ACTS 1819

AND

RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

State of South-Carolina.

PASSED IN DECEMBER, 1819,

COLUMBIA:
PRINTED BY D. FAUST—1829.
An ACT to raise supplies for the year one thousand eight hundred and nineteen, and for other purposes therein mentioned.

BE it enacted by the honorable the Senate and House of Representatives, now met and sitting in general assembly, and by the authority of the same, That a tax for the sums, and in the manner hereinafter mentioned, shall be raised and paid into the public treasury of this state, and for the use and service thereof.

And be it enacted by the authority aforesaid, That a tax to be raised, Thirty-seven and half cents ad valorem, on every hundred dollars, be paid in specie, paper medium, or in the notes of the incorporated banks of this state, on all lands granted within this state.

And be it further enacted by the authority aforesaid, That Tax on seventy-five cents per head shall be levied on all slaves of all ages and descriptions; the sum of two dollars per head on all free negroes, mulattoes and mustizoes, except such as shall be clearly proved to the satisfaction of the collectors to be incapable from means or otherwise of providing a livelihood, between the ages of fifteen and fifty; and thirty-seven and a half cents ad valorem on every hundred dollars of the value of all lots and lands, and buildings within any city, town, village or borough; and seventy-five cents per hundred dollars on all stock in trade, factories, employments, faculties and professions, (clergy men, school masters, school mistresses and mechanics excepted,) to be ascertained and valued by the assessors and collectors throughout this state, according to the best of their knowledge and information, to be paid in specie, paper medium, or the notes of the banks of the state of South Carolina.

And be it further enacted by the authority aforesaid, That every person entitled to any taxable property or estate in this state, who resides without the limits of the United States, shall pay for the use of this state, a triple tax on the same; but this clause shall not be construed to extend to any person sent, or hereafter to be sent abroad in the service of the United States, or of this state, until one year after the expiration of his commission.
And be it further enacted by the authority aforesaid, That all persons representing for gain or reward, any play, comedy, tragedy, farce or interlude, or other employment of the stage, or any part therein, and those who exhibit wax-figures, or shows of any kind whatsoever, shall pay a tax of five dollars per day to the clerks of the courts of the district within which they make their exhibitions, who shall pay over the said tax into the public treasury annually; and in case of the non-payment on demand, the clerks of the said courts, or any justice of the peace or of the quorum, shall, and they are hereby required and empowered forthwith to issue an execution, directed to the sheriff, or any constable of the said district, against the body or goods of the person or persons hereby declared liable to pay the tax aforesaid: Provided nevertheless, That nothing herein contained shall be construed to extend to any town or city now incorporated.

And be it further enacted by the authority aforesaid, That from and after the passing of this act, the tax collectors for Horry district and for Saint James, Goose Creek, shall be allowed the sum of ten per cent. on all sums of money paid into their hands for taxes. The tax collectors for the districts of Barnwell, Chesterfield, Clarendon, Chester, Darlington, Greenville, Lexington, Lancaster, Lewisburgh, Laurens, Marlborough, Newberry, Orange, Pendleton, Spartanburg, Salem, Union, York, Saint Andrews, All Saints, Christ Church, Saint Georges, Dorchester; Saint John's, Berkley; Saint James, San tee; Marion, Saint Peters, Saint Pauls, Saint Stephens; Saint Thomas and Saint Dennis, Prince Williams, Williamsburgh, and Saint Lukes, be, and they are hereby respectively allowed seven per cent. on all sums of money paid into their hands for taxes. And all other tax collectors shall receive the same per centage as heretofore.

And be it further enacted by the authority aforesaid, That the Phoenix Insurance Company, be, and they are hereby authorised and permitted to underwrite any policy or policies of Insurance of any kind whatsoever, and of any value, as fully and as completely as they were permitted to do anterior to the act for the year one thousand eight hundred and fourteen: Provided the said company pay into the treasury of this state, the sum of four thousand dollars.

And be it further enacted by the authority aforesaid, That all returns of stock in trade, shall have relation to the first day of January in each year, and not to the first day of October as heretofore.

And be it further enacted by the authority aforesaid, That
any tax collector within this state, shall neglect or refuse to make his return, and pay the taxes within the time prescribed by law, which had been received by him, it shall be the duty of the treasurer, within whose division such default shall be made, in addition to the coercive power which he now possesses, to charge the said collector with interest, at the rate of fifteen per cent. per annum, from the time he ought to have made such return and paid the taxes, to the time of such settlement.

And be it further enacted by the authority aforesaid, that the several tax collectors throughout this state, except the collector for the parish of St. Philip and St. Michael, shall make their return and settlement by the first Monday in June in every year.

And be it further enacted by the authority aforesaid, that it shall be the duty of the treasurers of the upper and of the lower division, the attorney-general, the commissioner of Columbia, the solicitors, and of every other person, having in his possession the evidence of any debt due to the state on the first day of October next, to furnish the Comptroller-general with a statement thereof, shewing the names of the debtors, the amount of the debt, the interest, the payments and the balance due the state; from which statement, as well as from any other information which he can obtain, the Comptroller-general shall make a general statement, shewing all monies due the state, (except the old bonds given for confiscated property,) and to lay the same before the legislature with his annual report; and should either of the public officers aforesaid, fail to furnish the Comptroller with the information above required, he shall forfeit and pay the sum of two hundred dollars, to be recovered by action of debt in any court of law in this state, having competent jurisdiction.

And be it further enacted by the authority aforesaid, that from and after the passing of this act, it shall not be necessary for the Comptroller-general to draw any special or general warrant upon the Treasurers, for any monies which are required by law to be paid out of the treasury, except the appropriations for internal improvements, or such other appropriations, as may by the legislature be ordered to be paid under his direction.

And be it further enacted by the authority aforesaid, that the commissioners of free schools be, and they are hereby authorised to draw on the treasury of the division in which they may reside, for the monies appropriated for free schools, in the same manner as they have been heretofore authorised to draw on the Comptroller-general.
Provided, that the said commissioners in the respective districts and parishes, do make returns agreeable to law, in each year to the legislature; and if the commissioners of any district or parish, shall fail to make such return, the appropriation for that district or parish, for the year for which no return shall be made, shall not be paid by the treasury department, unless such return be submitted to and approved by a subsequent legislature.

And be it further enacted by the authority aforesaid, That the treasurer of each division be, and he is hereby authorised to pay the salaries of the officers resident in his division; the contingent accounts passed against his division; the jurors' and constables' certificates for attendance on courts within his division; and all other appropriations shall be paid by the treasurer of the upper division, unless otherwise directed by law; and it shall be the duty of each of the said Treasurers, whenever they shall make any payment, to take a duplicate receipt and forward the same to the Comptroller-general, with his monthly report.

And be it further enacted by the authority aforesaid, That it shall be the duty of the several clerks of the courts in this state, to collect and receive all fines inflicted and forfeitures incurred in their respective courts, and to pay the same over to the treasury of the division in which they reside, respectively, on or before the first day of October next, and on or before the first day of October in each and every year; and to render an account thereof to the Comptroller-general, as heretofore required by law.

And be it further enacted by the authority aforesaid, That a further indulgence of one year be granted to the securities of Daniel D'Oyley.

Whereas, an act passed the fourteenth day of December, one thousand eight hundred and nineteen, entitled "an act to lengthen the term of the sittings of the courts of common pleas and general sessions for the judicial district of Horry, and for other purposes therein mentioned," directs the judges of the courts of common pleas and general sessions to meet on the first Monday after the fourth Monday in March and October, at Conwayborough to hold the courts; and whereas it was not the meaning and intent of the legislature, that all the judges should meet in manner and for the purposes mentioned in said act:

Be it therefore enacted by the authority aforesaid, That the court of sessions and common pleas for Horry district, shall be held at Horry court-house, on the first Monday after the fourth Monday in March and October in every
year, to sit for six days if it be necessary; and that so much of the said act as is repugnant to the intent and meaning of this act, be, and the same is hereby repealed.

In the Senate House, the eighteenth day of December, in the Year of our Lord, one thousand eight hundred and nineteen, and in the forty-fourth Year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

An ACT to make Appropriations for the year one thousand eight hundred and nineteen, and for other purposes there-in mentioned.

Be it enacted by the honorable the Senate and House of Representatives, now met and sitting in general assembly, and by the authority of the same, That the following sums be appropriated for the salaries of the public officers, and other expenses and purposes of government:

For the salary of the governor, three thousand five hundred dollars.

For the salary of the secretary of the governor, four hundred and thirty dollars.

For the salaries of six judges of the court of common pleas, each three thousand five hundred dollars.

For the salary of one judge of the court of common pleas, two thousand five hundred and seventy-two dollars.

For the salaries of five judges of the court of equity, each three thousand five hundred dollars.

For the salary of the attorney-general, twelve hundred dollars.

For the salary of the comptroller-general, and stationary included, two thousand five hundred dollars.

For a clerk to the comptroller-general, one thousand dollars: which clerk shall be appointed by and removable at the pleasure of the comptroller-general.

For the salaries of five circuit solicitors, in lieu of all charges against the state for the performance of every public duty appertaining to their respective offices, each seven hundred dollars.

For the salary of the treasurer in Charleston, for the transacting the business of the loan office and clerks, two thousand six hundred and fifty-eight dollars.

For the salary of the treasurer in Columbia, including clerks, two thousand dollars.

For the salaries of the clerks of the senate and house of representatives, each twelve hundred and thirty dollars; to be paid at the adjournment of the legislature.
For a contingent fund, subject to the draft of the governor, for the expenditure of which he shall submit an annual account to the legislature, six thousand dollars.

For procuring a map of the state, nine thousand dollars, if so much be necessary.

For the transient poor, payable to the city council of Charleston, eight thousand dollars.

For the city council of Charleston, to execute the quarantine laws, one thousand dollars.

For the expenses of the members of the legislature at the present session, and pay to the solicitors for their attendance, seventeen thousand dollars, if so much be necessary.

For two door-keepers of the legislature, each two hundred and fifty dollars, to be paid at the adjournment of the legislature.

For two messengers, each two hundred and fifty dollars, to be paid at the adjournment of the legislature.

For the rent of the governor's house in Columbia, two hundred and fifty dollars.

For the discharge of the contingent expenses of the lower division, a sum not exceeding six thousand dollars.

For the discharge of the contingent expenses of the upper division, a sum not exceeding fifteen thousand dollars, if so much be necessary.

For aid in supporting the transient poor of Georgetown, the sum of five hundred dollars, to be paid to the commissioners of the poor, of Prince George Winyaw, to be laid out and expended by them, for the use of the transient poor; the said commissioners to publish annually in the Georgetown Gazette, the names of all such transient poor, and the sum laid out for each, as may have been relieved by this fund, and shall return an account on oath to the Comptroller of such expenditure, to be submitted by him to the legislature.

For the salary of two tutors in the South-Carolina College, each one thousand dollars.

For the professors of chemistry, of logic and moral philosophy, of languages, and of the mathematics, of the South-Carolina College, the sum of two thousand dollars.

For the president of the South-Carolina College, the sum of three thousand dollars.

For commons and other incidental expenses of one boy in college from the orphan-house, for the ensuing year, to be placed in the hands of William E. Hayne for the use of said boy, two hundred and sixty dollars.

For the pay of the magazine guard, to consist of an offi-
cer, sergeant and twelve men, to be paid by and under the direction of the comptroller-general, four thousand dollars.

For the guard in Camden, to consist of a subaltern and ten men, two thousand dollars.

For the assessors of the parishes of St. Michael and St. Philip, five hundred dollars.

For aid in support of the transient poor of Beaufort, five hundred dollars: to be paid to the town council of Beaufort, who shall make an annual return on oath to the comptroller-general, which shall be submitted by him to the legislature, containing the names and numbers of those relieved, and the sums appropriated for the benefit of each individual.

