 5. That the capital stock of the said Palmetto Fire and Marine Insurance Company shall consist of ten thousand shares of twenty-five dollars each, and that whenever the aggregate amount of fifty thousand dollars shall have been paid in upon the said capital stock, then the said Palmetto Fire and Marine Insurance Company shall be authorized to commence business under this Act, and to exercise all the powers hereinbefore granted; and the said Palmetto Fire and Marine Insurance Company shall have power to choose a President and Directors thereof, and such other officers as they may deem necessary for the promotion of the interests of the said company.

SEC. 6. That on the expiration or dissolution of the said corporation, then, and in such case, the estate, by such corporation possessed, shall not escheat, but be vested in the several members of said corporation, in average and proportion to their several and respective shares in
OF SOUTH CAROLINA.

the capital stock aforesaid, after the payment of the debts of the said corporation.

Sec. 7. That this charter shall cease and determine after a lapse of twenty-one years from the date of the same.

Sec. 8. That this Act shall be deemed a public Act, and the several Courts of Law and Equity in this State shall be bound to take judicial notice thereof without the same being specially pleaded.

Approved March 26, 1869.

AN ACT TO ALTER AND AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF MARION, AND FOR OTHER PURPOSES THEREIN MENTIONED."

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 an Act entitled "An Act to incorporate the village of Marion, and for other purposes therein mentioned," passed on the 21st day of December, A. D. 1854, be, and the same is hereby, altered and amended as follows: That from and after the passage of this Act, all and every person or persons who shall have resided within this State for one year, and within the corporate limits of the village of Marion for two months, are hereby declared to be members of the corporation hereby intended to be created.

Sec. 2. That the said persons 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 the town of Marion; and its corporate limits shall extend three-fourths of a mile in the direction of the cardinal points, from the courthouse as a centre, and form a square.

Sec. 3. That the said town shall be governed by an Intendant and four Wardens, who shall have resided in the State for one year and within the limits of the town sixty days immediately preceding their election. The said Intendant and Wardens shall be elected on the second Monday in January in every year, ten days' notice being previously given, and shall continue in office for one year, and until the election and qualification of their successors; and all male inhabitants of said town who shall have attained the age of twenty-one, paupers excepted, and resided therein sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

Sec. 4. The said election shall be held in some convenient public place in said town, from eight o'clock in the morning until four o'clock in the evening, and when the polls shall be closed, the Managers shall forthwith count the votes and declare the election, and give notice thereof in writing to the person thereof. The Intendant and Wardens, before entering upon the duties of their offices, 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 Marion, I will equally 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 purposes for which I have been elected: So
help me God." And if any person, upon being elected Intendant or
Warden, shall refuse to act as such, he shall forfeit and pay to the Town
Council the sum of twenty dollars, for the use of said town: Provided,
That no person who has attained the age of sixty years shall be com-
pelled to serve in either of said offices; nor shall any other person be
compelled to serve more than one year in any term of three years. The
Intendant and Wardens, for the time being, shall always appoint one or
more Boards of Managers, three Managers for each Board, to conduct
the election, who, before they open the polls, shall take an oath fairly and
impartially to conduct the same.

Sec. 5. That in case a vacancy shall occur in the office of Intendant or
any of the Wardens, by death, resignation, removal, or otherwise, an
election to fill such vacancy shall be held by the appointment of the In-
tendant and Warden or Wardens, as the case may be, ten days' previous
notice being given; and in case of sickness or temporary absence of the
Intendant, the Wardens, forming a Council, shall be empowered to elect
one of their number to act as Intendant during the time.

Sec. 6. That the Intendant and Wardens, duly elected and qualified,
shall, during their term of service, severally and respectively, be vested
with all the powers of Magistrates or Justices of the Peace, as the case
may be, in this State, within the limits of the said town, except for the
trial of small and mean causes. 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 as the Town
Council of Marion. And they and their successors hereafter to be elected
may have a common seal, which shall be affixed to all their ordinances; may
sue and be sued, plead and be impleaded, in any Court of law or equity
in this State, and purchase, hold, possess and enjoy, to them and their
successors, in perpetuity or for any term of years, any estate, real, per-
sonal or mixed, and sell, alien and convey the same: Provided, The same
shall not exceed, at any one time, the sum of ten thousand dollars. And
the Intendant and Wardens shall have full power to make and establish
all such rules and by-laws and ordinances respecting the roads, streets,
market and police of said town as shall appear to them necessary and
requisite for the security, welfare and convenience of the said town, or for
preserving 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 uses of the said corpora-
tion: Provided, That no fine shall exceed fifty dollars for any one offence;
and, also, that nothing herein contained shall authorize the said Council
to make any by-laws inconsistent with or repugnant to the Constitution
and laws of this State; and all by-laws and ordinances the Council may
make shall at all times be subject to revision or repeal by the Legislature
of this State.

Sec. 7. That the Intendant and Wardens of said town shall have full
power to grant or refuse licenses to keep taverns or retail spirituous
liquors within the corporate limits of said town, upon such conditions
and under such circumstances as to them shall seem proper and right:
Provided, That in no instance shall the price of a license to keep a tavern
or to retail spirituous liquors be at a less sum than is established by the
laws of the State; and all moneys paid for licenses and for fines and for-
feitures for retailing spirituous liquors, keeping taverns and billiard tables within the said limits without licenses, shall be appropriated to the public uses of said town: Provided, That the Intendant and Wardens duly elected and qualified shall not have power to grant any license to keep taverns or retail spirituous liquors to extend beyond the term for which they have been elected.

Sec. 8. That it shall be the duty of the said Intendant and Wardens to keep all roads, streets and ways within their corporate limits open and in good repair; and they may lay out new streets, close up, widen, or otherwise alter those now in use, and for that purpose they are invested with all the powers and duties of surveyors of highways and Selectmen of towns. 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 of said town; and all persons refusing or failing to pay such commutation shall be liable to such fine, not exceeding twenty dollars, as the Town Council may impose.

Sec. 9. They shall also have power to impose an annual tax not exceeding fifty cents on every hundred dollars of the value of all real and personal property lying within the corporate limits of the town, the real and personal property of churches and school associations excepted; 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 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. The said Council shall have power to enforce the payment of all taxes and assessments levied under the authority of this Act against the property 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 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 of all other debts against the said property, except debts due the State, which shall be first paid.

Sec. 10. The said Town Council shall have power and authority to require all persons owning a lot or lots in said town to close in and to make and keep in good repair sidewalks in front of said lot or lots whenever the same shall front or adjoin any public street of said town, if, in the judgment of the Council, such sidewalk shall be necessary, the width thereof and the manner of their construction to be designated and regulated by the said Council; and for default or refusal, after reasonable notice, to make and keep in good repair such sidewalks and to close in such lot or lots, the Town Council may cause the same to be made or put in repair, and require the owner to pay the price of making or repairing. And the said Town Council are hereby empowered to sue for and receive the same by action of debt in any Court of competent jurisdiction: Provided, That such contract for making or repairing be let to the lowest bidder. The cemeteries and graveyards are also placed under the jurisdiction of the Town Council.
SEC. 11. 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 the said town; and they shall also have power to lay out, adopt, widen or otherwise alter those streets now in use, open and keep in repair all such new streets, roads and ways as they may, from time to time, deem necessary for the improvement and convenience of said town: Provided, That no street, road or way shall be opened without first having obtained the consent of the land owner or owners through whose premises any such new street, road or way may pass.

