ACTS

OF

THE GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA,

PASSED IN

DECEMBER, 1852.

PRINTED BY ORDER OF THE LEGISLATURE, IN CONFORMITY WITH THE STATUTES
AT LARGE, AND DESIGNED TO FORM A PART OF THE TWELFTH
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COLUMBIA, S. C.:
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1853.
AN ACT TO RAISE SUPPLIES FOR THE YEAR COMMENCING IN OCTOBER, ONE THOUSAND EIGHT HUNDRED AND FIFTY-TWO.

I. Be it enacted by 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, for the use and service thereof, that is to say: Forty cents ad valorem on every hundred dollars of the value of all the lands granted in this State, according to existing classification heretofore established; one-half per cent per acre on all lands lying within the Catawba Indian boundary, to be paid by each grantee or lessee of said Indian lands, until otherwise directed by law; sixty cents per head on all slaves; two dollars on each free negro, mulatto and mestizo, between the ages of fifteen and fifty years, except such as shall be clearly proved, to the satisfaction of the Collectors, to be incapable, from maims or otherwise, of procuring a livelihood; twenty-five cents ad valorem on every hundred dollars of the value of all lots, lands and buildings within any city, town, village or borough in this State; sixty cents per hundred dollars on factorage, employments, faculties and professions, (whether in the profession of the law, the profits be derived from costs of suit, fees or other sources of professional income,) and on the amount of commissions received by vendue masters and commission merchants, (clergymen, school-masters, school-mistresses, and mechanics excepted); ten cents upon every hundred dollars of the amount of sales of goods, wares and merchandise, embracing all the articles of trade, for sale, barter or exchange, deducting therefrom the stock in trade on the first day of January, 1852, (the products of this State and the unmanufactured products of any of the United States or territories thereof excepted,) which any person shall have made from the first day of January of the present year to the first day of January in the year of our Lord one thousand eight hundred and fifty-three, either on his, her or their capital, or borrowed capital, or on account of any person or persons as agent, attorney or consignee; ten cents upon every hundred dollars of the amount of sales of goods, wares and merchandise whatever, which any transient person, not resident in this State, shall make in any house, stall or public place; ten dollars per day for representing publicly, for gain and reward, any play, comedy, tragedy, interlude or farce, or other employment of the stage or any part therein, or for exhibiting wax figures or other shows of any kind whatsoever, to be paid into the hands of the Clerks of the Courts respectively, who shall be bound to pay the same into the public Treasury, except in cases where the same is now required by law to be paid to corporations or otherwise.
II. That all taxes levied on property as prescribed in the first section of this Act, shall be paid to the Tax Collector for the District or Parish in which said property is located.

III. In making assessments for taxes on the value of taxable property, manufactures used in manufacturing or for railroad purposes within this State, the value of the machinery used therein shall not be included, but only the value of the lots and buildings as property merely.

IV. That the Tax Collectors in the several Districts and Parishes in this State, in their returns hereafter to be made, be and they are required and enjoined to state the precise amount of taxes collected by them for the purpose of supporting the police of the said several Districts and Parishes aforesaid, stating the rate per centum on the amounts of the State tax collected for said District and Parish police purposes; and the Comptroller General shall return the same in his report.

In the Senate House, the sixteenth Day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate,
JAMES SIMONS, Speaker House of Representatives.

No. 4075. AN ACT TO MAKE APPROPRIATIONS FOR THE YEAR COMMENCING IN OCTOBER, ONE THOUSAND EIGHT HUNDRED AND FIFTY-TWO.

I. Be it enacted by 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, and they are hereby appropriated for the payment of the various officers and expenses of the State Government, that is to say:

IN THE EXECUTIVE DEPARTMENT: For the salary of the Governor, three thousand five hundred dollars; for the private Secretary of the Governor, five hundred dollars; for the Messenger of the Governor, two hundred and fifty dollars; for contingent fund of the Executive Department, seven thousand dollars, to be subject to the draft of the Governor and to be accounted for annually by him to the Legislature; for the rent of the Governor's house in Columbia, three hundred dollars.