And be it further enacted, That the different tax-collectors throughout the state, shall hereafter be required to leave with the treasurer of the division to which they shall be attached, such returns as are now required by law to be left with the comptroller-general.

And be it further enacted, That all payments hereafter to be made by the treasurers of the upper and lower divisions of this state, shall be by drafts or checks upon the Bank of the State of South-Carolina, or its branches, and in no other way.

And be it further enacted, That no payment of money shall be made by any public officer in this state, in any other manner than by a check or draft on the Bank of the State of South-Carolina, or its branches nearest to the treasury, so as to make it necessary for such public officer to deposit his money in said bank or its branches, previous to his making such payment.

And be it further enacted by the authority aforesaid, That the three last clauses be permanent laws.

And be it further enacted, That the sum of thirty-seven thousand dollars be appropriated for the support of free schools: and that the commissioners of free schools be authorised to draw for the unexpended balance of appropriation heretofore made for the schools in their several districts.

For the salary of the librarian of the South-Carolina college, four hundred dollars.

For the librarian of the legislature, one hundred dollars.

For public buildings, as agreed to by both branches of the legislature at the present session, eighty-three thousand dollars, if so much be necessary.

For claims agreed to by both branches of the legislature at the present session, twenty thousand dollars, if so much be necessary.
For pensions agreed to by the legislature at different times, nine thousand dollars, if so much be necessary.

For internal improvement, two hundred and fifty thousand dollars.

For John W. Chitty, the messenger of the late governor Pickens, four hundred and twenty-eight dollars and fifty-two cents.

For the clerk of the court of Columbia for attending the constitutional court, one hundred and forty dollars.

For the clerk in Charleston, one hundred and forty dollars.

For the commissioner in equity, for attending the court of appeals in Columbia, one hundred dollars.

For the sheriff of Richland district, for attending the constitutional and appeal court at Columbia, one hundred and fifty dollars.

For the sheriff of Charleston district, for attending the constitutional and appeal court in Charleston, one hundred and fifty dollars.

For the keeper of the state-house in Columbia, one hundred and thirty dollars.

For the adjutant and inspector-general, two thousand dollars.

For the arsenal keeper in Charleston, six hundred dollars.

For the salary of the port-physician of Charleston, for boat hire and all other expenses incident to his office, one thousand dollars.

For the arsenal keeper and powder-receiver in Camden, three hundred dollars.

For the arsenal keeper at Abbeville, one hundred and fifty dollars; and for the arsenal keepers and powder receivers for Georgetown and Beaufort, each two hundred and fifty dollars.

For the purpose of establishing a magazine guard at Georgetown, two thousand dollars, if in the opinion of the governor for the time being, it is expedient to keep munitions of war at that place.

For the purpose of establishing a magazine guard at Beaufort, two thousand dollars, if in the opinion of the governor for the time being, it is expedient to keep munitions of war at that place.

For the state printer, a sum not exceeding two thousand dollars, if so much be required.

For the pilot of the bar and harbor of Beaufort and Georgetown, each three hundred and twenty dollars.

For annuities, nine thousand dollars, if so much be necessary.
And be it further enacted by the authority aforesaid, that the comptroller-general be and he is hereby authorised to return to Charles B. Cochran, Sabina Hall, Christopher Jordan, F. Le Cat and Richard Smallwood, two thirds of the tax paid the last year, on the property which is in their possession as lessees of Roper.

And he is hereby further authorised and required to indulge until the next session of the legislature, Adam Caruth, who is indebted to this state, (for money borrowed,) the sum of ten thousand dollars, which, with three years interest thereon, will be due in March next: Provided the three years interest when due shall be paid: and provided further, that the securities of the said Caruth shall consent to such indulgence.

For Gresham Chapman, for sinking a well on the state house square, one hundred and ten dollars seventy-five cents.

Whereas, by an act passed the seventeenth day of December, in the year of our Lord one thousand eight hundred and seventeen, entitled, an act to authorise the governor of this state to cause that part of the lands purchased of the Cherokee Indians, which has been surveyed and divided into tracts, to be sold as early as possible, and for other purposes therein mentioned, it was enacted that the surveyor-general should not issue grants for the lands therein mentioned, unless he shall be satisfied of the payment of the purchase money: and whereas the surveyor-general has hitherto supposed it necessary that the receipt of the treasurer should be produced before he might issue such grants: and whereas many purchasers at the sales directed by said act, did not avail themselves of the credit therein allowed, but preferred paying in cash the full amount of their purchases to the commissioners authorised to sell the same:

Be it therefore enacted, That the surveyor-general be and he is hereby authorised to issue grants for the said lands, whenever he shall be satisfied that the purchase money has been paid either to the treasurer of the upper division or to the commissioners aforesaid.

Whereas, by an act passed on the eighteenth day of December, in the year of our Lord one thousand eight hundred and eighteen, entitled, an act to make appropriations for the year one thousand eight hundred and eighteen, and for other purposes therein mentioned, it is among other things enacted, that Samuel Warren, executor of Samuel Dupre, (was indebted to James Perdriau, a natural child, and who had left no representatives,) was authorised
and required to pay the monies due to the said James Perdrieau, to his natural sister, Lydia Miller: and whereas it was not the intention of the legislature to declare that the said Lydia Miller was a natural child, but on the contrary, was the reputed legitimate child of the father of the said James Perdrieau:

*Be it therefore enacted by the authority aforesaid, That*

the clause referred to in the aforesaid act shall be altered and amended, to read as follows: That Samuel Warren, executor of Samuel Dupre, who was indebted to James Perdrieau, (a natural child, and who has left no representative,) be and he is hereby authorised and required to pay the sums due by the said Samuel Dupre to the said James Perdrieau, and all other sums of money which he, the said Samuel Warren, may have collected, as of the estate of the said James Perdrieau, to John Miller, of Pendleton district, who has lately intermarried with Lydia Perdrieau, the daughter of the reputed father of the said James Perdrieau.

For the interest of R. Wainwright's claim, which by the resolution of the legislature at their last session, was ordered to be ascertained and paid by the comptroller-general to Peter Oliver, administrator of R. Wainwright, the sum of two hundred and fifty dollars, if so much be necessary.

Whereas, by an act passed on the eighteenth day of December, in the year of our Lord one thousand eight hundred and seventeen, entitled an act to make appropriations for the year one thousand eight hundred and seventeen, and for other purposes therein mentioned; it was enacted among other things, that on the refusal of States Gist to receive titles for a tract of land therein mentioned, the comptroller-general should sell the same for the benefit of the state, and that the surviving commissioners of confiscated estates should make title to the purchaser, his heirs and assigns: and whereas the said commissioners have declined acting in the premises, by reason whereof no title has been made to Theodore Gourdin, who became the purchaser of said lands, at the sale directed by the act aforesaid: and whereas it is further understood, that certain evil disposed persons have, in defiance of the rights of the state, entered upon a part of the said land; and threatened to use violence towards any person who should purchase the same and attempt to take possession thereof:

*Be it therefore enacted by the authority aforesaid, That*

the comptroller-general be and he is hereby authorised to
make full and complete titles for the said land, and to do
and perform all and every act and acts in the premises
which the commissioners aforesaid might lawfully do.

And be it further enacted by the authority aforesaid,
That the comptroller-general be and he is hereby authori-
sed and required to proceed at law against all persons in
possession of the said land, and to recover the same by
due process of law.

And be it further enacted by the authority aforesaid,
That the commissioner of the loan office be and he is here-
by authorized and required to cause the bond of Hubbard
Rees, to the paper medium loan office, to be sued, unless
the same be entirely paid off on or before the first day of
February next; and in case the amount due with interest
cannot be made and levied of the estate of Hubbard Reese,
then the commissioner of the loan office shall be and he is
hereby authorized and required, on the payment of the
amount of principal and interest due thereon by William
R. Rees, or his representatives, to make a title to him or
them for the tract of land which was mortgaged by the said
Hubbard Reese, to the paper medium loan office: which
was afterwards sold, and that sales thereof bought in for the
state, by William Clement, then treasurer of the lower di-
vision, in the year of our Lord one thousand eight hundred
and thirteen.

And be it further enacted by the authority aforesaid,
That so much of an act, entitled "an act to explain and amend
an act, entitled "an act to establish a bank on behalf of, and
for the benefit of the state," passed on the eighteenth day
of December, in the year of our Lord, one thousand eight
hundred and thirteen, as makes it the duty of the com-
troller-general to transfer to the bank, on account of capital,
on the second day of April, in each and every year, all
monies received through the course of the preceding year,
and then remaining in the treasury, be, and the same is
hereby repealed.

And be it further enacted by the authority aforesaid,
That it shall be the duty of the attorney-general, the circuit so-
licitors, clerks of sessions and common pleas, commissio-
ers of the poor, commissioners of the roads, commissio-
ers of the tobacco inspection, the treasurer of college,
the commissioners of Columbia and the treasurers of the
upper and lower division, in making their returns to the
comptroller-general, as by law directed, to make out and
deliver to him at the same time, fair duplicates thereof.

And be it further enacted by the authority aforesaid,
That the comptroller-general shall be, and he is hereby autho-

Dec. 1812.

Persons hav-
ing posses-
sion of the
said lands to
be proceed-
ed against.

H. Rees
bond to be
sued.

Part of a
former bank
law repealed.

Duplicate
return
to be.

given.

College
buildings to
be insured.
For the purchase of chemical, philosophical and mineralogical apparatus of Mr. L'Herminier, for the use of the South-Carolina College, one thousand dollars.

Whereas the legislature, by an act passed the fifteenth day of December, eighteen hundred and seventeen, authorizing the governor to cause to be sold, all the lands ceded by the Cherokee Indians to this state, which were surveyed, divided and plated into separate tracts, reserved the five following tracts, to await an issue to try titles to the said tracts, between the state and Sally Nicholson, to wit: No. 1, North Cheohee Creek; No. 1, on South Cheohee; No. 3, on West Fork of Little River; No. 4, on West Fork of Little River, and No. 1, on Long Branch. And whereas, on the trial of the said issue at the circuit court, held for Pendleton district, the jury found a verdict for the said Sally Nicholson, for six hundred and forty acres, within the tracts designated by the aforesaid numbers:

Be it therefore enacted by the honorable Senate and House of Representatives, now met and sitting in general assembly, and by the authority of the same, That the governor be, and he is hereby authorized and directed to appoint one commissioner to survey and lay off for the said Sally Nicholson, according to her direction, six hundred and forty acres of land, as near a geometrical square as possible, within the before mentioned numbered tracts.

And be it further enacted, That the governor be, and he is hereby authorized to cause to be sold as early as possible, the tract of land surveyed and laid out as a reserve for Sally Vann (or Nicholson) and such other lands as have been surveyed and plated and remain unsold.

And be it further enacted by the authority aforesaid, That the governor be, and he is hereby authorized to appoint three commissioners to conduct the aforesaid sales; and the said sales shall be conducted in the same manner, and subject to the same conditions directed in an act passed the fifteenth day of December, in the year of our Lord, one thousand eight hundred and seventeen, entitled "an act to authorize the governor of this state, to cause that part of the lands purchased of the Cherokee Indians, which has been surveyed and divided into tracts, to be sold as early as possible, and for other purposes therein mentioned.

And be it further enacted by the authority aforesaid, That the sum of one hundred and fifty dollars (if so much be necessary, be, and the same is hereby appropriated for the purpose of recording such papers of the court of common
pleas and sessions for Lancaster district, as are unrecorded, and also for binding the books of the register of mesne conveyance for the said district, and also for furniture procured for the said office by John Simpson, late clerk of the said district.