SEC. 12. The said Town Council shall have power, and are hereby authorized, to elect one or more marshals, (in addition to the Sheriff of the County of Marion, who shall also be a marshal of the town,) to fix their salaries and prescribe their duties, who shall be sworn in and invested with all the powers, and subjected to all the duties and liabilities that Constables now have or are subject to by law, in addition to the duties and liabilities specially conferred and imposed on them by the Town Council: Provided, That their jurisdiction shall be confined within the limits of said town.

SEC. 13. That the said Town Council shall have power to establish a guard house, and to prescribe, by ordinance, suitable rules and regulations for keeping and governing the same; and until such guard house shall be established, they shall be authorized to use a room in the common jail of the County of Marion for the confinement of all who may be subject to be committed for violation of any ordinance of the town, passed in conformity to the provisions of this Act; and the said Town Council may, by ordinance, or the said Intendant and Wardens in person, any one or more of them, authorize and require any marshal of the town, or any Constable specially appointed for that purpose, to arrest and commit to the said guard house or jail of Marion County, as the case may be, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of 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 town marshals to arrest and commit all such offenders, when required so to do, who shall have power to call to their assistance the posse comitatus, if need be, to aid in making such arrests; and upon the failure of said marshals 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, which said cost and expenses shall be collected in the same manner as is provided by this Act for the collection of fines imposed for the violation of ordinances: Provided, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offence for which he may have been committed.

SEC. 14. The said Town Council shall have power to collect the taxes from all the persons representing publicly, within their corporate limits, for gain or reward, any plays or shows of what nature or kind whatever, to be used for the purpose of said town.

SEC. 15. All fines which shall hereafter be collected for retailing with-
out license, within the corporate limits of said town, shall be paid, one half to the informer and the other to the Council, for the use of said town.

Sec. 16. The said Town Council shall have full power and authority to abate all nuisances within the corporate limits, and also to appoint a Board of Health for said town, and to pass such ordinances as may be necessary to define the powers and duties, and to impose fines and penalties upon the members of said Board for neglect of duty or refusal to serve: Provided, That no fine hereby authorized to be imposed shall exceed the sum of twenty dollars.

Sec. 17. The Intendant and Wardens elect shall, during their term of office, be exempt from street duty. 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, which account shall be published in one or more papers of the town or County, and shall pay over all moneys in their possession belonging to the corporation, and deliver up all books, records and other papers incident to their office to their successors; and on failure so to do, they shall be liable to be fined in a sum not exceeding five hundred dollars, to be collected by any proper action by the Town Council.

Sec. 18. For any wilful violation or neglect 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, as prescribed in the preceding Section, besides being liable for damages to any person or persons injured.

Sec. 19. That all ordinances heretofore passed by the Town Council of Marion, in conformity with the authority granted by existing laws, shall be, and they are hereby, declared legal and valid.

Sec. 20. All Acts and parts of Acts heretofore passed in relation to the incorporation of the village of Marion be, and the same are hereby, repealed.

Sec. 21. This Act shall be deemed a public Act, and continue in force for the term of fifteen years, and until the end of the session of the Legislature then next ensuing.

Approved March 26, 1869.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO DEFINE THE JURISDICTION AND DUTIES OF COUNTY COMMISSIONERS."

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 an Act entitled "An Act to define the jurisdiction and duties of County Commissioners," passed the twenty-sixth day of September, A. D. 1868, be amended as follows: At the end of Section twenty-nine add: "Provided, That compensation shall not be allowed to any member of the Board of County Commissioners, for exceeding one hundred days in any one year, except to the members of the Board of County Commissioners for the County of Charleston, who shall not be allowed compensation for exceeding one hundred and fifty days, in any one year. Compensation for double this number of days may be allowed to the County Commissioners during the first term of
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office, ending the third Monday in April, A. D. 1870; but in all cases during said period, as well as thereafter, under the limitations, and in the manner following, to-wit: An account shall be made out in items, with dates prefixed, accompanied with an affidavit of the number, stating that the items of such accounts are correct and just, and that the services therein mentioned have been rendered as stated, and no part of said account has been paid. The accounts shall be presented to the County Treasurer, who shall audit, and, if correct, pay the same, out of funds accruing from taxes laid and collected for County purposes."

Sec. 2. That Section twenty-seven of said Act shall be amended by the addition of the following at the end of the Section: "The County shall also pay—

Jurors. 1. The fees of grand and petit jurors while in attendance upon the Circuit Court.

Witnesses. 2. Witness fees in State cases at the rate of one dollar per day for actual attendance on the Circuit Court, and seventy-five cents per day for actual attendance on a Magistrate or Justice of the Peace Court, and five cents per mile for actual and necessary travel.

Post mortem. 3. Fees of physicians and surgeons testifying as experts before a Coroner's Jury, or at the Circuit Court, after a post mortem examination, ten dollars, and five cents per mile for actual and necessary travel.

4. For dieting and keeping persons confined in the County jail, at the rate of fifty cents per day.

Solicitors. 5. Fees of the Circuit Solicitors for services in the County, when not collected from the defendant, at the following rates: In a trial before a jury in civil and criminal cases, or before referees, a docket fee of ten dollars; in cases at law, where judgment is rendered without a jury, seven dollars and fifty cents; said fees to be in lieu of all other compensation whatever.

Clerks. 6. Fees of the Clerks of the Circuit Courts in State cases, at the rate now allowed by law.

Coroners. 7. Fees of the County Coroners at the rates now allowed by law.

Before the accounts of Sheriffs, Circuit Solicitors or Clerks shall be presented to the County Treasurer for payment, they shall be sworn to by said officers, examined and certified to by the Judge presiding in the Circuit Court in the County, approved and ordered to be paid by the County Commissioners.

Sec. 3. Section thirty-four of said Act shall be, and the same is hereby, amended so as to read as follows: The County Commissioners shall assess all taxes for County purposes upon the then last State valuation; and for this purpose shall, on or before the first day of January in each year, obtain from the Auditor of the County (who is hereby authorized and required to furnish the same) a certified copy of the County duplicate, as prescribed in Section seventy-five of the Act entitled "An Act providing for the assessment and taxation of property;" and shall, on or before the fifteenth day of January thereafter, pursuant to authority given by the General Assembly, make out and deliver to the County Treasurer, with their warrant to collect, a tax bill for County purposes. Said tax bill and warrant shall be signed by the County Commissioners, or a majority of them, sealed with their seal, and certified to by their clerk. Said tax bill and warrant shall be the Treasurer's sufficient authority, and he shall proceed thereon to collect the taxes therein laid in the same manner as
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provided by law for the collection of State taxes: Provided, That the County duplicate upon which to levy the tax for the year 1869, for County purposes, may be obtained as soon as practicable after the same is completed by the County Auditor, and the tax assessed, and all subsequent proceedings for the collection of the same be had in the same manner as State taxes for said year are collected.