II. IN THE LEGISLATIVE DEPARTMENT: For the pay of the members of the Legislature and its investigating committees, and the Attorney General and Solicitors during the present Session, twenty-one thousand dollars, if so much be necessary; for the salaries of the Clerks of the Senate and House of Representatives, one thousand dollars each, and to the said
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Clerks for the services of two Assistant Clerks, two hundred and fifty dollars for the Clerk of the House and two hundred and fifty dollars for the Clerk of the Senate, to be paid at the adjournment of the Legislature; for the salaries of two Messengers and two Doorkeepers, each two hundred and fifty dollars, to be paid at the adjournment of the Legislature; for the salary of the Keeper of the State House and Librarian, seven hundred dollars; for the salaries of the Reading Clerks of the Senate and House of Representatives, each two hundred and fifty dollars, to be paid at the end of the Session; for the services of Engrossing Clerks, to be paid under the direction of the Speaker of the House and President of the Senate, two hundred dollars; for the printers to the Senate and House of Representatives, in pursuance of the contracts made by the Committees of both Houses, nine thousand dollars, if so much be necessary, for the printing executed by the said printers during the present Session of the Legislature, the same to be paid to them as soon as the amount of the said contracts shall be ascertained by the Treasurer of the Upper Division: for the printer for printing in pamphlet form, the Acts and Journals of both Houses, Reports and Resolutions agreed to, the Governor's Message, Reports of the President of the Bank and Comptroller General, with the accompanying documents, three thousand seven hundred and fifty dollars, if so much be necessary; provided, that the number of copies specified in the proposals of the printers as accepted by the Legislature, shall be printed and deposited in the office of the Treasurer of the Upper Division, at Columbia, before the twentieth day of February next, and the amount to be paid according to the proposals, which shall be ascertained by the Treasurer aforesaid: and further, provided, that the Printer of the Acts and Journals do publish in his newspaper at Columbia, all the public Acts which may be passed at the present Session, within three weeks after the adjournment of the Legislature; for Benjamin Hart for contingent expenses during the present Session of the Legislature, twelve hundred dollars, if so much be necessary, to be accounted for by him at the Treasury and reported by the Treasurer to the General Assembly; for stationery, fuel, distributing Acts, expenses for the election returns, fourteen hundred dollars, if so much be necessary; for the purchase of books for the Library of the Legislature, five hundred dollars; for repairs of the State House and Grounds, under the Committees of both Houses, five hundred dollars, if so much be necessary; to defray the expenses of the extra Session of the Legislature, convened under the proclamation of his Excellency the Governor, on the first day of November, in the present year, five thousand dollars, if so much be necessary.

III. IN THE JUDICIARY DEPARTMENT: For the salaries of ten Judges, three thousand dollars each; for the salary of the Attorney General, eleven hundred dollars; for the salaries of five Solicitors, nine hundred dollars.
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each; for the Clerk of the Court of Appeals in Columbia, six hundred dollars; for the salary of the Messenger of the said Court at Columbia, two hundred and fifty dollars: Provided, it shall be the duty of the said Messenger to summon all members of the Bar who are members of the Legislature when their cases may be called for trial; for the salary of the Librarian of the Court of Appeals in Columbia, two hundred dollars, the same to include the expenses of fuel; for the purchase of books for the Library of the Court of Appeals at Columbia, five hundred dollars: for fire wood and fuel for the Court of Appeals at Columbia, fifty dollars, if so much be necessary; for the salary of the Clerk of the Court of Appeals in Charleston, six hundred dollars; for the salary of the Messenger of the same Court in Charleston, two hundred and fifty dollars; for the salary of the Librarian of the Court of Appeals in Charleston, two hundred dollars, to include expense of fuel; for fire-wood and fuel for the Court of Appeals at Charleston, fifty dollars if so much be necessary; for the purchase of books for the Library of the Court of Appeals at Charleston, five hundred dollars; for the salary of the State Reporter, fifteen hundred dollars; and the several appropriations aforesaid, for the Clerks, Librarians, Messengers, Reporter, and for the incidental expenses of the Courts of Appeals, shall be paid by the Treasurer, only upon warrants to be drawn by the Presiding Judges of the Courts of Appeals at such times and for such portions as they may deem just and proper, and it shall be the duty of the said Reporter to attend in person or by deputy, the sittings of the Courts of Appeals and Error in Columbia and Charleston, and to report such arguments and statements of facts as may be necessary to a correct understanding of the decisions of the said Courts; for the pay of Jurors and Constables, forty thousand dollars, if so much be necessary.