Ten thousand dollars for the purchase of arms and munitions of war, if in the opinion of the governor, it shall be necessary, and to be subject to his order.

For arranging the records in the offices of the secretary of state and surveyor-general in Charleston, two thousand dollars.

For arranging the records of the secretary of state and surveyor-generals office in Columbia, five hundred dollars.

For medical services agreeably to the reports of the medical committee agreed to by both houses, eleven hundred and sixty dollars, eighteen cents.

For William Malin, constable of Greenville district, for serving warrants, &c. fourteen dollars and nine cents, agreed to, but by mistake ordered to be paid to William Mabin by the appropriation of eighteen hundred and eighteen.

For George Salmon of Greenville, seventy dollars and twenty-five cents, for surveying confiscated lands.

For Hezekiah Nettles, of Sumter district, for repairing two field pieces, seventeen dollars.

Be it further enacted by the authority aforesaid, That eighty dollars be, and is hereby appropriated to John Russell, as compensation for the use of two rooms in his house, for the holding the courts of appeals in law and equity, four days in April last.

And be it further enacted by the authority aforesaid, That the sum of one hundred and sixty dollars be paid to Mary Ann Fabian, on account of that sum due to her late husband, John Fabian, as agreed to by both houses, for building a house for the use of Colleton gaol.

For completing the repairs of the Court House of Williamsburgh district, one thousand dollars, if so much be necessary.

In the Senate House, the eighteenth day of December, in the year of our Lord one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.
Dec. 1819. An ACT prescribing the mode of qualifying Justices of the Quorum and Justices of the Peace, in the several districts in this state.

Be it enacted, That from and after the passing of this act, all justices of the quorum and justices of the peace, who shall hereafter be appointed, shall take the several oaths of office required by the constitution and laws of this state, before the clerk of the Court of Sessions and common pleas, for the district in which such justice shall be appointed, within ninety days after such appointment, and not after.

And be it further enacted, That from and after the passing of this act, all justices of the quorum and peace, now in commission, who have not qualified before the governor, shall, within ninety days after the passing of this act, qualify before the clerks aforesaid, and not after.

And be it further enacted, That each and every of the clerks aforesaid, shall, on or before the first day of November, in each and every year, record in his office a true list of the justices who shall have so qualified before him, and shall, within the said time, transmit a true copy thereof to the office of the secretary of state, who shall make a record thereof.

And be it further enacted, That all acts and parts of acts, repugnant to this act, be and the same are hereby repealed.

In the Senate House, the eighteenth day of December, in the year of our Lord one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

Benjamin Huger, President of the Senate.
Patrick Noble, Speaker of the House of Representatives.

An ACT to alter and amend an act, entitled an act to alter and amend so much of the second clause of the charter incorporating the city of Charleston, as relates to the qualification of voters for Intendant and Wardens, and for other purposes therein mentioned, passed on the eighteenth day of December, in the year of our Lord, one thousand eight hundred and seventeen.

Whereas it is right to guard the elective franchise from abuse, and to preserve purity in the exercise of it; and no mode consistent with the extensive use of this right is deemed so effectual for the accomplishment of this great and desirable object, in a populous city, as the establishment of a registry of the names of all the voters prior to the election:

Be it therefore enacted by the honorable the Senate and
House of Representatives, now met and sitting in general assembly, and by the authority of the same, That an act, entitled, an act to alter and amend so much of the second clause of the charter incorporating the city of Charleston, as relates to the qualification of voters for intendant and wardens, and for other purposes therein mentioned, passed on the eighteenth day of December, in the year of our Lord one thousand eight hundred and seventeen, be so far altered as that the operation of the said act shall extend to all persons qualified to vote for intendant and wardens of the city of Charleston, and that the said voters shall register their names at least one month before the day of election; and at the time of registering their names, likewise register the place of their residence; but that after registering their names and places of residence prior to any election, it shall not be necessary to register the same for any future election.

And be it further enacted by the authority aforesaid, That the managers of the election shall read to each person, who offers to vote, that part of the constitution which relates to the qualification of voters, and shall administer to him the oath prescribed by the same.

In the Senate House, the eighteenth day of December, in the year of our Lord, one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.

An ACT to alter and amend an act to incorporate the Charleston Fire and Marine Insurance Company, passed in the year of our Lord, 1818.

WHEREAS it is expedient that insurances on lives and contracts for granting and selling annuities, and generally all kinds of contracts in which the casualties of life and interest of money are principally involved, should be authorised by law:

Be it therefore enacted by the Senate and House of Representatives, now met and sitting in general assembly, and by the authority of the same, That the fire and marine insurance company 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 insurances on lives by sea and
on shore, and to contract for, grant and sell annuities, and
reversionary payments, and generally to make all kinds of
contracts in which casualties of life and interest of money
are principally involved; and to make, execute and perfect
such and so many contracts, agreements, bargains, poli-
cies, and other instruments as shall or may be necessary,
and as the nature of the case shall or may require; and the
said corporation shall remain a body politic indefinitely, as
far as relates to the contracts permitted to be made by this
act; and if at any time it shall appear to the legislature that
the privileges granted by this acts, are injurious to the pub-
lic welfare, the power thereof to repeal this act shall not
be hereby denied or impaired, but such repeal shall not
affect any engagements to which said company may have
become a party previously thereto, and that the said com-
pany shall have a reasonable time to bring their accounts
to a final settlement and determination.

Be it further enacted by the authority aforesaid, That
all laws repugnant to this act, be, and the same are hereby
repealed.

In the Senate House, the fourteenth day of December, in the Year of
our Lord, one thousand eight hundred and nineteen, and in the forty-
fourth Year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.
PATRICK NOBLE, Speaker of the House of
Representatives.

An ACT to apportion the representation of this state.

Be it enacted by the honorable the Senate and House of
Representatives, now met and sitting in general as-
sembly, and by the authority of the same, That each and
every of the several election districts throughout this state,
shall, at the next and all future elections, until a new ap-
portionment of the representation be made by a future le-
gislature, respectively elect the following number of repre-
sentatives, to wit:—Charleston, including St. Philip's and
St. Michael's, sixteen representatives—St. Andrew's, one
representative—St. John's, Colletop, two representatives
—St. Peter's, two representatives—Prince William's, two
representatives—St. Stephen's, one representative—Prince
George, Winyaw, three representatives—Liberty, or Ma-
rition, two representatives—All Saints', one representative—
St. James, Santee, one representative—St. James, Goose-
creek, one representative—St. John's, Berkley, two repre-
sentatives—St. Paul's, two representatives—St. George,
Dorchester, one representative—Williamsburgh, two re-
presentatives—St. Bartholomew's, four representatives—Kingston, or Horry, one representative—St. Thomas and St. Dennis, one representative—St. Helena, two representatives—Christ Church, one representative—St. Luke, two representatives—Abbeville, six representatives—Barnwell, three representatives—Chester, three representatives—Claremont, three representatives—Clarendon, two representatives—Darlington, three representatives—Edgefield, six representatives—Chesterfield, two representatives—Fairfield, four representatives—Greenville, three representatives—Kershaw, three representatives—Lexington, two representatives—Lancaster, two representatives—St. Matthew's, one representative—Laurens, four representatives—Marlborough, two representatives—Newberry, four representatives—Orange, two representatives—Pendleton, six representatives—Richland, three representatives—Spartanburgh, four representatives—Union, three representatives; and York, three representatives.

In the Senate House, the eighteenth day of December, in the year of our Lord one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

An ACT to establish Courts of Equity in and for the districts of Pendleton, Spartanburgh, York, Chester, Fairfield, Colleton and Barnwell, and for other purposes there mentioned.

Be it enacted by the honorable the Senate and House of Representatives, now met and sitting in general assembly, and by the authority of the same, That the districts of Pendleton, Spartanburgh, York, Chester, Fairfield, Colleton and Barnwell, shall each hereafter, respectively constitute and form an equity district.

And be it further enacted by the authority aforesaid, That papers to be all the papers relating to any causes now depending in the court of equity for Ninety-six district, in which the defendants reside in the district of Pendleton, shall be transferred to the commissioner in equity for Pendleton district, hereafter to be appointed; and that all the papers relating to any causes now depending in the court of equity for Pinckney district, in which the defendants reside in the districts of Spartanburgh, York and Chester, shall be transferred and delivered over to the commissioners respectively, to be appointed for the districts of Spartanburgh, York and Chester; and that all the papers relating
to any causes now depending in the court of equity held for Columbia district, in which the defendants reside in the district of Fairfield, shall be transferred and delivered over to the commissioner to be appointed for Fairfield equity district; and that all the papers relating to any causes now depending in the court of equity held for Charleston equity district, shall be transferred and delivered over to the commissioner to be appointed for Colleton district; and that all the papers relating to any causes now depending in the court of equity at Orangeburgh court-house, in which the defendants reside in Barnwell district, shall be delivered to the commissioner to be appointed for Barnwell equity district; and that a commissioner shall be elected for each of the said districts respectively, in the same manner, and give the same security as is now required by law in like cases.

And be it further enacted by the authority aforesaid, That the state shall be divided into five equity circuits, to be constituted as follows, to wit: The first circuit to begin at Edgefield court-house, for Edgefield equity district, on the first Monday in February and June, in each and every year; at Abbeville court-house, for Abbeville equity district, on the second Monday in February and June, in each and every year; at Pendleton court-house, for Pendleton equity district, on the Friday after the second Monday in February and June, in each and every year; at Laurens court-house, for Laurens equity district, on the third Monday in February and June, in each and every year; at Newberry court-house, for Newberry equity district, on the Thursday after the third Monday in February and June, in each and every year. The second circuit to begin at Georgetown, for Georgetown equity district, on the first Monday in February and June, in each and every year; at Darlington court-house, for the present Cheraw equity district, on the second Monday in February and June, in each and every year; at Sumter court-house, for Sumter equity district, on the third Monday in February and June, in each and every year; at Kershaw court-house, for Camden equity district, on the fourth Monday in February and June, in each and every year. The third equity circuit to begin at Colleton court-house, for Colleton equity district, on the second Monday in February and May, in every year; at Beaufort court-house, for Beaufort equity district, on the third Monday in January and May, in each and every year; at Barnwell court-house, for Barnwell equity district, on the first Monday after the fourth Monday in January and May, in each and
every year; and at Orangeburgh court-house, for Orangeburgh equity district, on the second Monday after the fourth Monday in January and May, in each and every year. The fourth equity circuit to begin at Spartanburgh court-house, for Spartanburgh equity district, on the first Monday in February and June, in each and every year; at Union court-house, for Union equity district, on the Thursday after the first Monday in February and June, in each and every year; at York court-house, for York equity district, on the second Monday in February and June, in each and every year; at Chester court-house, for Chester equity district, on the Thursday after the second Monday in February and June, in each and every year; at Fairfield court-house, for Fairfield equity district, on the third Monday in February and June, in each and every year. The fifth equity circuit to begin at Charleston, for Charleston equity circuit and district, on the first Monday in November, and on the third Monday in February, in each and every year; the last mentioned court to sit for four weeks at the sitting commencing in November, and four weeks at the sitting commencing in February, unless the presiding judge should be required at an earlier period to attend the court of appeals in equity at Columbia.

And be it further enacted by the authority aforesaid, that one of the judges of the court of equity shall attend at the said times and places, hold courts of equity for the said districts, and finish the business of each district respectively, if the time allowed be sufficient for the completion of the same.

And be it further enacted by the authority aforesaid, that the sheriffs of the common pleas districts in which courts of equity are by this act established, shall attend upon the said courts of equity, and respectively perform their duties as sheriffs, in the same manner that they have been performed by sheriffs in the districts in which courts of equity had been established prior to the passage of this act.