SEC. 4. The County Commissioners of the several Counties are hereby authorized to levy a tax of three mills on the dollar, if so much, in their judgment, be necessary, for County purposes for the year 1869, to be expended according to law.

SEC. 5. It shall be the duty of the County Commissioners to furnish the County Auditor and Treasurer of their respective Counties office room, together with the necessary furniture, stationery, &c., for the same.

SEC. 6. If the County Commissioners of any County shall fail or neglect to perform the duties imposed upon them by Sections eleven and twelve of said Act by the first day of June, A. D. 1869, the Judge of the Circuit in which said County may be, be, and he is hereby, authorized and required to make all orders and direct all measures necessary to forthwith accomplish the division of said County into townships and the organization of said townships.

Approved March 27, 1869.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A LAND COMMISSIONER, AND TO DEFINE HIS POWERS AND DUTIES.

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 the Advisory Board hereinafter created, is hereby authorized and required to appoint a suitable person to be known as the Land Commissioner of the State of South Carolina; said Commissioner, before entering upon the duties of his office, shall execute to the people of the State of South Carolina a written undertaking, with good and sufficient surety, in the penal sum of twenty thousand dollars, for the faithful discharge of the duties of his office; said undertaking to be approved by the Advisory Board and filed in the office of the Secretary of State. His salary shall be at the rate of two thousand dollars per annum while on duty.

SEC. 2. That said Land Commissioner shall hold his office at the pleasure of the Advisory Board, and before entering upon the duties of his office, shall take and subscribe the oath prescribed in the thirtieth Section of Article two of the Constitution, which oath shall be filed in the office of the Secretary of State.

SEC. 3. That the Governor, Comptroller-General, State Treasurer, Secretary of State, and Attorney-General are hereby declared to be an Advisory Board to the Land Commissioner; and said Commissioner shall, in all the duties imposed upon him by the provisions of this Act, be governed by their instructions and advice.

SEC. 4. That it shall be the duty of the said Land Commissioner to
purchase or cause to be purchased any lands in any portion of the State, improved or unimproved, at such price as the said Advisory Board may determine, not to exceed in the aggregate amount in any one fiscal year the par value of the public stock of this State created by the General Assembly for this purpose.

SEC. 5. The Treasurer of the State is hereby authorized and directed to issue to the Land Commissioner bonds of this State in the sum of two hundred thousand dollars, with coupons attached, if in the opinion of the said Advisory Board so much be necessary, bearing six per cent. interest, the principal payable in twenty years at the Financial Agency of this State in the city of New York; the bonds to be signed by the Governor, countersigned by the Comptroller-General, and the coupons to be signed by the Treasurer of the State. The faith and credit of the State is hereby pledged to the payment of the principal and interest of said bonds, and a sufficient amount of taxes is hereby levied to pay the interest accruing on said bonds annually.

SEC. 6. All lands purchased by said Land Commissioner shall be subdivided into sections, containing not less than twenty-five nor more than one hundred acres, to be sold to actual settlers, subject to the condition that one-half thereof shall be placed under cultivation within five years from the date of such purchase, and that the purchaser shall annually pay interest at the rate of six per cent. per annum upon any moneys remaining unpaid, and also all taxes imposed thereon by the authority of the United States or of this State. And in addition thereto, shall, in every year after the third from the date of said purchase, pay one-fifth of the principal. The title to said land shall remain in the State until the amount of said purchase shall be paid, principal and interest; but a certificate of such purchase shall be assignable at three years from date thereof: Provided, That in every case where a person purchases more than one section of fifty acres, they shall pay on such excess one-fourth in cash, and the balance to be paid in equal annual installments of one-fourth the amount of purchase each year: Provided, That no person shall be entitled to purchase, in his own name, or for his own use, more than one hundred acres.

SEC. 7. It shall be the duty of the said Land Commissioner to deposit with the Treasurer of the State all moneys collected by him as interest due upon the sale of said lands, which shall be used by the Treasurer of the State in the payment of the interest on the stocks and bonds of the State, issued for the purchase of said lands, and to invest in bonds of this State all moneys received by the Land Commissioner in payment for said lands as principal; said State bonds to be deposited with the Treasurer of the State, to constitute a sinking fund for the final payment and redemption of all stocks or bonds issued by the State for the purchase of said lands. The interest accruing on the bonds of the said sinking fund shall be applied to the payment of the interest upon the stocks or bonds of the State issued for the purchase of lands.

SEC. 8. The books and records of the office of the said Land Commissioner shall, at all times, be subject to the inspection of the Advisory Board, or any member thereof; and the said Land Commissioner shall annually make a detailed report of the transactions of his office to the General Assembly.

SEC. 9. The said Land Commissioner, in addition to the compensation
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hereinbefore prescribed, shall receive such fees as the Advisory Board may prescribe, not to exceed, in the aggregate for each title, the sum of ten dollars, the cost of all other papers included. Said fees, also mileage and per diem of the Land Commissioner, shall be paid out of the contingent fund of the State, to be paid by the Treasurer on the certificate of the Advisory Board. And the Land Commissioner shall be allowed such clerical assistance as may be authorized by the Advisory Board, which shall be paid in the same manner.

SEC. 10. The said Land Commissioner shall not purchase from or sell to the State any land, neither shall he engage in speculations in lands, either on his own account or as agent for other persons or corporations, and upon conviction thereof, for every such offense, shall be fined and imprisoned at the discretion of the Court.

SEC. 11. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 27, 1869.

AN ACT TO DETERMINE THE VALUE OF CONTRACTS MADE IN CONFEDERATE STATES NOTES OR THEIR EQUIVALENT.

Whereas, during the years 1861, 1862, 1863, 1864, and part of the year 1865, in the exchange and transfer of real and personal property, Confederate States notes, issued by the so-called Confederate States Government, were used as a basis of value or medium of exchange; and whereas the value of said Confederate States notes was greatly less than the lawful money of the United States; and whereas the payment of debts and obligations contracted during said years in said Confederate States notes is now sought to be enforced in the lawful money of the United States; therefore,

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 the value of all debts and obligations, whether under seal or not under seal, created or contracted in Confederate States notes, or with reference to Confederate States notes as a basis of value, issued by the so-called Confederate States Government, or in or by any bills, bonds or notes assimilated or made equivalent in value to Confederate States notes by any law or custom of trade, during the years 1861, 1862, 1863, 1864 and 1865, shall be determined by the value of said Confederate States notes in the lawful money of the United States at the time such debts or obligations were created or contracted.