IV. IN THE TREASURY DEPARTMENT: For the salary of the Comptroller-General, two thousand dollars; for the salary of the Clerk of the Comptroller-General, seven hundred and fifty dollars, the said Clerk to be appointed and removable at the pleasure of the Comptroller-General; for the salary of the Treasurer of the Lower Division, and for transacting the business of the Loan Office and for Clerk hire, two thousand dollars; for the salary of the Treasurer of the Upper Division and for Clerk's hire, sixteen hundred dollars; for the Assessor of St. Philip's and St. Michael's for making out and affixing assessments of each return, eight hundred dollars.

V. FOR THE SOUTH CAROLINA COLLEGE: For the salary of the President of the College, three thousand dollars; for the salary of seven Professors of the College, two thousand five hundred dollars each; for the salary of the Treasurer of the College, five hundred dollars; for the salary of the Librarian of the College, six hundred dollars; for the salary of the Secretary of the Board of Trustees, two hundred dollars; for the salary of the Marshal, four hundred dollars—the salaries of the Presi-
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dent, Professors, Treasurer and Librarian to be paid by the Treasurer of the Upper Division, quarterly, in advance, their draft being countersigned by the Treasurer of the College; for the purchase of books for the College Library, two thousand dollars, to be paid to the draft of the President of the College, countersigned by the Treasurer of the same; for the expenses of one student at the South Carolina College, sent by the Orphan House in Charleston, four hundred dollars, to be paid to the order of the Chairman of the Board of Commissioners of the Orphan House; for building a new Chapel for said College, fifteen thousand dollars, to be expended by the Trustees of the said College.

VI. FOR THE ORDINARY CIVIL EXPENSES: For the payment of the contingent accounts of the Upper Division, twenty-five thousand dollars, if so much be necessary; for the payment of the contingent accounts of the Lower Division, fifteen thousand dollars, if so much be necessary; for the Commissioner to be appointed by the Governor to superintend the public works, one hundred and fifty dollars; for the payment of pensions and annuities, three thousand dollars, if so much be necessary; for the payment of such claims as shall be admitted by the Legislature at its present Session, ten thousand dollars, if so much be necessary; for the support of Free Schools, seventy-four thousand four hundred dollars, if so much be necessary, to be distributed among the several Districts in the State, according to the ratio now fixed by law; for the education of the deaf and dumb and of the blind, five thousand dollars, if so much be necessary, to be paid to the Commissioners in the same manner as the appropriation heretofore made; for refunding taxes as directed by the reports of the Committee of Ways and Means and of Finance, and agreed to by the Legislature, two hundred dollars, if so much be necessary; for the payment of such other claims or demands on the State as may be allowed by the General Assembly upon the reports of other Committees, three thousand one hundred and twenty-five dollars, if so much be necessary; for compensation according to the Act of eighteen hundred and forty-three, for slaves executed, two thousand dollars, if so much be necessary.

VII. FOR MILITARY EXPENDITURES: For the salaries of the following officers, viz: Adjutant and Inspector General, two thousand five hundred dollars; Arsenal Keeper, at Charleston, one thousand dollars; Arsenal Keeper and Powder Receiver, at Columbia, at the rate of four hundred dollars per annum; Physician of the Jail and Magazine Guard, at Charleston, five hundred dollars; and for the support of the Arsenal and Military School, at Charleston, sixteen thousand dollars, if so much be necessary; for the support of the Arsenal and Military School, at Columbia, eight thousand dollars, if so much be necessary; and the Arsenal School, at Columbia, and Citadel School, at Charleston, shall be under the direction of the Board of Visitors of the said School, so that their sup-
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Port shall not exceed the appropriations respectively; for the Military Accounts, as agreed to by both branches of the Legislature, one hundred dollars, if so much be necessary; for the Military Contingencies, five thousand dollars, to be drawn and accounted for as directed by the Legislature; for defraying the expenses of Artillery Companies throughout the State, fourteen hundred dollars, if so much be necessary, to be drawn and applied in the manner prescribed by the Act in relation to that subject; for the Quarter Master General, five hundred dollars; for the services of the Secretary of State, during the ensuing year, for all services in issuing all Military Commissions, and in lieu of any charge against the State for commissions for Civil Offices, eight hundred dollars, to be paid as other salaries are directed to be paid by law; for additional appropriation for the support of Military Academies at Charleston and Columbia, three thousand dollars.