And be it further enacted by the authority aforesaid, that it shall be the duty of the judges of the courts of equity to observe a regular rotation in holding the courts on the several circuits in this state, so that no one of the said judges shall hold the courts on any circuit twice in succession, or out of the regular order, unless some unavoidable casualty shall render a departure from the regular order absolutely necessary.

And be it further enacted by the authority aforesaid, that the courts of sessions and common pleas for the districts to be held.
Act of Sumter, shall hereafter be holden at Sumter courthouse, on the first Monday in March, as is now provided by law, and on the first in October, in each and every year, and shall continue to sit from day to day, for two weeks, at each and every term, unless the business shall be sooner disposed of.

And be it further enacted, That it shall be the duty of the Judge who holds the said courts of sessions and common pleas for the district of Sumter, at each and every term of the said court, to cause one grand jury, and two sets of common pleas and petit jurors, to be drawn for each succeeding term, one set to serve the first week, and the other the second week.

And be it further enacted by the authority aforesaid, That this act shall not commence its operation until after the sitting of the next court of appeals in equity; and all acts, and parts of acts, usages and customs, repugnant to this act, shall be, and the same are hereby to be considered repealed, immediately after the termination of the next sitting of the court of appeals in equity.

In the Senate House, the eighteenth day of December, in the year of our Lord one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.

An ACT to amend an act, entitled, an act to repeal an act of the general assembly of this state, entitled, an act for the better regulating the streets and markets of the town of Columbia, and to incorporate said town.

WHEREAS it is expedient and necessary to extend and increase the powers of the intendant and wardens of the said town of Columbia:

Be it therefore enacted by the honorable the Senate and House of Representatives, now met and sitting in general assembly, and by the authority of the same, That from and immediately after the passing of this act, the said intendant and wardens, being assembled in town council, be and they are hereby authorised and empowered, to lay, assess and collect a tax on all the real property in the said town, sufficient to discharge and defray all the expenses of carrying into effect the rules, regulations and by-laws of the said town, made in conformity to, and in pursuance of the said enacted act of incorporation: Provided such tax does not exceed fifty cents, for every hundred dollars worth of property assessed according to the said act; and which
said tax shall be collected as the said wardens shall from time to time direct and appoint.

And be it further enacted by the authority aforesaid, That so much of the said act as restrains the said intendant and wardens from imposing any higher or greater fine or fines by their by-laws than twelve dollars, be and the same is hereby repealed; and that in future, they be and are hereby authorised and empowered to impose by any by-law to be by them ordained, any fine or fines for the violation of any such rules, regulations or by-laws, as they may think for the benefit and good government of the said town: Provided, no such fine shall in any case exceed the sum of fifty dollars, to be recovered in the same manner as fines and forfeitures are now recovered for the infraction of any of the ordinances of the said town.

And be it further enacted, That the said intendant and wardens shall have power hereafter to prevent, and on any penalties by them to be fixed by their by-laws, to prohibit the building and working of any blacksmith shop, on the main street, or in any public part of the said town.

And be it further enacted by the authority aforesaid, That the said intendant and wardens shall have a right to demand, have and take for every license to retail spirituous liquors for any quantity above one quart, the sum of twenty-five dollars; for every license to retail spirituous liquors for any quantity, the sum of fifty dollars; for every license for keeping tavern and retailing spirituous liquors, the sum of fifty dollars, to be paid by every person applying for such license, before the same shall be issued.

And be it further enacted by the authority aforesaid, That when any fine imposed by the said intendant and wardens by virtue of this act, shall exceed twenty dollars, the same may be recovered in the circuit court of Richland district; and when such fines shall be under twenty dollars, they may be recovered before the said intendant and wardens, or any three of them; all which fines, when recovered, shall be applied to the use of the said town.

And be it further enacted by the authority aforesaid, That this act shall be deemed and taken as a public act, and notice thereof shall be taken in all the courts of justice and elsewhere in this state, and shall be given in evidence on the trial of any issue or cause without special pleading.

In the Senate House, the fourteenth day of December, in the year of our Lord, one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.
An ACT to vest in Jonathan M'Swain and heirs for ever, the fee simple of a certain tract of land, of which William Spleen, late of York district, died seized and possessed.

WHEREAS Jonathan M'Swain, by his petition to the legislature, hath set forth in his petition, that William Spleen died seized and possessed, in fee simple, of a certain tract of land, situate in York district, leaving, at the time of his death, neither wife, child or other relation within the United States, who can inherit the same. And whereas the said Jonathan M'Swain has also set forth in his said petition, that the said William Spleen, prior to his death, contracted to convey to him, the said tract of land, in consideration of certain services which he had rendered to, and performed for the said William Spleen during his life, and that the said William Spleen departed this life, without executing said conveyance agreeably to his contract. All which allegations being satisfactorily established by the said Jonathan M'Swain:

Be it therefore enacted by the honorable the Senate and House of Representatives, now met and sitting in general assembly, and by the authority of the same, That the fee simple of the said tract of land of which the said William Spleen died seized and possessed as aforesaid, situate in York district, on Dry Creek, a branch of Broad river, joining lands of George Plexico, Robert Shields, William Smith and John Lockhart, and containing by estimation, one hundred and twenty-four acres, be, and the same is hereby vested in the said Jonathan M'Swain, his heirs and assigns, for ever.

In the Senate House, the eighteenth day of December, in the year of our Lord one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

An ACT to alter and amend an act, entitled, "an act limiting the term of service of certain Officers, who have heretofore held their offices during good behaviour, and for other purposes therein mentioned.

WHEREAS, by an act passed on the seventeenth day of December, in the year of our Lord one thousand eight hundred and twelve, it is enacted that the attorney-general, solicitors, tax collectors, ordinaries, clerks of the courts of sessions and common pleas, registers, masters and commissioners in equity, commissioners of location and registers of mesne conveyance, shall be severally elect-
for the term of four years, and shall hold their respective offices for the term of four years, and until another shall be elected. And whereas, by the operation of the said act, there may be a failure in the discharge of the offices aforesaid, in as much as no provision is made to fill such offices in the interval between the election of a successor and his entering upon the duties of office: For remedy whereof,

Be it enacted by the honorable the Senate and House of Representatives, now met and sitting in general assembly, and by the authority of the same, That from and after the passing of this act, the attorney-general, solicitors, tax collectors, ordinaries, clerks, registers, masters and commissioners in equity, commissioners of locations and registers of mesne conveyances, now in office, or hereafter to be elected in this state, shall hold their respective offices during the term of four years, and also until a successor in office shall have been elected, and shall be commissioned and enter upon the duties of his office.

And be it further enacted by the authority aforesaid, That the clerk of the court of Fairfield district (in whose office the books of the commissioner of locations for the district of Camden are deposited) shall be and is hereby declared the commissioner of locations for Fairfield district ex-officio.

In the Senate House, the eighteenth day of December, in the year of our Lord one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

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An ACT to authorize William Smith to stop or change the course of a certain navigable creek.

WHEREAS the commissioners appointed by a joint resolution of both houses of the general assembly on the fifth day of December, in the year of our Lord one thousand eight hundred and seventeen, to ascertain whether a certain canal proposed to be cut by William Smith, could be effected without injuring the property of others, have, by their report represented that the proposed canal will not be injurious to the property of others;

Be it therefore enacted by the honorable the Senate and House of Representatives, now met and sitting in general assembly, and by the authority of the same, That the said William Smith, be and he is hereby authorised and
empowered to cut a canal, sufficient to admit vessels of six feet draught, which said canal is hereby required to be twenty feet wide at the top, and ten feet at the bottom, with a margin of twenty feet on each side, and to extend from the points marked C and D on the map of the said commissioners, to the points marked E and F on the same map, without any piling or obstruction within the above mentioned space of twenty feet on each side thereof.

And be it further enacted by the authority aforesaid, That from and after the commissioners hereinafter appointed, shall have certified that the aforesaid canal is fit for use, the said William Smith shall be authorised and empowered, at his own expense, to stop the creek to the south of the said canal; or if in the opinion of the said commissioners it may be expedient that the said William Smith should have leave to stop the said creek before the proposed canal shall have been completed, in that case the said William Smith shall be authorised so to do: Provided, That persons otherwise navigating the said creek, shall be allowed and permitted the use of the wharf of the said William Smith, in the mean time between stopping said creek and opening said canal, free of expense.

And be it further enacted by the authority aforesaid, That the said William Smith shall, at his own expense, keep open the proposed canal for the space of seven years next after the same shall have been completed, and declared by the commissioners hereinafter named, fit for use.

And be it further enacted by the authority aforesaid, That the following persons, viz. Christopher Fitzsimons, Jonathan Lucas and John Johnson, junior, be, and the same are hereby appointed commissioners on the part of the state to superintend and carry into effect the provisions of this act.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

An ACT to appoint commissioners to assess the value of a lot or lots, in the village of Walterborough, for the site of a Court-House and Gaol.

BE it enacted by the honorable the Senate and House of Representatives, now met and sitting in general assembly, and by the authority of the same, That John C. Logan, Thomas Boone, Richard Bryant, John Rice and
Henry Ulmer, be, and they are hereby appointed commissioners, with full power and authority to fix on and select a proper site in or near the village of Walterborough, for a court-house and goal, to be erected thereon, according to the provisions of an act passed on the seventeenth day of December, in the year of our Lord one thousand eight hundred and seventeen, entitled "an act to change the place for holding the courts for Colleton district, and for building a court-house and goal at Walterborough."

And be it further enacted, That the said commissioners shall have full power and authority to ascertain and assess the value of the land which may be requisite for the purposes aforesaid, which said assessment shall be binding on all parties claiming to be entitled to said land.

And be it also enacted, That the sum which shall or may be fixed by the commissioners aforesaid as the true value of the said land, shall be paid to such person or persons as may have title in the soil resumed by the state for the purposes aforesaid, according to their several and respective rights: Provided, That the party claiming to be remunerated for the resumption of the state in the soil aforesaid, shall produce the opinion in writing of the attorney-general to show their title.

In the Senate House, the fourteenth day of December, in the year of our Lord, one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.

To lengthen the term of the sittings of the Courts of Common Pleas and General Sessions for the judicial district of Horry, and for other purposes therein men-

Enacted by the honorable the Senate and House of Representatives, 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 be the duty of the courts of common pleas and general sessions at Conwayborough at the times now prescribed by law there to hold the said courts from day to day for as long a time as may be necessary to dispose of the business, unless the business be disposed of in less time.

And be it further enacted by the authority aforesaid, That the officers, parties, or witnesses already summoned, or to be summoned to attend the courts of common pleas and general sessions for the judicial district of Horry, shall be compelled to give their attendance upon the
same during the term of six days, if so much time be necessary for disposing of the business of the said court; any law to the contrary notwithstanding.

In the Senate House, the fourteenth day of December, in the Year of our Lord, one thousand eight hundred and nineteen, and in the forty-fourth Year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

An ACT to require the Sheriffs of Kershaw district, hereafter to be elected, to give bond and security in the sum of twelve thousand dollars, for the due and faithful discharge of the duties of their office.

WHEREAS the security now required by law to be given by the sheriff of Kershaw district, for the due and faithful discharge of the duties of his office, is deemed insufficient: For remedy whereof,

Be it enacted by the honorable the Senate and House of Representatives, now met and sitting in general assembly, and by the authority of the same, That the persons who shall hereafter be elected to the office of sheriff of Kershaw district, or be appointed thereto by the governor during the recess of the legislature, shall, instead of the sum now required by law, give bond and security in the sum of twelve thousand dollars, for the due and faithful discharge of the duties of his office.

And be it enacted by the authority aforesaid, That all acts and parts of acts, repugnant to this act, be and the same is hereby repealed.