SEC. 2. Pursuant to the preceding Section, the value of one dollar of lawful money of the United States in said Confederate States notes is declared as follows, namely:

1. During January and February, 1861, one dollar of lawful money was equal to one dollar and five cents of Confederate States notes.
2. During March, 1861, one dollar of lawful money was equal to one dollar and six cents of Confederate States notes.
3. During April, 1861, one dollar of lawful money was equal to one dollar and seven cents of Confederate States notes.
4. During May, 1861, one dollar of lawful money was equal to one dollar and eight cents of Confederate States notes.

5. During June, 1861, one dollar of lawful money was equal to one dollar and nine cents of Confederate States notes.

6. During July and August, 1861, one dollar of lawful money was equal to one dollar and ten cents of Confederate States notes.

7. During September, 1861, one dollar of lawful money was equal to one dollar and eleven cents of Confederate States notes.

8. On the first day of October, 1861, one dollar of lawful money was equal to one dollar and twelve cents of Confederate States notes, and from day to day thereafter regularly increased in value until the thirty-first day of October, 1861, when one dollar of lawful money was equal to one dollar and fifteen cents of Confederate States notes.

9. On the first day of November, 1861, one dollar of lawful money was equal to one dollar and fifteen cents of Confederate States notes, and from day to day thereafter regularly increased in value until the thirtieth day of November, 1861, when one dollar of lawful money was equal to one dollar and twenty cents of Confederate States notes.

10. On the first day of December, 1861, one dollar of lawful money was equal to one dollar and twenty cents of Confederate States notes, and from day to day thereafter regularly increased in value until the fifteenth day of December, 1861, when one dollar of lawful money was equal to one dollar and thirty cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the thirty-first day of December, 1861, when one dollar of lawful money was equal to one dollar and twenty cents of Confederate States notes.

11. On the first day of January, 1862, one dollar of lawful money was equal to one dollar and twenty cents of Confederate States notes, and from day to day thereafter regularly increased in value until the thirty-first day of January, 1862, when one dollar of lawful money was equal to one dollar and twenty-two cents of Confederate States notes.

12. On the first day of February, 1862, one dollar of lawful money was equal to one dollar and twenty-two cents of Confederate States notes, and from day to day thereafter regularly increased in value until the twenty-eighth day of February, 1862, when one dollar of lawful money was equal to one dollar and forty-eight cents of Confederate States notes.

13. On the first day of March, 1862, one dollar of lawful money was equal to one dollar and forty-eight cents of Confederate States notes, and from day to day thereafter regularly increased in value until the thirty-first day of March, 1862, when one dollar of lawful money was equal to one dollar and seventy-three cents of Confederate States notes.

14. On the first day of April, 1862, one dollar of lawful money was equal to one dollar and seventy-three cents of Confederate States notes, and from day to day thereafter regularly increased in value until the thirtieth day of April, 1862, when one dollar of lawful money was equal to one dollar and eighty-seven cents of Confederate States notes.

15. On the first day of May, 1862, one dollar of lawful money was equal to one dollar and eighty-seven cents of Confederate States notes, and from day to day thereafter regularly increased in value until the thirty-first day of May, 1862, when one dollar of lawful money was equal to one dollar and eighty-nine cents of Confederate States notes.

16. On the first day of June, 1862, one dollar of lawful money was
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equal to one dollar and eighty-nine cents of Confederate States notes, and
from day to day thereafter regularly increased in value until the thirtieth
day of June, 1862, when one dollar of lawful money was equal to one
dollar and ninety cents of Confederate States notes.

17. On the first day of July, 1862, one dollar of lawful money was
equal to one dollar and ninety cents of Confederate States notes, and
from day to day thereafter regularly increased in value until the twentieth
day of July, 1862, when one dollar of lawful money was equal to one dol-
lar and eighty-three cents of Confederate States notes, and from day to
day thereafter regularly increased in value until the thirty-first day of
July, 1862, when one dollar of lawful money was equal to one dollar and
ninety cents of Confederate States notes.

18. On the first day of August, 1862, one dollar of lawful money was
equal to one dollar and ninety cents of Confederate States notes, and from
day to day thereafter regularly decreased in value until the twentieth
day of August, 1862, when one dollar of lawful money was equal to two
dollars and seventeen cents of Confederate States notes.

19. On the first day of September, 1862, one dollar of lawful money was
equal to two dollars and seventeen cents of Confederate States notes,
and from day to day thereafter regularly increased in value until the
thirtieth day of September, 1862, when one dollar of lawful money was
equal to two dollars and twenty-three cents of Confederate States
notes.

20. On the first day of October, 1862, one dollar of lawful money was
equal to two dollars and twenty-three cents in Confederate States notes,
and from day to day thereafter regularly increased in value until the thirty-first
day of October, 1862, when one dollar of lawful money was equal to two
dollars and thirty cents of Confederate States notes.

21. On the first day of November, 1862, one dollar of lawful money was
equal to two dollars and thirty cents of Confederate States notes, and
from day to day thereafter regularly increased in value until the thirtieth
day of November, 1862, when one dollar of lawful money was equal to
two dollars and thirty-three cents of Confederate States notes.

22. On the first day of December, 1862, one dollar of lawful money was
equal to two dollars and thirty-three cents in Confederate States notes,
and from day to day thereafter regularly decreased in value until the twenty-eighth
day of December, 1862, when one dollar of lawful money was
equal to two dollars and thirty-three cents of Confederate States
notes.

23. On the first day of January, 1863, one dollar of lawful money was
equal to two dollars and thirty cents of Confederate States notes, and
from day to day thereafter regularly decreased in value until the thirty-
first day of January, 1863, when one dollar of lawful money was equal
to one dollar and ninety-four cents of Confederate States notes.

24. On the first day of February, 1863, one dollar of lawful money was
equal to one dollar and ninety-four cents of Confederate States notes,
and from day to day thereafter regularly decreased in value until the
twenty-eighth day of February, 1863, when one dollar of lawful money was
equal to one dollar and eighty-nine cents of Confederate States
notes.

25. On the first day of March, 1863, one dollar of lawful money was
equal to one dollar and eighty-nine cents of Confederate States notes, and
from day to day thereafter regularly increased in value until the thirty-
26. On the first day of April, 1863, one dollar of lawful money was equal to three dollars and fifty cents of Confederate States notes, and from day to day thereafter regularly increased in value until the thirtieth day of April, 1863, when one dollar of lawful money was equal to three dollars and eighty cents of Confederate States notes.

27. On the first day of May, 1863, one dollar of lawful money was equal to three dollars and eighty cents of Confederate States notes, and from day to day thereafter regularly increased in value until the thirtieth day of May, 1863, when one dollar of lawful money was equal to four dollars and forty-eight cents of Confederate States notes.

28. On the first day of June, 1863, one dollar of lawful money was equal to four dollars and forty-five cents of Confederate States notes, and from day to day thereafter regularly increased in value until the fifteenth day of June, 1863, when one dollar of lawful money was equal to five dollars and thirteen cents of Confederate States notes, and from day to day thereafter regularly increased in value until the thirtieth day of June, 1863, when one dollar of lawful money was equal to five dollars and forty-seven cents of Confederate States notes.