VIII. FOR ORDINARY LOCAL EXPENDITURES: For the support of the Transient Poor of Charleston, four thousand five hundred dollars, to be paid to the City Council of Charleston, and accounted for by them to the Legislature; for the salary of the Port Physician in Charleston, including Boat hire and other incidental expenses, eight hundred dollars; for the execution of the Quarantine Laws at Charleston, one thousand dollars, if so much be necessary, to be paid to the City Council of Charleston, and expended under their direction; for the salary of the Superintendent of the Fire Proof Building in Charleston, during the present year, one hundred dollars; for the support of the Transient Poor of Georgetown, five hundred dollars, to be expended by the Commissioners of the Poor of Winyah, to be accounted for by them to the Legislature; for the salary of the Pilot of the Harbor and Bar of Georgetown, three hundred and twenty dollars; for aiding the support of a Ferry on Elliott's Cut, two hundred dollars, subject to the order of the Commissioners of Roads for St. Andrews Parish.

IX. FOR PUBLIC BUILDINGS: For a Court House and Jail, at Abbeville, thirteen thousand dollars; for improving the Court House at Orangeburg, three thousand five hundred dollars; for a Portico to the Court House for Pickens District, two thousand dollars; for remodelling the Court House for Anderson District, two thousand five hundred dollars; for additional appropriation for building Court House of Marion District, two thousand five hundred dollars; for purchasing a lot for Jail and building a Jail for Newberry District, ten thousand dollars; for purchasing a Court House lot for Chester District, two thousand eight hundred dollars, to be drawn and expended under the direction of the respective Boards of Commissioners of Public Buildings of those Districts; for the new Jail for Edgefield District, five thousand dollars, to be drawn and expended by the Commissioners of Public Buildings for that District.
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X. For the support of the Catawba Indians, fifteen hundred dollars, to be paid to the order of the Indian Agent; for extra services of Assistant Clerk of the House of Representatives, at the present Session, in addition to the usual compensation, one hundred dollars; for the erection of a building or buildings on the lands of the Lunatic Asylum, upon its eastern side, and for the enlargement of the grounds of the said Asylum, the sum of thirty thousand dollars; for the erection of the Fire Proof Building, at Columbia, fifty thousand dollars, to be subject to the order of the Commissioners appointed to take charge of the said Fire Proof Building.

For Extraordinary Expenses: For the building of a Hall for the exhibitions of the South Carolina Institute, the sum of ten thousand dollars, to be paid as follows: five thousand dollars when the contract is made and the building commenced, and the balance of five thousand dollars when the Governor certifies that the building has been completed and made ready for the purpose for which it is to be erected; Provided however, that the sum of ten thousand dollars be raised by the Institute for the same purpose from other sources: And Provided also, that in the event of the dissolution of the corporation, or the forfeiture of its charter, the State shall have a lien upon the Hall proposed to be erected, to the extent of the present appropriation; for office-rent of L.J. Jones, Commissioner in Equity of Newberry District, one hundred and twenty-five dollars; for office-rent of James Bonds, Sheriff of Newberry District, one hundred and eighty-three dollars and thirty-three cents; for office-rent of Burr J. Rain- age, Clerk of the Court of Newberry District, one hundred and fifty dollars; for office-rent of E.P. Lake, Ordinary of Newberry District, ninety-seven dollars and fifty cents.

In the Senate House, the sixteenth Day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO AMEND THE CHARTER OF THE WILMINGTON AND MANCHESTER RAIL ROAD COMPANY.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Charter of the Wilmington and Manchester Rail Road Company, be also altered and amended as to authorize the said Company to build a road,
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Consent of the S. C. Rail Road required.

or to extend their present road, to some point on the Columbia branch of the South Carolina Rail Road, but not to touch the said Columbia branch, without the consent of the South Carolina Rail Road Company.

II. That the said Company, as to the said portion of road so to be built or extended, as authorized in the first section of this Act, have the same rights, privileges and immunities as they now have under their Charter, granted by an Act of the General Assembly of this State, and ratified on the eighteenth day of December, in the year of our Lord one thousand eight hundred and forty-six, and that the portion so made or extended, of said road, be a part and parcel of the said Wilmington and Manchester Rail Road, under the same terms and rights as are now owned by virtue of said Charter, by the said Wilmington and Manchester Rail Road Company.

In the Senate House, the sixteenth Day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate,
JAMES SIMONS, Speaker House of Representatives.