In the Senate House, the eighteenth day of December, in the year of our Lord one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

An ACT to provide for the better regulation of the streets in the town of Beaufort.

Be it enacted by the honorable the Senate and House of Representatives, now met and sitting in general assembly, That from and after the passing of this act, the town council of Beaufort shall be, and are hereby authorised and empowered to summon and compel such negro slaves, within the age of fifteen and fifty, as usually reside during the fall months in said town, to work upon the streets when and so often as to them may seem fit, during
An ACT to provide for the more effectual performance of Patrol Duty.

Be it enacted by the honorable the Senate and House of Representatives, now met and sitting in general assembly, and by the authority of the same, That it shall be the duty of the captains of the several beat companies within this state, within six months after the passing of this act, to cause their respective beats to be divided into convenient patrol districts, which divisions, when made, shall be permanent, until the same shall be altered by a majority of the officers of the said company; and in case the captain of any beat company shall neglect to perform the duty herein before required of him, he shall forfeit and pay the sum of thirty dollars, to be recovered in any court having competent jurisdiction.

And be it further enacted by the authority aforesaid, That it shall be the duty of the commanding officer of each and every beat company, to cause to be made out, a roll for each patrol district, which shall include the names of all the free white male inhabitants, above the age of eighteen years, residing within the said patrol district: Provided, That nothing herein contained shall be construed to compel any male inhabitant of any beat company to perform patrol duty, either in person or by substitute, who
Patrol to be pricked off;

may have attained the age of forty-five years or upwards, and who shall not possess any slave or slaves.

And be it further enacted by the authority aforesaid, That it shall be duty of the commanding officer of each and every beat company, at every regular petty muster, to prick off from the roll of each patrol district, at his discretion, any number of persons, who shall perform the duty hereinafter prescribed, until the next regular petty muster; and to every patrol, the commanding officer of the company shall appoint some prudent and discreet person as commander — and in case the commanding officer of the company shall fail to prick off such patrol, or the commanders of the patrol shall fail to perform the duties herein required of them, they shall respectively forfeit and pay, to be recovered by indictment, a sum not exceeding thirty dollars.

And be it further enacted by the authority aforesaid, That it shall be the duty of the commander of every patrol, at least as often as once a fortnight, to call out the said patrol under his command, and to take up all slaves who may be found without the limits of their owners plantations, under suspicious circumstances, or at a suspicious distance therefrom, and to correct all such slaves by a moderate whipping with a switch or cowskin, not exceeding twenty lashes; unless the said slave shall have a ticket or letter to shew the reasonableness of his or her absence, or shall have some white person in company, to give an account of the business of such slave or slaves; and if any white man shall beat or abuse any slave, quietly and peaceably being in his or her master's plantation, or found any where without the same, with a lawful ticket, he shall forfeit the sum of fifty dollars, to be recovered by the owner, and to his use, by action of debt, besides being liable to the owner in an action of trespass for damages.

And be it further enacted by the authority aforesaid, That the said patrols, in their respective divisions, shall have power, and they are hereby authorised and required, to enter into any disorderly house, or into any other house, vessel or boat, suspected of harbouring, trafficking or dealing with negroes, whether the same be occupied by white persons, free negroes, mulattoes, mustizoes or slaves, and to apprehend and correct all slaves found there, by whipping, as herein before directed; and the said patrols are moreover authorised and required to give information of such white persons as may be found in such house, vessel or boat, and to detain in their possession, such produce or articles for trafficking, as may be found in such house, ves-
sell or boat, if such detentian be authorised by any three freeholders, or by any justice of the peace, until the same shall be recovered according to law.

And be it further enacted by the authority aforesaid, That it shall not be lawful for any slave, except in the company and presence of some white person, to carry or make use of any fire arms, or other offensive weapon, unless such slave shall have a ticket or license in writing from his owner or overseer, or be employed to hunt and kill game, mischievous birds, or beasts of prey, within the limits of his master's plantation, or shall be a watchman in and over his owner's fields and plantation; and in case any white person shall find any slave using or carrying any gun or other offensive weapon, contrary to the intent and meaning of this act, he, she or they may lawfully seize such gun or offensive weapon, and convert the same to his, her or their own use—but before the property of such goods shall be vested in the person who shall seize the same, such person shall, within forty-eight hours after such seizure, go before the next justice, and shall make oath of the manner of taking; and if such justice of the peace, after such oath shall be made, or if upon any other examination, he shall be satisfied that the said fire arms or other offensive weapons shall have been seized according to the directions, and agreeable to the true intent and meaning of this act, he shall, by certificate under his hand and seal, declare them forfeited, and that the property is lawfully vested in the person who seized the same: Provided, That no such certificate shall be granted until the owner or owners of such fire arms or other offensive weapon so seized as aforesaid, or the overseer or overseers who shall or may have the charge of such slave or slaves, from whom such fire-arms or other offensive weapon shall be taken or seized, shall be duly summoned, to show cause, (if any such they have) why the same should not be condemned as forfeited, nor until forty-eight hours after the service of such summons, and oath made of the service thereof, before the said justice.

And be it further enacted by the authority aforesaid, That the commander of every patrol shall have power to keep the men under his command in good order and demeanor during their term of service; and in case any patrol man shall misbehave himself, or neglect or disobey the orders of his commander, he shall be subject to a fine of not more than two dollars, to be imposed by the company court-martial to which such offender shall belong—to be paid to the commissioners of the poor, for the use of the poor.
Be it further enacted, That if any captain of a patrol shall act disorderly while on duty, or as to defeat the orderly performance or execution of the patrol laws, according to the true intent and meaning thereof, he shall be liable to be returned by either of the members of his patrol, or other person competent to give evidence to the commanding officer of the beat, who shall order a court-martial for such trial; and upon sufficient evidence being given of the charge, such captain of the patrol shall be fined in the sum of five dollars, to be recovered and applied as aforesaid, to the use of the poor.

And be it further enacted by the authority aforesaid, That it shall be lawful for any person or persons hereby declared liable to perform patrol duty, to send any able-bodied white man, between the ages of eighteen and sixty, to perform patrol duty for him or them; and if any patrol man shall neglect or refuse to perform the duty required of him by this act, or to procure a substitute to perform the same, without a legal excuse, he shall forfeit and pay a fine of two dollars for each and every such default, and ten per cent. on his general tax for the year preceding, paid by him, on the property owned by him in the district or parish in which he is a defaulter—to be inflicted by a court-martial of the company in which the offender may reside, to the use of the poor of the district or parish.

And be it further enacted by the authority aforesaid, That it shall be lawful for any person or persons to apprehend and correct with stripes, not exceeding twenty, all slaves who may be found without their masters' plantations, without a ticket in the form or of the import of the ticket before prescribed by this act, to be used by persons who shall have the care or management of any slave or slaves—or with a ticket, if such slave or slaves shall have in his possession any gun, pistol or other offensive weapon; unless such slave shall be on lawful business, or in company with some white person, not less than ten years of age: and also to disperse and punish as aforesaid, all unlawful assemblies of slaves, free negroes, mulattoes or mustizoes, whether the said assembly shall consist of all or any of the persons above de-
scribed: And provided always, That nothing herein contained, shall be construed to authorise any person to break into or disturb any church or place of public worship, wherein shall be assembled the members of any religious society, a majority of whom shall be white persons, at any time before nine o'clock in the evening—unless the said person or persons shall have previously obtained a warrant from a magistrate, authorising him to do so: And provided also, That nothing herein contained shall be construed so as to authorise any patrol or other person, to strike and correct, or beat in any manner, any slave or slaves who shall be employed by the person having the charge of such slave or slaves, in any incorporated town, when such slave or slaves shall be absent from the place of residence of such slave or slaves, between day-break and nine o'clock in the evening, within the limits of such incorporated town, unless such slave or slaves shall be engaged in an unlawful purpose.

And be it further enacted by the authority aforesaid, That it shall be lawful for any person or persons who may be engaged in dispersing any unlawful assembly of slaves, free negroes, mulattoes or mustizoes, to enter into all such places as the said persons may be assembled at; and if resisted, they may break open doors, gates or windows.

And be it further enacted by the authority aforesaid, That every owner of any settled plantation, shall employ and keep on plantation, some white man capable of performing patrol duty, under the penalty of fifty cents per head per month, for each and every working slave which may be on such plantation—to be recovered by indictment; one half to the informer, the other half to the use of the state: Provided always, That nothing herein contained shall be construed to affect any person or persons, who resides on his, her or their plantation, for the space of seven months in the year, or who shall employ less than ten working slaves on such plantation.

And be it further enacted by the authority aforesaid, That if any person or persons shall commence an action against any patrol or other person, for any trespass by him committed in carrying into execution the provisions of this act, and at the trial thereof shall fail to recover any damage, he, she or they shall be liable and adjudged to pay to the party so sued, treble costs.

And be it further enacted by the authority aforesaid, That the secretary of state be, and he is hereby required to have a sufficient number of copies of the aforesaid act printed, and by him to be transmitted to the commandants.
of regiments, to be by them distributed to the commissioned officers of their respective regiments; and it shall be the duty of the captain or commanding officer of each company, to read this act to his company at least once in six months.

And be it further enacted by the authority aforesaid, That all acts and parts of acts repugnant to this act, be, and the same are hereby repealed: Provided nevertheless, That nothing herein contained shall be construed so as to deprive the intendant and wardens of any incorporated town, of any power heretofore invested in them to regulate and order out patrols within the limits of such incorporation; but that such intendant and wardens shall have as full powers as they were invested with before the passing of this act.

In the Senate House, the eighteenth day of December, in the year of our Lord one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

An ACT to establish a Board of Public Works.

WHEREAS it is expedient to establish a board of public works, in order to carry into effect the internal improvements contemplated by the legislature, to collect such facts and information as may be necessary to an enlightened decision, and to promote the internal improvements of the state:

Be it therefore enacted by the honorable the Senate and House of Representatives, now met and sitting in general assembly, and by the authority of the same, That five commissioners shall be chosen by joint ballot of both houses of the legislature, whose duty it shall be to consider, devise and adopt such measures as may or shall be requisite to facilitate and effect the improvements which shall be authorized by the legislature.

And be it further enacted by the authority aforesaid, That the commissioners shall choose one of their number to be president of their board, and shall appoint a fit person to be their secretary, who shall be allowed and paid such salary as the said commissioners shall deem proper and reasonable; and the president of the said board of commissioners shall have power to call a meeting of the same, whenever in his opinion the public interest shall require it, or whenever he shall be called upon so to do by either of the commissioners—and the said board may ad-
journ from time to time, to meet at any time and place they may deem most conducive to the public good, and shall receive such travelling expenses, and such allowances per diem, while employed in the actual service of the state, as now are, or from time to time hereafter may be allowed to members of the legislature; and they are hereby authorized and empowered, on behalf of this state, and on the credit of the fund pledged for internal improvement, to commence the works contemplated by this act, in such manner as shall by them be deemed most expedient; to receive from time to time from the president and directors of the Bank of the State of South-Carolina, such monies as may be appropriated for the objects hereby contemplated: Provided, That such monies shall not at any one time exceed ten thousand dollars; to cause the same to be expended in the most prudent and economical manner in all such works; and on completing any part or parts of the works contemplated by this act, to establish reasonable tolls, sufficient to defray the expenses of keeping the said works in good repair; and to dispose of, on reasonable leases, the mill-seats on the several canals that may be constructed in pursuance of this act; and adopt necessary measures for the collection and payment of the profits arising from said tolls and mill-seats into the Bank of the State of South-Carolina; that a majority of the said commissioners shall be a board for the transaction of business, and in the absence of the president, shall choose a president pro tempore; and the said commissioners shall take an oath well and faithfully to execute the duties of their office, and shall report to the legislature at each session thereof, the state of said works and expenditures, and recommend such measures as they may think advisable for the accomplishment of the objects intended by this act; and in case of any vacancy in the office of commissioners during the recess of the legislature, the remaining commissioners shall have power to appoint a person to fill such vacancy until the legislature shall act in the premises; and the said board shall be a body corporate and politic in law, and be known by the name and title of the Board of Public Works, and shall have perpetual succession, and a common seal, and shall be capable of suing and being sued, impleading and being impleaded, in any court of law or equity in this state.