29. On the first day of July, 1863, one dollar of lawful money was equal to five dollars and fifty-one cents of Confederate States notes, and from day to day thereafter regularly increased in value until the fifteenth day of July, 1863, when one dollar of lawful money was equal to seven dollars and seventy-five cents of Confederate States notes, and from day to day thereafter regularly increased in value until the thirty-first day of July, 1863, when one dollar of lawful money was equal to ten dollars and ninety-three cents of Confederate States notes.

30. On the first day of August, 1863, one dollar of lawful money was equal to ten dollars and eighty-five cents of Confederate States notes, and from day to day thereafter regularly increased in value until the fifteenth day of August, 1863, when one dollar of lawful money was equal to twelve dollars of Confederate States notes, and from day to day thereafter regularly decreased in value until the thirty-first day of August, 1863, when one dollar of lawful money was equal to eleven dollars and two cents of Confederate States notes.

31. On the first day of September, 1863, one dollar of lawful money was equal to eleven dollars and two cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the fifteenth day of September, 1863, when one dollar of lawful money was equal to ten dollars and sixty-eight cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the thirtieth day of September, 1863, when one dollar of lawful money was equal to nine dollars and twenty-two cents of Confederate States notes.

32. On the first day of October, 1863, one dollar of lawful money was equal to nine dollars and twenty-two cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the fifteenth day of October, 1863, when one dollar of lawful money was equal to eight dollars and one cent of Confederate States notes, and from day to day thereafter regularly increased in value until the thirty-first day of October, 1863, when one dollar of lawful money was equal to eight dollars and ninety-six cents of Confederate States notes.
33. On the first day of November, 1863, one dollar of lawful money was equal to eight dollars and ninety-six cents of Confederate States notes, and from day to day thereafter regularly increased in value until the fifteenth day of November, 1863, when one dollar of lawful money was equal to ten dollars and fifty-four cents of Confederate States notes, and from day to day thereafter regularly increased in value until the thirtieth day of November, 1863, when one dollar of lawful money was equal to thirteen dollars and fifty-one cents of Confederate States notes.

34. On the first day of December, 1863, one dollar of lawful money was equal to thirteen dollars and fifty-one cents of Confederate States notes, and from day to day thereafter regularly increased in value until the fifteenth day of December, 1863, when one dollar of lawful money was equal to fourteen dollars of Confederate States notes, and from day to day thereafter regularly increased in value until the thirty-first day of December, 1863, when one dollar of lawful money was equal to thirteen dollars and ninety cents of Confederate States notes.

35. On the first day of January, 1864, one dollar of lawful money was equal to thirteen dollars and ninety cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the thirteenth day of January, 1864, when one dollar of lawful money was equal to twelve dollars and ninety cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the thirty-first day of January, 1864, when one dollar of lawful money was equal to twelve dollars and eighty-two cents of Confederate States notes.

36. On the first day of February, 1864, one dollar of lawful money was equal to twelve dollars and seventy-four cents of Confederate States notes, and from day to day thereafter regularly increased in value until the fifteenth day of February, 1864, when one dollar of lawful money was equal to thirteen dollars and twelve cents of Confederate States notes, and from day to day thereafter regularly increased in value until the twenty-ninth day of February, 1864, when one dollar of lawful money was equal to sixteen dollars and thirty-five cents of Confederate States notes.

37. On the first day of March, 1864, one dollar of lawful money was equal to sixteen dollars and thirty-five cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the fifteenth day of March, 1864, when one dollar of lawful money was equal to eleven dollars and seventy-two cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the thirty-first day of March, 1864, when one dollar of lawful money was equal to eleven dollars and fifty-one cents of Confederate States notes.

38. On the first day of April, 1864, one dollar of lawful money was equal to eleven dollars and forty-four cents of Confederate States notes, and from day to day thereafter regularly increased in value until the fifteenth day of April, 1864, when one dollar of lawful money was equal to twelve dollars and thirteen cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the thirtieth day of April, 1864, when one dollar of lawful money was equal to eleven dollars and ten cents of Confederate States notes.

39. On the first day of May, 1864, one dollar of lawful money was equal to eleven dollars and thirty cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the fifteen
day of May, 1864, when one dollar of lawful money was equal to ten dollars and forty cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the thirty-first day of May, 1864, when one dollar of lawful money was equal to nine dollars and forty-seven cents of Confederate States notes.

40. On the first day of June, 1864, one dollar of lawful money was equal to nine dollars and forty-seven cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the thirtieth day of June, 1864, when one dollar of lawful money was equal to seven dollars and five cents of Confederate States notes.

41. On the first day of July, 1864, one dollar of lawful money was equal to seven dollars and five cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the thirtieth day of July, 1864, when one dollar of lawful money was equal to six dollars and fifty-four cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the thirty-first day of July, 1864, when one dollar of lawful money was equal to eight dollars and fifty-four cents of Confederate States notes.

42. On the first day of August, 1864, one dollar of lawful money was equal to seven dollars and eighty-four cents of Confederate States notes, and from day to day thereafter regularly increased in value until the fifteenth day of August, 1864, when one dollar of lawful money was equal to eight dollars and sixty-two cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the thirty-first day of August, 1864, when one dollar of lawful money was equal to eight dollars and fifty-four cents of Confederate States notes.

43. On the first day of September, 1864, one dollar of lawful money was equal to eight dollars and fifty-four cents of Confederate States notes, and from day to day thereafter regularly increased in value until the fifteenth day of September, 1864, when one dollar of lawful money was equal to nine dollars and eighty-six cents of Confederate States notes, and from day to day thereafter regularly increased in value until the thirtieth day of September, 1864, when one dollar of lawful money was equal to fourteen dollars and six cents of Confederate States notes.

44. On the first day of October, 1864, one dollar of lawful money was equal to fourteen dollars and six cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the fifteenth day of October, 1864, when one dollar of lawful money was equal to eleven dollars and sixty-two cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the thirty-first day of October, 1864, when one dollar of lawful money was equal to thirteen dollars and sixty-one cents of Confederate States notes.

45. On the first day of November, 1864, one dollar of lawful money was equal to eleven dollars and six cents of Confederate States notes, and from day to day thereafter regularly increased in value until the fifteenth day of November, 1864, when one dollar of lawful money was equal to eleven dollars and ninety-one cents of Confederate States notes, and from day to day thereafter regularly increased in value until the thirtieth day of November, 1864, when one dollar of lawful money was equal to thirteen dollars and ninety-one cents of Confederate States notes.

46. On the first day of December, 1864, one dollar of lawful money was equal to fourteen dollars and nine cents of Confederate States notes,
and from day to day thereafter regularly increased in value until the fifteenth day of December, 1864, when one dollar of lawful money was equal to fourteen dollars and eighty-nine cents of Confederate States notes, and from day to day thereafter regularly increased in value until the thirty-first day of December, 1864, when one dollar of lawful money was equal to twenty-two dollars and twenty-two cents of Confederate States notes.