No. 4077. AN ACT TO ALTER THE SITTINGS OF THE COURTS OF LAW ON THE NORTHERN CIRCUIT.

1. Be it enacted, by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That hereafter the Courts of Common Pleas and General Sessions for the several districts within the Northern Circuit, hereafter shall be held at the times following instead of the times now provided by law: That is to say, for the District of Union on the first Monday in March and October in every year, to sit one week at each term; for the District of York on the second Monday in March and October in each and every year, to sit one week at each term; for the District of Lancaster on the third Monday in March and October in every year, to sit one week at each term; for the District of Chester on the fourth Monday in March and October in every year, to sit one week at each term; for the District of Fairfield on the first Monday after the fourth Monday in March and October in every year, to sit one week at each term.

II. That all the writs and process which shall have been made returnable to the Courts of any of the said Districts at the times heretofore provided by law, shall respectively be legal and valid to all intents and purposes for the Courts next to be held in the said Districts respectively, ac-
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According to the provisions of this Act; and that all persons who have been summoned or may hereafter be summoned, to attend the Courts of any of the said Districts as jurors or witnesses, or who now are or shall hereafter be bound in recognizance to appear at any of the said Courts at the times now provided by law, shall be and are hereby required to attend and appear at the Courts of the said Districts respectively, next to be held according to the provisions of this Act.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO INCORPORATE CERTAIN TOWNS AND VILLAGES, AND TO RENEW AND AMEND CERTAIN CHARTERS HERETOFORE GRANTED.

I. Be it enacted, by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Charter of the Town of Spartanburg be, and the same is hereby so amended as to change the time for holding the election for Intendant and Wardens in said Town, from the first Monday in September to the second Monday in September, and the said elections shall hereafter be held annually on the second Monday in September; and that the Intendant and Wardens now in office do retain and hold their said offices until the second Monday in September, in the year of our Lord one thousand eight hundred and fifty-three.

II. That the Intendant and Wardens of the said Town of Spartanburg shall hereafter have power to make and ordain all such by-laws and ordinances as they may deem needful and proper for the good government of all slaves and free persons of color within the limits of the said Town.

III. That the Intendant and Wardens of the Village of Frog Level, from and after the passing of this Act, shall have power to make all by-laws and ordinances for the peace, health, order and good government of the same, and to impose fines and penalties for the breach and non-observance thereof, not inconsistent with the laws of the land: Provided, such fines and penalties shall in no case exceed the sum of twenty dollars for any one offence against the same; and the said Intendant and Wardens shall also have the exclusive power to grant licences for the sale of spirituous liquors within the said village, according to the laws of this State: Provided, That

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A. D. 1852. The sum of money paid for the said licences shall in all cases be paid over by the said Intendant and Wardens, to the Commissioners of Roads for the Newberry District.

IV. That from and after the passage of this Act, all persons, citizens of this State, or of the United States, now owning or occupying dwelling houses, or residing in the village of Adams' Run, during the season that persons resort thither for health, shall be deemed and are hereby declared to be a body politic and corporate, by the name of the Village of Adamsia, the limits and bounds of the said Village to be one mile square, to be marked and designated by the Intendant and Wardens of the said Village, and shall be governed by an Intendant and four Wardens, to be elected by the free white male corporators of the said Village, of the age of twenty-one years, on the first Monday of June, in the year of our Lord one thousand eight hundred and fifty-three, and on the same day in each year thereafter; the Managers to hold the said election, to be three in number, and to be nominated in the first instance by the Delegates for the Parish of St. Paul's, and annually thereafter by the Intendant and Wardens; and the said Intendant and Wardens shall have power to make by-laws and ordinances for the good government of the said Village, and for the preservation of the health of the same, and to impose fines and penalties for the breach or unobservance thereof, not exceeding twenty dollars for any one offence; and the said Intendant and Wardens shall be severally vested with all the powers of Magistrates within the corporate limits of the said Village, except for the trial of small and mean causes; and the said Intendant and Wardens shall have power to appoint Constables, who shall have all the powers and privileges and be subject to all the duties and regulations now imposed by law, within the limits of the said Village; and the said Intendant and Wardens shall also have power to abate and remove nuisances within the limits of the said Village.