And be it further enacted by the authority aforesaid, That Acting commissioners aforesaid shall have power and autho-
ity to appoint two commissioners of their own number to be acting commissioners, who shall discharge such duties as may be assigned them by the board, and receive as a
compensation for their services, a sum not exceeding six thousand dollars per annum, to be distributed among them in such proportions as the said board may agree upon; but shall not receive the travelling expenses and allowance per diem, provided for the said board by a preceding clause; and the said board shall also employ surveyors, or such other assistants as may be necessary, each of whom shall receive for his services, such compensation as the commissioners shall allow.

And be it further enacted by the authority aforesaid,

That the board of public works shall superintend the construction and erection of all works, civil and military, which may be executed by the orders, and at the expense of the state; the said board of public works shall make all contracts for the same, point the place and manner where such works are to be constructed, and the materials of which they are to be made; determine and fix the size and situation of canals, locks, bridges and roads in all cases where these points shall not have been fixed by law, and see that all the public works, whether performed by contract or by the employment of labourers or mechanics on account of the state, be faithfully and punctually executed.

And be it further enacted by the authority aforesaid, That whenever any public work, or part or portion of any public work, so contracted for on the authority of the state, shall be completed, it shall be the duty of the board of public works to ascertain whether the said contract has been faithfully performed; and if it shall appear that such contract has been faithfully performed, the board shall authorize their secretary to certify the same, and the certificate of the secretary, countersigned by the president, that such work has been approved of by the board, shall be a warrant to the comptroller, to pay out of the money appropriated by the state for such public work, the amount of such contract.

And whereas it may be sometimes highly advantageous, or even necessary for the service of the state, that money may from time to time be advanced to the persons undertaking or contracting to perform the different works ordered by the legislature:

Be it therefore enacted by the authority aforesaid, That the board of public works be, and they are hereby authorized to make such advances as may to them appear necessary and reasonable, out of the sums appropriated for such public works: Provided such sum shall not exceed at any one time, five thousand dollars: And provided also, that such advances of money shall not be made, until the party about to receive the same, shall enter into bond with...
sufficient surety, in double the amount to be advanced, conditioned to indemnify the state against the failure of such party, fully to account for the same.

And whereas there must be many incidental expenses in the performance of public works, which it is difficult to define and distinctly provide for:

Be it therefore enacted by the authority aforesaid, That the board of public works shall be, and they are hereby authorized to draw out of the treasury of this state, a sum which shall at no time exceed the amount of five thousand dollars, above the sums for which they may have accounted; and the board shall keep exact and regular accounts of the money so drawn, and shall account for the same as often as once in every quarter, if the same shall be practicable, to the comptroller, and the comptroller shall report those accounts annually to the legislature: Provided always, That the sums so drawn shall be considered as part of the appropriation made by the state, for the particular objects to which such sum or sums may be applied.

And be it further enacted by the authority aforesaid, That the said board shall have power to purchase for the state in fee simple, such lands as may be necessary for the purposes contemplated by this act; and when they and the owners of the soil cannot agree, to take the same at a fair price, by the appraisement of five persons, or a majority of them, to be appointed by the court of equity or common pleas, to value the same; and such appraisers, before they proceed to execute the duties assigned to them, shall severally take and subscribe an oath or affirmation, faithfully and impartially to discharge the trust or duties assigned them—which oath shall be filed by the secretary of the board of public works, in his office; and it shall be the duty of such appraisers, or a majority of them, to make a fair estimate of the loss and damage, if any, over and above the benefit and advantage accruing to the party concerned, by the making and constructing of the works intended; and the said appraisers, or a majority of them, shall make a regular entry of their proceedings in each particular case, in a book or books to be kept by the board for such purposes—which entry shall contain an apt and sufficient delineation and description of the premises to be appropriated to public use, the value thereof, and the loss, if any, to the owner of the soil, by the detraction or taking away of the part appropriated to public use, and the construction of the works intended—to all of which the said appraisers shall sign their names; and the commissioners shall pay the sum which shall be assessed to the
owner of the soil, and the fee simple of the premises so appropriated to public use, shall be vested in the state; and the board shall in like manner have power and authority to take for the use of works intended, any materials in the vicinity thereof; to take and collect water for the like purposes, and if need be, to girdle or destroy trees standing or growing near any navigable waters, and injurious to the navigation and free passage thereof, paying in all cases for such use and application to public service of private property, a reasonable price, to be ascertained in like manner as the value of the soil, where the board and the owners cannot agree, is to be ascertained by this act.

And be it further enacted by the authority aforesaid, That all vacant lands within ten miles of such works, which have not been heretofore granted, shall be vested for the use of the state, in the board of public works.

And be it further enacted by the authority aforesaid, That whosoever shall wilfully or maliciously cut, break down or destroy any works constructed by the board of public works under the authority hereby given, shall be liable to be indicted, and upon conviction thereof, shall be fined a sum not exceeding one thousand dollars, and imprisoned for a term not exceeding twelve months; and whosoever shall impede, stop up or injure such works, by dirt, trees or rubbish, or shall impede or obstruct the navigation and free passage of any navigable river, after such river shall have been worked upon, opened, sluiced, or cleared of obstructions by the board of public works, whether the same be done by trees, logs or other rubbish, shall be answerable by indictment, as in cases of misdemeanor.

And be it further enacted, That the commissioners aforesaid shall continue in office for the term of one year; and each acting commissioner, before he enters on the duties of his office, shall give bond with approved security to the state of South-Carolina, in the penal sum of twenty-five thousand dollars, for the faithful discharge of the duties of his office; which bond and security shall be lodged with, and approved by the comptroller-general.

And be it further enacted, That from and after the passing of this act, it shall be the duty of the board of public works, as soon as circumstances will permit, to lay off, open and make upon the most approved plan, a great road from Charleston to Columbia, and thence along the ridge between Broad and Saluda rivers, and across the Saluda mountain, to the North-Carolina boundary; and also, to
Devise and adopt all such means as they may deem expedient, to render navigable Great Pedee, as far as the North-Carolina boundary, together with all such tributary streams of the said river, as they may judge expedient—and in like manner to devise and adopt all such means as they may judge expedient, to render navigable Santee, Wateree, Catawba, Broad and Saluda rivers, as well as their tributary streams—and in like manner to proceed in conjunction with the commissioners appointed by the state of Georgia, to devise and adopt all such means as they may deem expedient, to render navigable Savannah river, from Augusta to the confluence of Toogooloo and Keowee, and the Keowee as far as they may deem expedient, and to adopt all such measures as may be necessary, to ascertain the practicability of opening a communication by canal or canals between Savannah and the waters of Edisto, or between the Savannah and the waters of Broad river, and between the Edisto and the waters of Ashley river—and in like manner to devise and adopt all such means as they may deem expedient, to render navigable the Waccamaw, Little Pedee, Black River, Edisto, and the tributary streams of the last mentioned river, and both branches thereof—and likewise the Combahee and Great and Little Saltketcher rivers—and generally, to render navigable such other streams and water courses, and to improve and construct all such cuts as may facilitate the navigation of the state.

And be it further enacted by the authority aforesaid, that it shall be the duty of the said board of public works, whenever the legislature may direct, to cause to be made, accurate topographical surveys of any portion of the state—to inspect minutely, from time to time, as the legislature may direct, such of the rivers and creeks of the state, as may be susceptible of improvement in their navigation—examine all obstructions in the same, take accurate levels of their falls and rapids, and report and recommend to the legislature, the most practicable mode of improving the navigation thereof, together with the estimates of the probable expense; and it shall be their duty also to report to the legislature from time to time, the state of the public roads, and recommend such alterations and improvements therein, as may be deemed expedient.

And be it further enacted by the authority aforesaid, that the board of public works shall have full power and authority to distribute the time of labouring on the respect.
And be it further enacted by the authority aforesaid, That it shall be the duty of the said board to furnish plans and designs for such public buildings as may hereafter be ordered by the legislature—to make contracts for the erection thereof, prescribe the materials of which they shall be built, to superintend the construction, and to see that such contracts are punctually and faithfully performed, and shall also recommend repairs and alterations, when such may be expedient.

And be it further enacted by the authority aforesaid, That it shall hereafter be the duty of the several clerks of the court, to make a report to the said board of public works on the first Monday of November in each year, of the actual state of the court-houses in their respective districts, the repairs which may be wanting, and the probable cost of such repairs; and it shall hereafter be the duty of the several sheriffs to make a similar report on the first day of November in every year, concerning the public gaols in their respective districts; which reports so to be made by the clerks and sheriffs as aforesaid, shall be made by the assistance, and shall have the concurrence of the commissioners of public buildings appointed in each district to assist the engineer; which commissioners shall hereafter perform the same duties in relation to the board of public works, which they have heretofore performed in relation to the engineer.

And be it further enacted by the authority aforesaid, That the office of Civil and Military Engineer be, and the same is hereby abolished.

In the Senate House, the eighteenth day of December, in the year of our Lord one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

An ACT to incorporate John L. Sullivan and others, by the name and style of the South-Carolina Steam Navigation Company.

Be it enacted by the honorable the Senate and House of Representatives, now met and sitting in general as
That John L. Sullivan, together with all persons who may be associated with him to carry on inland navigation on the waters of South Carolina, by means of that form of the steam engine, steam boat, and other inventions having the same purpose, for which he holds or shall hold patents granted by the president of the United States to him the said John L. Sullivan, and to Samuel Morey, and assigned to him the said John L. Sullivan, and those concerned with him within this state, and being citizens thereof, be, and are hereby incorporated by the name and style of the South-Carolina Steam Navigation Company; and by that title shall have power to take, subscribe, and raise a capital stock not exceeding four hundred thousand dollars, and to acquire, have, and hold any estate, real or personal, to the amount of four hundred thousand dollars: Provided, nothing herein contained shall be construed to determine the rights of the patents before mentioned; but that any person or persons who shall set up any claim to the exclusive or equal right in the patent or patents above mentioned, shall have the same right to contest such claim, and recover the same in any of the courts of this state, as such person or persons would have had if this act had not passed.

And be it further enacted by the authority aforesaid, That the said company shall be able and capable by its corporate name to sue and be sued, implead and be implored, to answer and be answered unto in any court of law and equity in this state, and shall have succession of officers and members, and shall have power to make by-laws not repugnant to the laws of this land, and to have a common seal, and to alter and make new the same.

And be it further enacted, That this act of incorporation shall remain and continue of force for the term of fourteen years: Provided, the said company shall commence its operations within two years after the passing of this act.

And be it further enacted, That in case the Congaree and Santee Steam Boat Company shall surrender their charter, granted at the last session of the legislature, within eight months after the passing of this act, the stockholders of the said company shall become stockholders in the company hereby incorporated, for one half of the number of shares they now hold, and on which the instalments called for have been actually paid; and the funds, boats, and other property of the said Congaree and Santee Steam Boat Company shall be immediately received by the company hereby incorporated, at the sum already paid on the
said shares, and interest thereon till an equal amount shall have been paid by the other stockholders; and the said stockholders of the Congaree and Santee Steam Boat Company shall belong to the fourth branch of the company hereby incorporated; and in case the Pedee Steam Boat Company shall surrender their charter, granted during the present session of the legislature, within eight months after the passing of this act, the stockholders of the said company may become stockholders in the company hereby incorporated on the same terms and in the same manner as the stockholders of the Congaree and Santee Steam Boat Company, and shall belong to the first branch of the company hereby incorporated.