47. On the first day of January, 1865, one dollar of lawful money was equal to twenty-six dollars of Confederate States notes, and from day to day thereafter regularly increased in value until the fifteenth day of January, 1865, when one dollar of lawful money was equal to twenty-nine dollars and sixty-three cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the thirty-first day of January, 1865, when one dollar of lawful money was equal to twenty-four dollars and thirty-nine cents of Confederate States notes.

48. On the first day of February, 1865, one dollar of lawful money was equal to twenty-four dollars and fifty-one cents of Confederate States notes, and from day to day thereafter regularly decreased in value until the fifteenth day of February, 1865, when one dollar of lawful money was equal to twenty-two dollars and eighty-six cents of Confederate States notes, and from day to day thereafter regularly increased in value until the twenty-eighth day of February, 1865, when one dollar of lawful money was equal to twenty-sevedollars and twenty-two cents of Confederate States notes.

49. On the first day of March, 1865, one dollar of lawful money was equal to twenty-seven dollars and fifty cents of Confederate States notes, and from day to day thereafter regularly increased in value until the fifteenth day of March, 1865, when one dollar of lawful money was equal to thirty-two dollars and twenty cents of Confederate States notes, and from day to day thereafter regularly increased in value until the thirty-first day of March, 1865, when one dollar of lawful money was equal to forty-six dollars and thirty-five cents of Confederate States notes.

50. On the first day of April, 1865, one dollar of lawful money was equal to forty-six dollars and thirty-five cents of Confederate States notes, and from day to day thereafter regularly increased in value until the fifteenth day of April, 1865, when one dollar of lawful money was equal to fifty-four dollars and seventy-nine cents of Confederate States notes, and from day to day thereafter regularly increased in value until the twentieth day of April, 1865, when one dollar of lawful money was equal to sixty-eight dollars and forty-nine cents of Confederate States notes, and from day to day thereafter regularly increased in value until the first day of May, 1865, when one dollar of lawful money was equal to one hundred and thirty-two dollars and forty-five cents of Confederate States notes, and from day to day thereafter regularly increased in value until the first day of May, 1865, when one dollar of lawful money was equal to one hundred and thirty-three dollars and thirty-three cents of Confederate States notes.

SEC. 3. In ascertaining the value of contracts under this Act, no division of time less than one day will be noticed.

SEC. 4. All laws or parts of laws inconsistent with, or supplied by, this Act are hereby repealed.

Approved March 26, 1869.
A. D. 1868.

JOINT RESOLUTIONS.

No. 1. JOINT RESOLUTION FOR THE RELIEF OF MRS. MARY A. C. HOBBS.

Be it resolved 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 the petition of Mrs. Mary A. C. Hobbs to be relieved of a double tax be granted: Provided, She pays all costs.

Approved December 11, 1868.

No. 2. JOINT RESOLUTION AUTHORIZING THE TREASURER TO PAY TO DR. ALFRED RAOUL THREE HUNDRED AND FIFTEEN DOLLARS FOR SERVICES AS PHYSICIAN TO CHARLESTON JAIL AND FOR MEDICINES FURNISHED PRISONERS.

Be it resolved 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 the Treasurer of the State be, and is hereby, directed to pay to Dr. Alfred Raoul the sum of three hundred and fifteen dollars ($315) out of any moneys in the Treasury not otherwise appropriated, for three months' service as Physician of the Charleston Jail and for medicines furnished prisoners confined in the same during the months of January, February and March, 1867.

Approved December 21, 1868.

No. 3. JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO PAY TO THE CHAIRMAN OF BOARD OF COMMISSIONERS OF ELECTIONS, APPOINTED BY CONSTITUTIONAL CONVENTION, THREE HUNDRED AND TWENTY-NINE DOLLARS.

Be it resolved 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 the State Treasurer be, and he is hereby, authorized to pay to the Chairman of the Board of Commissioners of Elections, appointed by the Constitutional Convention, the sum of three hundred and twenty-nine (329) dollars out of any money in the State Treasury not otherwise appropriated.

Approved December 21, 1868.
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JOINT RESOLUTION directinG THE State Treasurer to pay to S. L. Leaphart $184 93-100 for extra services as Comptroller-General during the months of July and August.

Be it resolved 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 the State Treasurer be, and is hereby, directed to pay to S. L. Leaphart the sum of ($184.93) one hundred and eighty-four dollars for extra services performed during the months of July and August, 1868, agreeably to resolution of General Assembly, and the amount aforesaid is hereby appropriated for said purpose.

Approved February 4, 1869.

JOINT RESOLUTION authorizing the Governor to employ an armed force for the preservation of the peace.

SEC. 1. Be it resolved 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 the Governor of the State, with the assistance of the Adjutant-General, be, and he is hereby, authorized to enlist a company of one hundred men, or more, if in his opinion more be needed, who shall be fully armed and equipped, and, if necessary, be mounted, and that when in any County in this State it shall become impossible, from any cause, to enforce the laws and keep the peace by the ordinary civil processes, the Governor shall have, and is hereby given, authority to send as many of the aforesaid armed and equipped men into said County as, in his judgment, may be necessary to quell such disturbance and arrest the guilty parties; and that, in order to carry out the intent of this resolution, the Governor is hereby authorized to exercise any or all of the powers conferred upon him by an Act entitled "An Act to suppress insurrection and rebellion," passed on the twenty-second day of September, 1868.

SEC. 2. That the men so enlisted shall be properly officered and controlled; and that said officers and men shall receive, while in the service of the State, the same pay and allowances as are given to soldiers and to officers of the same grade in the army of the United States.

SEC. 3. Any and all expenses incurred in carrying into effect the provisions of this resolution, shall be paid out of any funds in the Treasury not otherwise appropriated; and the State shall be reimbursed for any such outlay by the levy of a special tax, in addition to all other taxes, to be collected from the people of any County into which, for the preservation of the peace, the Governor is compelled to send the force provided for in this resolution.

SEC. 4. This resolution shall remain of full force and effect until the militia of the State is organized and ready for service.

Approved February 8, 1869.
JOINT RESOLUTION RELIEVING E. W. OLIVER, LATE SHERIFF OF FAIRFIELD COUNTY, OF A PENALTY OF FIVE PER CENT. PER MONTH UPON EXECUTIONS NOT RETURNED BY HIM.

Be it resolved 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 E. W. Oliver, late Sheriff of Fairfield County, be, and is hereby, relieved of the penalty of five (5) per cent. per month upon executions not returned by him within the time allowed by law during the year 1867.

Approved February 13, 1869.

JOINT RESOLUTION INSTRUCTING THE STATE TREASURER TO PAY THE ACCOUNT OF B. H. RICE & CO. IN UNITED STATES CURRENCY.

Be it resolved 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 the State Treasurer be, and he is hereby, instructed to pay the account of B. H. Rice & Co., $7,326.62, for articles furnished State Penitentiary, in United States currency.