V. That this Act be taken and deemed a public Act.

VI. That the Charter of the Village of Laurensville heretofore passed, and is hereby continued in force for the term of twenty-one years, and that the Intendant and Wardens of the said village shall be authorized to levy and collect an annual tax on all lots, lands, and buildings within the corporate limits of said village, not exceeding twelve and a half cents \textit{ad valorem} on every hundred dollars of the value thereof, and an annual tax on all other property, free persons of color, employments, faculties and professions, not exceeding in any one year twenty per cent. on the State tax of the preceding year: \textit{Provided}, that no lands or slaves employed exclusively for agricultural purposes shall be subject to taxation. And the said Intendant and Wardens shall also have power to impose and collect an annual tax on all pleasure carriages; barouches, omnibuses, drays, carts, and
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wagons used for hire or public employment in said village, not exceeding one dollar in any one year.

VII. That all free white persons, citizens of the United States who have resided six months in the Town of Williamston, shall be deemed and are hereby declared to be a body politic and corporate, and the said Town shall be known and called by the name of Williamston, and its corporate limits shall extend one mile in every direction from the Rail Road Depot about to be established in the said town, and the said corporation is hereby invested with all the powers and privileges, and subject to all the restrictions as are conferred on the corporation of the village of Anderson by the Act of the General Assembly heretofore passed incorporating said village, and that the charter of the said Town of Williamston be continued for the term of twenty-one years.

VIII. That S. C. Ford, S. T. Gaillard, J. Rees Ford, John P. Ford, J. R. Sparkman, George T. Ford, and all others who now or hereafter may own any lot or lots in the summer settlement in the District of Georgetown, generally known as Plantersville, within the space of one mile square, the precise boundaries thereof to be fixed and distinctly marked by the said persons hereby incorporated, be, and they are hereby, declared a body politic and corporate, by the name and style of the Plantersville Society, and by the said name may sue and be sued in any Court of Law or Equity in this State; and the said Society shall have power to make and use a common seal, and the same to alter at pleasure, and also to make by-laws for the good management of their affairs, and the preservation of the health of Plantersville, within the limits aforesaid, and fines and penalties for the breach and non-observance thereof to impose and recover against the members of the said Society, not exceeding twenty dollars for any one offence.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate,
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO EXTEND THE CHARTER OF THE BANK OF THE STATE OF SOUTH CAROLINA.

I. Be it enacted by 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 expiration of the present charter of the Bank of the
State of South Carolina, the same shall be, and is hereby extended until the
first day of January, which shall be in the year of our Lord one thousand
eight hundred and seventy-one.

II. That the said Bank shall not have authority at any time to make
any subscription to the capital stock of any Rail Road or other work of in-
ternal improvement within or without the limits of this State, unless by the
permission of the Legislature.

III. That the fifth section of an Act, entitled "An Act to establish a
Bank, on behalf of and for the benefit of the State," be and the same is
hereby repealed.

IV. It shall not be lawful for said Bank, except in settlements with
other Banks, to pay, or deliver out in payment or satisfaction of any de-
mand upon it, or by way of loan or discount, any bill, note, check or other
paper of any other Bank.

V. That it shall be the duty of the President and Directors of the said
Bank, whenever any part of the funded debt of the State, (except the three
per cent. stock,) can be purchased at or under par, to purchase the same
on account of the sinking fund; and hereafter, the profits of the Bank, as
they are annually ascertained and carried to the credit of the sinking fund,
shall be disposed of in the following manner, that is to say: They shall
be invested in the purchase of the funded debt of the State, (except the
three per cent. stock;) Provided, the same can be obtained at or under
par. And in case the said profits, or any part thereof, cannot be invested
as aforesaid, within six-months after having been ascertained and carried
to the credit of the sinking fund, then it shall be the duty of the President
and Directors of the Bank to invest the same in the purchase of the three
per cent. stock of the State: Provided, the same can be obtained at a rate
not exceeding sixty-four per cent., or in bonds, notes or other obligations,
made payable not more than six months after date, and secured by pledge
of three per cent. stock of the State, at a rate not exceeding sixty-four per
cent, or other funded debt of the State not above par, or other good and
safe stocks readily convertible into cash, which shall be taken at a rate not
exceeding ninety per cent. of their par value; and also not exceeding nine-
ty per cent. of the current price at which they are salable at the time of
taking such pledge. And it shall also be the duty of the said President
and Directors to cause the account of the sinking fund to be kept in such
manner as to show at all times what particular bonds, notes, stocks and
other securities belong to the said fund.