In the Senate House, the eighteenth day of December, in the year of our Lord one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

An ACT to establish a new Court-House and Gaol, near the centre of Marlborough district.

WHEREAS the legislature did by joint resolution of the Senate and House of Representatives, passed on the 12th day of December, 1818, order and direct that the engineer of the state should select some suitable central site for the purpose of erecting a new court-house and gaol for Marlborough district; and the engineer having performed the duty assigned him, and having recommended by his report, that the said court-house and gaol should be erected on the great road leading from Society-Hill to Fayetteville, near Crooked creek, Marlborough district, on lands of John S. Thomas:

Be it therefore enacted by the honorable the Senate and House of Representatives, now met and sitting in general assembly, and by the authority of the same, That from and immediately after the passing of this act, or as soon as conveniently may be, there shall be erected for Marlborough district, a new brick court-house and gaol on the great road leading from Society-Hill to Fayetteville, near Crooked creek, in or near an old apple orchard on the lands of John S. Thomas: Provided, That the said John S. Thomas shall convey to the state of South-Carolina, three acres of land for the use of the said court-house and gaol; and that as soon as the said buildings shall be finished, the commissioners hereinafter named, or a majority of them,
shall certify the same to the civil and military engineer; and immediately thereafter it shall be the duty of the clerk and sheriff of the said district, to remove the records which are now required by law to be kept at the said court-house, to the court-house to be built and erected; and the prisoners in the district, that may then be confined, shall be conveyed to the said gaol; and the courts of justice shall from thenceforth be held at that place instead of the one at which they are at present held.

And be it further enacted by the authority aforesaid, That Nathan B. Thomas, James Gillispie, jun. Drury Robertson, William G. Fragin, James Ferness, James R. Ervin and William Brown, esquires, be, and they are hereby appointed commissioners; and they or a majority of them be, and are hereby authorised, under the direction of the engineer, to contract for materials and workmanship to erect the buildings aforesaid; and they or a majority of them, are hereby fully authorised to make contracts for the same, and to supervise the same until they are completely finished, at which time they are to report to the legislature.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

An ACT to amend an act, entitled, an act to incorporate the village of Moultrieville on Sullivan's Island.

WHEREAS the Intendant and Wardens of Sullivan's Island have, by their memorial to the legislature, represented that the act of incorporation doth require some alterations and amendments, in order to enable the corporation to carry into effect the powers and regulations thereby intended:

Be it therefore enacted by the honorable the Senate and House of Representatives, now met and sitting in general assembly, and by the authority of the same, That it shall be lawful Patrol duty for the Intendant and Wardens of Moultrieville on Sullivan's, to provide, by ordinance under their corporate seal, for the performance of patrol duty on the said island, by the whole of the inhabitants of the said island, including as well the owners of houses who reside there, or whose families reside there, as also those who hire houses, or keep lodging houses, public houses or stores; and all persons lodging or residing therein, who are capable of performing
patrol duty; prescribing also by ordinance, into how many
squadrs or patrol companies the inhabitants shall be divid-
ed; how often they shall ride patrol, and the penalties to
be imposed on defaulters, and the mode of recovering and
appropriating such penalties, together with all other mat-
ters necessary for organizing and regulating patrols, ac-
cording to the circumstances of the island: Provided, that
the patrols shall not be vested with any higher or greater
powers than patrols now possess under the laws of the
state, and that no penalties be prescribed for any default
in riding patrol, exceeding five dollars for each default,
and no reference to a percentage on the general tax.

And be it further enacted by the authority aforesaid, That
the said intendant and wardens shall be, and they are here-
by vested with the powers and privileges of the com-
missioners of the public roads, so far as may be necessary
for making up, repairing and keeping in repair the streets
and high ways of the said island, or the straightening of
streets, or the opening and laying off of new streets where
the same is found necessary: Provided, that no street shall
be so altered, or new street so laid off, as to interfere with
any dwelling house, kitchen, stable or carriage house, or
smaller building that may not easily and without inconve-
nience be removed to some other part of the premises, nor
so as that such street shall pass through any occupied lot,
otherwise than at or contiguous to one of the boundaries
thereof; and if any person shall be materially injured or
aggrieved by the alteration of any street, or the opening of
any new street, he shall be entitled to have the matter sub-
mitted to three referees, one to be chosen by the party, one
by the council, and the third by those two, who may assess
any reasonable sum for compensation; which sum shall be
paid by the council before the street shall be established:
Provided, always, that the party through whose lot the pro-
posed street is to be run, shall, upon notice thereof, or with-
in seven days thereafter, put in his claim in writing, to the
intendant or one of the wardens, to have the damages as-
sessed in that way; otherwise he may be considered as re-
linquishing any claim therefor. And the said intendant and
wardens may, by ordinance, provide for the ascertaining of
and calling forth all persons, as well whites as coloured, who
reside on the said island, including the male slaves or do-
mmestics of the inhabitants, and all free persons of colour who
reside on the island; and compelling all such persons to
work on the streets and highways of the said island, in such
parties or portions as may at different times be found con-
venient, fixing such fines or penalties for neglect or refu-
as the town council shall see fit, and recovering the same as other penalties under their by-laws; Provided, that no persons shall be compelled to work, or to send their slaves or servants to work on the said streets or highways, except between the first day of June and the first day of October in each year, nor oftener than six days within that period in each year: And provided, that no penalty for default shall exceed five dollars for each individual hereby made liable to the duty, and for each default of performing the same, without just and reasonable excuse.

And be it further enacted by the authority aforesaid, That the jurisdiction and control over the landing places of the said island, granted by the act of incorporation, to the intendant and wardens of Sullivan’s Island, shall extend to authorize them, from time to time, to demand from boats, packet vessels and craft, resorting to and using the landing places, or plying between Charleston and the island, just and reasonable wharfages, the better to enable the said corporation to improve and maintain the public landings.

And whereas the privilege of occupying the said island, by the citizens, was originally granted by the legislature, under the proviso that each citizen taking a lot for himself, should actually build thereon; and it is not just or proper that any citizen should appropriate a vacant lot by the erection of a mere shed, or by mere inclosure, and thereby prevent others from the privilege which he doth not himself actually use:

Be it further enacted by the authority aforesaid, That the exclusive right to a lot on the said island shall be obtained by any citizen otherwise than by his actually building a dwelling house thereon; and if such dwelling house shall be removed or destroyed, the owner thereof shall have the exclusive right to re-build on the same lot for one year thereafter; and if no dwelling house be built by him within that period, such lot shall again be considered as vacant.

In the Senate House, the fourteenth day of December, in the year of our Lord, one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.

An ACT to establish certain Roads, Bridges and Ferries.

Be it enacted by the honorable the Senate and House of Representatives, now met and sitting in general assembly, and by the authority of the same, That the ferry here-
Dec. 1819.

Ferry vested in Ann Agnew.

Bridge vested in Stephen Minus.

A. Paul permitted to alter a road.

J. Wilson to finish his causeway in three years.

Road to be opened through the plantation of Mrs. L. Horry.

to be established, from the town of Beaufort to the point of Lady's island, and vested in Ann Agnew, be and the same is hereby re-established, and vested in the said Ann Agnew, for the term of seven years; and that she be allowed to ask, demand, and receive the same rates of ferryage as heretofore allowed by law.

And be it further enacted by the authority aforesaid, That Stephen Minus be, and is hereby authorised and empowered to build a bridge across Edisto river, at the place commonly called Scotia man's Bluff, and that it be vested in him, his heirs and assigns, for fourteen years; and that he be authorised to ask, demand and receive, for passing the said bridge, when the same shall have been completed, the same rates of toll as are allowed by law, at Murphy's bridge: Provided nevertheless, That the said Stephen Minus shall leave a sufficient appertenance in his said bridge, for the passage of boats and rafts: And provided also, That it be not placed within three miles of Givhan's ferry.

And be it further enacted by the authority aforesaid, That Andrew Paul be, and he is hereby permitted to alter the public road from the Warhee's Ford to Burche's ferry, on Pee dee river, by laying out a new road at his own expense, from the said Warhee Ford, as nearly in a straight line as practicable, parallel with the lower line of the land of the said Andrew Paul, and on the northern side of the said line; and the said new road, when finished and approved by William G. Singletary, one of the commissioners of the roads in Marion district, shall be a public road, and established as such in lieu of the road as heretofore established and laid out, which shall then be discontinued.

And be it further enacted by the authority aforesaid, That George W. Earle be, and he is hereby permitted and empowered to close up and obstruct the public road which now passes through his plantation in Greenville district, whenever he shall cause to be opened a good and sufficient road, as near as convenient, along the north line of his land, which separates his from the lands of Pinckney Hawkins, and whenever the upper board of commissioners of Greenville district shall approve of the road to be opened.

And be it further enacted by the authority aforesaid, That a further term of three years be allowed to John Wilson, to finish and complete his bridge and causeway on Wassamaw Swamp.

And be it further enacted by the authority aforesaid, That the commissioners of the roads for the parish of Saint Bartholomews, be, and they are hereby permitted to open a road through the plantation of Mrs. Lucretia Horry, ac-
...according to the directions of an act passed in the year of our Lord one thousand seven hundred and ninety-five; but that the said road shall be laid out in such way as not to interfere with the garden or negro houses of the said Lucretia Horry, and that she be permitted to erect and keep up gates across the said road.

And be it further enacted by the authority aforesaid, That no person shall be permitted to establish any ferry or build a bridge over Edisto river, within three miles of Givhan's ferry on said river.

And be it further enacted by the authority aforesaid, That the present road leading from Walker's bridge on Edisto river, to Jacob May's, be, and the same is hereby established a public road.

And be it further enacted by the authority aforesaid, That the road now leading from the Augusta road, at a place known by the name of the Old Rice Fields, near Slan's George's bridge, to the Ashley river or Beach Hill road in St. George's, Dorchester, be, and is hereby declared a public road, and to be worked on at the discretion of the lower board of commissioners of St. George's, Dorchester, as they shall judge proper.

And be it further enacted by the authority aforesaid, That the ferry on Saluda river, heretofore known by the name of Lee's ferry, be re-established and vested in the heirs of David Bates, deceased, for the term of seven years, and that the same rates of ferriage be received there as have heretofore been authorised by law at said ferry.

And be it further enacted by the authority aforesaid, That the ferry on Santee, heretofore known by the name of Nelson's ferry, be re-established and vested in Theodore Gourdine, his heirs and assigns, for the term of seven years, and that the rates of toll and ferriage, at the said ferry continue the same as heretofore established by law.

And be it further enacted by the authority aforesaid, That a road be laid out from Nelson's ferry on Santee, across the Eutaw Creek, into the Columbia road, near William's Branch, to pass through the lands of Theodore Gourdine and John N. Davis, and to unite with the Columbia road on the land of O'Farrel: Provided the said Theodore Gourdine and John N. Davis, cause to be paid to the legal heirs of O'Farrel, the value of the land taken, to be assessed by the commissioners of the roads of St. Mathew's parish.

And be it further enacted by the authority aforesaid, That the said Theodore Gourdine and John N. Davis cause to be erected at their own expense, over the Eutaw creek, at its junction with Santee river, a bridge and causeway to...
Dec. 1819.

Division line in Clarendon to be altered.

That the line of division between the two boards of commissioners of roads in Clarendon county, be so altered as to run from Capt. Dukes to Clarendon court-house, thence to the house of James A. Pearson, inclusive, thence down Wyboo creek to Santee river.