In the Senate House the fifth day of March, in the year of our Lord one thousand eight hundred and sixty-nine.

D. T. CORBIN, President of the Senate pro tem.
FRANKLIN J. MOSES, JR., Speaker House of Representatives.

OFFICE SECRETARY OF STATE,
COLUMBIA, S. C., March 9, 1869.

The foregoing Act having been presented to the Governor of this State for his approval, and not having been returned by him to the branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

F. L. CARDOZO,
Secretary of State of South Carolina.

JOINT RESOLUTION TO PROVIDE FOR THE FITTING UP OF CERTAIN PORTIONS OF THE STATE HOUSE.

SECTION 1. Be it resolved 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 His Excellency the Governor is hereby authorized and empowered to invite proposals to complete so much of the State House as will be necessary for the accommodation of the Executive, Judicial and Legislative Departments, and to enter into a speci-
fied contract with such person or persons as he may deem proper, and for the best interests of the State, requiring from the contractor sufficient bonds to secure the State from any loss, and to insure the fulfillment of the contract.

SEC. 2. That the Governor be, and he is hereby, authorized and empowered to draw from the State Treasury, on demand of the contractor, such sums as the contractor may, from time to time, as the work progresses, call for, not to exceed the sum of twenty-five thousand (25,000) dollars.

SEC. 3. That the Governor shall make such conditions with the contractor, that the work shall be completed on the first day of November next; and that the Governor is requested, at the next regular session of the General Assembly thereafter, to make a full and specified report of the transaction.

Approved March 13, 1869.

JOINT RESOLUTION RELIEVING J. M. WILDER, LATE SHERIFF OF SUMTER COUNTY, OF THE PENALTY OF FIVE PER CENT. PER MONTH UPON EXECUTIONS NOT RETURNED BY HIM.

Be it resolved 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 J. M. Wilder, late Sheriff of Sumter County, be, and he is hereby, relieved of the penalty of (5) five per cent. per month upon executions not returned by him within the time allowed by law during the year 1867.

Approved March 13, 1869.

JOINT RESOLUTION AUTHORIZING THE GOVERNOR TO PURCHASE TWO THOUSAND STANDS OF ARMS OF THE MOST IMPROVED PATTERN, WITH USUAL COMPLEMENT OF AMMUNITION.

Be it resolved 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 the Governor be, and he is hereby, empowered to purchase, for the use of the State, two thousand stands of arms, of the most improved pattern: Provided, That a serviceable and satisfactory arm cannot be procured from the United States; with the usual complement of ammunition, and that the same be paid for out of any money in the Treasury not otherwise appropriated.

Approved March 16, 1869.

JOINT RESOLUTION AUTHORIZING THE GOVERNOR TO CAUSE SUIT TO BE INSTITUTED AGAINST THE LAURENS RAILROAD COMPANY, TO PROTECT THE INTERESTS OF THE STATE.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the
A D. 1869.  
Proceedings to be instituted.  

Authority of the same, that the Governor be, and he is hereby, authorized and requested to cause to be instituted forthwith, for and on behalf of the State, legal or other proceedings against the Laurens Railroad Company, for the purpose of enforcing the payment of all interest due on the bonds of said company whenever the guaranty of the State is endorsed, and protecting and securing the State against any loss or damage by reason of said guaranty; and to this end to enforce the rights of the State by virtue of the statutory lien or mortgage held by the State on the property of the said company.

Approved March 16, 1869.

No. 12. JOINT RESOLUTION RATIFYING THE FIFTEENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

Preamble. Whereas both Houses of the Fortieth Congress of the United States of America, at its third session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America in the following words, to-wit:

A RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, (two-thirds of both Houses concurring,) That the following Article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as part of the Constitution, namely:

ARTICLE XV.

Fifteenth amendment.  

Sec. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State, on account of race, color, or previous condition of servitude.

Sec. 2. The Congress shall have power to enforce this Article by appropriate legislation.

Ratified.  

Section 1. Therefore, be it resolved 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 the said proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the General Assembly of the State of South Carolina.

Sec. 2. That certified copies of this preamble and joint resolution be forwarded by the Governor of this State to the President of the United States, to the presiding officer of the United States Senate, and to the Speaker of the United States House of Representatives.

Approved March 16, 1869.
JOINT RESOLUTION TO PROVIDE FOR THE PUBLICATION OF THE ACTS, REPORTS, RESOLUTIONS AND JOURNALS OF THE GENERAL ASSEMBLY.

Be it resolved 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 the Attorney-General and Secretary of State be, and they are hereby, authorized to provide for the publication, in such newspapers of the State as may by them be deemed necessary, of the Acts and Resolutions of the General Assembly. And they are further authorized to arrange and prepare three thousand five hundred (3,500) copies of the same for publication in pamphlet form, and superintend the execution of the work; and the Treasurer is hereby authorized and directed to pay all accounts for the said work, after being duly audited by the Attorney-General and Secretary of State, out of any funds appropriated for the payment of the expenses of the General Assembly. The Attorney-General and Secretary of State be, and they are hereby, authorized to audit the accounts for all other permanent printing for the General Assembly, and the Treasurer is authorized and directed to pay the same out of any moneys in the Treasury appropriated for the payment of the expenses of the General Assembly. On the completion of the permanent work, it shall be delivered to the Secretary of State, who is hereby directed to forward, by mail or otherwise, as he may deem expedient, a copy to each of the members of the General Assembly, and one to each of the State and County officers entitled to the same.

Approved March 19, 1869.

JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE COMPTROLLER-GENERAL OF THE STATE TO PROVIDE AND FURNISH OFFICES FOR OFFICERS OF THE EXECUTIVE DEPARTMENT.

SECTION 1. Be it resolved 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 the Comptroller-General of the State be, and he is hereby, authorized and directed, upon his receipt of a written application from any officer of the State Executive Department, to provide and furnish an office for the use of said officer.

SEC. 2. That all accounts of expenses, incurred in carrying out the provisions of this Act, shall be audited by the Comptroller-General, who shall, if he approve the same, draw his warrant for the payment thereof on the State Treasurer, who shall pay the same out of the contingent fund of the State.

Approved March 23, 1869.
JOINT RESOLUTION to authorize the Governor of the State to fill the vacancies now existing in the State Board of Equalization.

Whereas, by inadvertence, the Governor of the State failed to give notice of the election of members of the State Board of Equalization, at the last general election in this State, in accordance with the provisions of the sixty-seventh Section of "An Act providing for the assessment and taxation of property," passed September 15, 1868; therefore,

Be it resolved 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 the Governor of the State be, and he is hereby, authorized and required to fill the existing vacancies in the State Board of Equalization, by the appointment of some suitable person, who shall be a resident and elector of the district for which he is appointed, for each Congressional District in the State.

Approved March 25, 1869.

No. 16. JOINT RESOLUTION authorizing the State Treasurer to apportion to the several Counties the appropriation of $25,000 authorized in General Order No. 139, of December 3, 1867, Headquarters Second Military District, for the support of Free Schools, same to be paid over to the respective County Treasurers, in order to pay claims of teachers.

Be it resolved 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 the State Treasurer be, and he is hereby, authorized to apportion to the several Counties of the State, according to the number of their representatives in the lower branch of the General Assembly, the appropriation of twenty-five thousand dollars authorized in General Order No. 139, issued by General Canby, and bearing date December 3, 1867, for the support of free schools, and to pay over the amount each County may be entitled to under said apportionment to the Treasurer thereof, who shall be, and is hereby, empowered to pay the claims of all teachers for services rendered in his County during the year commencing October 31, 1867, in accordance with the provisions of the aforesaid General Order, after said claims shall have been certified by the School Commissioners of said County and approved by the State Superintendent of Education: Provided, That all such claims shall be presented for payment on or before the thirtieth day of June, A. D. 1869: And provided further, That if, in any County, the amount of claims presented shall be in excess of the amount of money apportioned to said County, said claims shall be paid pro rata.

Approved March 26, 1869.
JOINT RESOLUTION to authorize the Secretary of State to purchase, for distribution and exchange, certain State Reports.

Be it resolved 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 the Secretary of State be, and he is hereby, authorized to purchase, for distribution, such of the previous volumes of the State Reports, both of law and equity, as he may deem necessary to complete the exchanges now being made with the other States of this Union: Provided, The amount of expense does not exceed five hundred (500) dollars.

Approved March 26, 1869.

JOINT RESOLUTION to dissolve the Board of Special Commissioners appointed for Oconee County, under an Ordinance of the Constitutional Convention entitled “An Ordinance to Divide Pickens District into two Election and Judicial Districts,” adopted the 29th day of January, A. D. 1868.

Whereas, by an Ordinance of the Constitutional Convention of South Carolina, adopted the twenty-ninth day of January, A. D. 1868, entitled “An Ordinance to divide Pickens District into two Election and Judicial Districts,” a special Commission, consisting of five persons from each of the Counties of Oconee and Pickens, was appointed, whose duty it was made to select suitable locations for the public buildings in said Counties, to purchase lands in the name of the State, and sell them in lots to raise funds for the erection of said public buildings; and whereas the special Commissioners of Oconee County, in pursuance of the powers vested in them by said Ordinance, did locate the County seat for Oconee County at Walhalla, and discharged the duties devolving on them to the extent of selling said lands in lots and taking a bond from responsible parties for the erection of public buildings for the proceeds of said sale of lots in July last; and whereas the special Board of Commissioners has been virtually dissolved by the removal of some of its members from and without the limits of this State, and the desire of others to be relieved, on account of important public and private business, and the great distance at which they live from the County seat; and whereas, by an Act entitled “An Act to define the jurisdiction and duties of County Commissioners,” it is specially incumbent on the County Commissioners to superintend all public works in the County; therefore,

SECTION 1. Be it resolved 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 said Board of Special Commissioners be, and is hereby, dissolved, and that the powers and duties vested in it be hereafter discharged by the Board of County Commission-
Powers of County Commissioners.

Sec. 1. That it shall be the duty of the Chairman of said special Commission to turn over to the Board of County Commissioners, all moneys on hand, notes, and other evidences of debt, together with all records and other papers belonging to said Special Board.

Responsibility in case of failure.

Sec. 2. That it shall be the duty of the Chairman of said special Commission to look over the moneys and papers, and who shall also have power to assess a County tax, if necessary, to meet any additional expenses incurred, and to provide offices for County officers, and a room for holding Court at Walhalla, until the court house is completed.

Sec. 3. That each and every member of the said special Commission shall be held individually responsible for any neglect of duty or unauthorized proceeding on his part up to the time of transfer, and for the failure, on the part of any Commissioner or Commissioners, whose duty it may be to comply with the provisions of the preceding Section, and that the Chairman of said Board, upon failure to comply with provisions embraced in the preceding Section, after ten days' notice from the Chairman of the Board of County Commissioners, shall be held responsible to the extent of damages arising thereon and fifty per cent.

Approved March 26, 1869.

No. 19. JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF OCONEE COUNTY TO SELL THE INTEREST OF THE STATE IN THE KEOWEE AND TUCKASEEGEE TURNPIKE COMPANY.

Be it resolved 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 the County Commissioners of the County of Oconee be, and they are hereby, authorized to sell to the highest bidder, after due notice given through the public press of said County or otherwise, all the interest of the State in the road known as the Keowee and Tuckaseegee Turnpike Road. The proceeds of said sale, after deducting all needful expenses, to be paid into the Treasury of the State: Provided, That the purchaser or purchasers shall bind himself or themselves to put and keep said highway in good repair, and be liable to all parties injured, in person or property, by his or their neglect so to do. Failure to comply with these conditions shall work a forfeiture to the State of all property and privilege conveyed under this resolution.

Approved March 26, 1869.

No. 20. JOINT RESOLUTION TO APPOINT A COMMITTEE OF INVESTIGATION FOR THIRD CONGRESSIONAL DISTRICT.

Section 1. Be it resolved 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 a Committee, consisting of two members of the Senate and five members of the House, is hereby created and empowered to proceed, during the recess, to thoroughly investigate the disordered state of affairs in the Third Congressional District, and the causes of the intimidation, outrages and murders perpetrated preceding and at the late general election, whereby it is stated that a fair and unbiased expression of the people's choice could not, and was not, given; and of the existence of organizations inimical to the peace and well being of the State.

SEC. 2. Said Committee may proceed to the various Counties embraced in the Third Congressional District, and are empowered to compel the attendance of witnesses, and to send for papers. They may also employ a stenographer, and, if necessary, may employ a lawyer to assist in the investigation.

SEC. 3. Said Committee shall be appointed by the presiding officers of the Senate and House of Representatives, and shall be composed of at least two Democratic members. They shall receive the same per diem and mileage, while actually engaged, as is paid to members of the General Assembly, the same being paid in the usual way, from any money in the Treasury not otherwise appropriated.

SEC. 4. His Excellency the Governor is hereby requested to furnish said Committee all information in his possession bearing upon the object of this investigation, and is hereby required to furnish them all necessary facilities and protection in visiting the Counties.

Approved March 26, 1869.

JOINT RESOLUTION TO AUTHORIZE THE SECRETARY OF STATE TO PURCHASE THIRTY-EIGHT COPIES OF RICHARDSON'S REPORTS, &C.

Whereas the copies of the State Reports, authorized to be purchased by law, are not sufficient to complete our exchanges with the other States; therefore,

Be it resolved 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 the Secretary of State be, and he is hereby, authorized to purchase thirty-eight copies of Richardson's Equity Reports, Volume 13; thirty-eight copies of Richardson's Law Reports, Volume 14; and also a like number of Richardson's Law and Equity, Volume 13, and Volume 12, Equity.

Approved March 26, 1869.
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