And be it further enacted by the authority aforesaid, That James Mair, the present proprietor of the most northern part of the tract of land, known and distinguished as Raven's tract, on John's Island, shall be, and is hereby exempted from the operation of any law requiring his male slaves to work on Newtown Cut, so long as he shall not make use of the same for the purpose of conveying produce to market, or in any manner whatever.

And be it further enacted by the authority aforesaid, That a public road shall be laid out, opened and cleared in Marlborough district, beginning at a convenient point between Porter's & Rollo's old mill, on the Long Branch, and the plantation of James Welch, on the old Cheraw road, leading from Chatham to Cole's bridge, and running the nearest and best way between Thomas Quick, sen. and Levi Quick's plantations, to the mouth of Lightwood Knot creek, across Crooked creek, to the North-Carolina line, so as to intersect the road leading to Fayetteville; and that Oliver Kollock, James Gillispie, jun. and Henry Cowington, and are hereby appointed commissioners to lay out the same.

And be it further enacted by the authority aforesaid, That Charles M'Kinnon be, and he is hereby authorised to obstruct and close up a public road in the district of Kershaw, which was laid out through the land of the said Charles M'Kinnon, by and for the accommodation of one John Holland, some time in the year of our Lord one thousand eight hundred and eleven; and that the old road, as used and established before the opening of the road aforesaid, be, and the same is hereby re-established and declared a public road.

And be it further enacted by the authority aforesaid, That the commissioners of the roads for Spartanburgh district, be and they are hereby required to change the public road from Isaac Crow's old place to Hed's ford on Enoree river, by laying out a new road, so as to cross Cedar Shoals near the head; and the said new road, when laid out, shall be, and the same is hereby established as a public road; and the old road shall be discontinued.
And be it further enacted by the authority aforesaid, That from and after the passing of this act, whenever application shall be made to any board of commissioners of the roads in any district or parish within this state, to open a new road, it shall be the duty of the commissioners to give public notice by advertisements, in the settlement through which the intended road is to be opened, for at least three months, before an order for the opening of the said road shall be granted.

Whereas the legislature, at their session in the year one thousand eight hundred and fourteen, enacted that certain commissioners should be appointed to survey, ascertain and report to the legislature at their next session thereafter, the most direct route from Granby to Augusta in the state of Georgia, and that they should certify in their said report, the difference in the distance between the present established road and the one thereby directed to be surveyed, and which the said commissioners have hitherto neglected:

Be it therefore enacted by the authority aforesaid, That commissioners to lay out a new road from Granby to Augusta, for the purpose aforesaid, and that they report thereon to the next legislature.

And be it enacted by the authority aforesaid, That the board of commissioners for the upper part of St. Peter's parish, shall hereafter hold their meetings on the third Monday in April and July, any law to the contrary notwithstanding.

And be it further enacted by the authority aforesaid, That a ferry be established on Lynch's creek, at the place called the Old Saw Mills, and the same be and is hereby vested in Benjamin Lawrence, his heirs and assigns, for the term of seven years; and that the said Benjamin Lawrence, his heirs and assigns, shall, during said term, be entitled to receive and take the following rates of ferriage, and no other, viz. for every waggon and team, or other four wheel carriage, with horses, fifty cents; for every chair or cart, and the horse or horses in gears or harness, with the rider or driver, twenty-five cents; for every rolling hogshead, twenty-five cents; for every man and horse, six and a quarter cents; for every led horse, three cents; and for every head of cattle, hogs, sheep or goats, one cent.

And whereas a dispute has arisen between Thomas M'Connell and John Dozier, respecting the old road leading.
across Black Mingo creek at Willtown; in order for the better settling of the same between said parties:

Be it enacted by the authority aforesaid, That John Ge- tier, junior, on the part of Thomas M'Connell, and Hugh M'Cutch en, on the part of John Dozier, be and are here- by appointed surveyors, to survey the said road, and to make a plat of the same, which they shall return to the board of commissioners of the roads for Williamsburgh district, on or before the first Monday in August next; and the said board are hereby required to report to the next legislature, the propriety of imprropriety of opening said road by the said Thomas M'Connell.

In the Senate House, the eighteenth day of December, in the year of our Lord one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representa-
tives.

An ACT to incorporate the several Societies therein mentioned.

Be it enacted by the Senate and House of Represen- tatives, now met and sitting in general assembly, and by the authority of the same, That all those persons who now are, or who hereafter may be admitted to be members of the congregation worshipping in Lower Saint Mark's Church, be, and they are hereby declared a body politic and corporate in law, by the style of the Vestry, Wardens and Society of Lower St. Mark's Church.

And be it further enacted by the authority aforesaid, That the committee and other persons who now are, or hereafter may be members of the Concord Presbyterian church of Fairfield district, be, and they are hereby declared a body politic and corporate in law, by the style and title of the Concord Presbyterian Church of Fairfield district.

And be it further enacted by the authority aforesaid, That those persons who now are, or hereafter may be officers and members of the Charitable Society of Charleston Riflemen, shall be, and they are hereby declared a body politic and corporate, by the name and style of the Charitable Society of Charleston Riflemen.

And be it further enacted by the authority aforesaid, That all those persons who now are, or who hereafter may be members, according to the rules of the society of the con-gregation worshipping in the Methodist Church of Moni-
cello, be, and they are hereby declared a body politic and corporate in law, by the style and title of the Methodist Episcopal Church of Monticello.

And be it further enacted, That all those persons who now are, or hereafter may be admitted to be members of the congregation belonging to the Methodist Episcopal Church of Christ Church Parish, be, and the same are hereby declared a body politic and corporate in law, by the style and title of the Methodist Episcopal Church of Christ Church Parish.

And be it further enacted, That each and every of the above named societies shall be able and capable in the corporate capacity to purchase and hold any estate, real or personal, so that the value thereof shall not exceed twelve thousand dollars.

And whereas the act, entitled, an act to incorporate the South-Carolina Insurance Company, passed the 14th day of December, 1805, is nearly expired:

Be it enacted by the authority aforesaid, That the said act of incorporation shall be, and the same is hereby extended for the further term of fourteen years from and after the time limited in the said act of incorporation.

And be it further enacted, That Samuel B. Byers, John S. Moore, Samuel Chambers, Benjamin Chambers, Robert Latta, and David D. Rice, and other trustees of the Yorkville Female Academy, with their successors in office, be, and they are hereby declared a body politic and corporate, by the style and title of the Trustees of the Yorkville Female Academy, and shall be able and capable, in their corporate capacity, to purchase and hold any estate to the amount of thirty thousand dollars.

And be it further enacted, That all those who now are, or hereafter may be members of the association denominated the Benevolent Society of the Second Independent Presbyterian Church in the city of Charleston, be, and they are hereby declared a body politic and corporate in law, by the style and title of the President, Officers, and Members of the Benevolent Society of the Second Independent Presbyterian Church in the city of Charleston, and shall be able and capable, in their corporate capacity, to purchase any estate, real or personal, so that the value thereof shall not exceed thirty thousand dollars.

And be it also enacted, That all those persons who now are, or hereafter may be admitted to be members of the association denominated the Charleston Fire Company, according to the rules of said company, be, and they are hereby declared a body politic and corporate in law, by
in their corporate capacity, shall have power to purchase and hold any estate, real or personal, so that the value thereof shall not exceed thirty thousand dollars: And the members of the said company shall be free and exempt from the performance of common militia and patrol duty, during such time or times as any parts of the city of Charleston shall be on fire; and shall have for their government, the fundamental rules and regulations heretofore published under the name of the rules and regulations of the Charleston Fire Company: Provided nevertheless, That the said Charleston Fire Company, shall at no time consist of more than one hundred members.

And be it also enacted, That the stockholders in the Pedee Steam Boat Company, shall be, and they are hereby declared a body politic and corporate in law, by the style and title of the Pedee Steam Boat Company; and shall be able and capable, in their corporate capacity, to purchase and hold any estate, real or personal, so that the value thereof shall not exceed five hundred thousand dollars.

And be it also enacted, That so much of an act, passed on the twentieth day of December, in the year of our Lord, one thousand eight hundred and six, entitled, an act to incorporate certain societies therein mentioned, as relates to the German Fusileer Society, shall be, and the same is hereby continued of force, for and during the term hereinafter assigned for the continuance of this act.

And be it further enacted by the authority aforesaid, That the several societies hereinbefore enumerated, shall respectively have succession of members and officers, and a common seal, with powers to break, change, and make new the same; and shall be able and capable of impleading and being impleaded, answering and being answered unto in any court of law and equity in this state; and of making by-laws and regulations for the government of their respective members: Provided the same be not repugnant to the law of the land; and of doing all such other legal and reasonable acts and deeds as are incident to bodies politic and corporate to do.

And be it further enacted by the authority aforesaid, That the stockholders of the Columbia Bridge company, be authorised to receive a profit of three per cent. per annum on their capital beyond the sum of fourteen per cent. allowed by their charter; which three per cent. shall be constantly applied to raise an accumulating fund for repairs and renovation and improvements of the bridge...
bridges to be erected by the said company; and that the said company be at liberty to erect a bridge or bridges over the Congaree, Broad and Saluda rivers, or either of them, without being compelled to erect bridges over all the said rivers: Provided, That in case the said company shall neglect for two years to commence erecting a bridge on any of the said rivers, the right of the company, as to such river where such neglect shall have happened, shall thenceforth be forfeited: Provided the citizens of this state, in consideration of the alteration made in the terms of the said charter by the foregoing clause, shall be at full liberty to subscribe for the shares in the said corporation, in as full and ample a manner as the said subscriptions were subscribed for at the first institution of the said corporation; and Zebulun Rudolph, Abram Blanding, Andrew Wallace, J. J. Faust, and John Bynum, be, and they are hereby appointed commissioners to take said subscriptions, and are hereby required to give due notice, in the public newspapers of the town of Columbia, for one month at least, of the time and place for taking such subscriptions, in the said town of Columbia.

And be it further enacted, That this act shall continue in force for and during the term of fourteen years from the ratification thereof, and no longer.

And be it further enacted by the authority aforesaid, That the trustees of the Bethel Academy, in York district, are hereby authorised and empowered to hold real and personal estate: Provided the same shall not exceed the sum of ten thousand dollars.

And be it further enacted by the authority aforesaid, That a lottery shall and may be established and drawn and finally concluded and completed, the profits whereof shall not exceed six hundred dollars, after deducting the necessary expenses attending the same, and which profits shall be expended by the commissioners hereinafter named, in aid of the funds heretofore raised by private subscription for building a suitable house of public worship in the village of Conwayborough.

And be it further enacted by the authority aforesaid, That Commission-ers appointed, John F. Verreen, Bethel Durant, Richard Singleton, James G. Cochrane, Robert R. Sessions, John Haines, sen. Peter Vaught, and Daniel M. Edge, esqrs. shall be, and they are hereby appointed commissioners to conduct and manage the said lottery; that they, or any five of them, shall adopt such scheme or schemes for the purposes aforesaid, as they may judge most proper; and shall appoint such time and place for drawing the same, as they may
dec. 1819. deem most advisable; and that the said commissioners shall apply and expend the said sum so raised by lottery, in conjunction with the funds raised by private donations, in erecting a suitable building for public worship in the village of Conwayborough.

And be it further enacted, That the trustees of the Yorkville Female Academy be authorised to raise a sum of money by lottery for the use of the said academy: Provided the same do not exceed the sum of ten thousand dollars.

In the Senate House, the eighteenth day of December, in the year of our Lord one thousand eight hundred and nineteen, and in the forty-fourth year of the Independence of the United States of America.

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.