VI. That from and after the first day of July next any person or persons,
corporation or body politic, who shall within this State, directly or indi-
rectly, pay out, pass or put in circulation, or cause to be paid out, passed
or put in circulation, any bank note, bill, certificate or acknowledgment of
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indebtedness, whatsoever, purporting to be a bank-note, or of the nature, A. D. 1852.
character or appearance of a bank-note, of a less amount or denomination
than five dollars, issued or purporting to be issued, by any bank, or person
or association of persons, in any other State, shall be subject to the pay-
ment of twenty dollars to be recovered by action of debt at the suit of the
State, and appropriated one-half to the informer, and the other to the
maintenance and repair of the public buildings in the District where the
action is brought.

In the Senate House, the sixteenth day of December, in the year of our Lord
one thousand eight hundred and fifty-two, and in the seventy-seventh year
of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate,
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO EXEMPT THE SURVIVING OFFICERS AND MEMBERS OF THE PAL-
METTO REGIMENT FROM ORDINARY MILITIA DUTY.

Be it enacted by the Senate and House of Representatives, now met and
sitting in General Assembly, and by the authority of the same, That the
surviving officers and members of the Palmetto Regiment be and they are
hereby declared to be exempt from the performance of ordinary militia
duty.

In the Senate House, the sixteenth day of December, in the year of our Lord
one thousand eight hundred and fifty-two, and in the seventy-seventh year
of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO INCORPORATE CERTAIN RELIGIOUS AND CHARITABLE SOCIETIES
AND SOCIETIES FOR THE ADVANCEMENT OR EDUCATION, AND TO RENEW THE
CHARTERS OF OTHERS HERETOFORE GRANTED.

I. Be it enacted by the Senate and House of Representatives, now met
and sitting in General Assembly, and by the authority of the same, That
all free white persons who now are or hereafter may become members of
the following Religious Societies, to wit: The Spartanburg Baptist
Church, at Spartanburg Court House; the Buck Creek Baptist Church, in Spartanburg District; the Friendship Baptist Church, Spartanburg District; the Pleasant Grove Baptist Church, Edgefield District; the Shady Grove Baptist Church, of Anderson District; the Baptist Church of Columbia, South Carolina; the Head Spring Church of the faith of the Associate Reformed Church of the South; the Cannon’s Creek Church of the faith of the Associate Reformed Church of the South; Prosperity Church of the faith of the Associate Reformed Church of the South; the Protestant Episcopal Church of St. Luke’s, Newberry; Zion’s Evangelical Lutheran Church, in Charleston, be, and the same are hereby, declared and constituted bodies politic and corporate by the name and style to each hereinbefore respectively assigned.

II. That Cranmore Wallace, Paul T. Keith, William Dehon, William B. W. Howe, J. W. Simmons, Christian Hanckel, Daniel E. Huger, Edward Frost, William Aiken, J. M. Campbell, Edward B. White, Charles D. Carr, William Patton, and Jacob K. Sass, at present members of the Council of the Church Home, an Institution connected with the Protestant Episcopal Church in this State for the support of destitute females and orphan girls, and their successors in office, be, and the same are hereby, declared and constituted a body politic and corporate by the name of the Church Home.

III. That the said Churches, Societies and Associations shall have successors of Trustees, Vestry and Wardens, officers and members, according to their respective by-laws, and shall have power respectively to make by-laws not repugnant to the laws of the land, and to have, use and keep a common seal, and the same to alter at will, to sue and be sued in any court of this State, and to have and enjoy every right, power and privilege incident to such incorporations, and they are hereby empowered to hold, retain, possess and enjoy all such property, real and personal, as they may now severally have and possess, or be entitled to, or which shall hereafter be given, bequeathed, or devised to them respectively, or in any manner acquired by them; and to sell, alien or transfer the same, or any part thereof: Provided, That the amount so held shall in no case exceed the sum of twenty thousand dollars, except the Church Home, which may hold property to the amount of two hundred thousand dollars.

IV. That the Hon. John B. O’Neall, the Hon. Job Johnston, Dr. Pressly B. Ruff, Simeon Fair, Francis B. Higgins, Robert Stewart, Edward Y. McMorris, William H. Harrington, Silas Johnston, Robert B. Holman, William W. McMorris, and Gen. James H. Williams, and their successors, be, and they are hereby created and declared a body corporate and politic, by the name and style of “The Newberry Cemetery Association,” for preservation, regulation and improvement of the burial grounds in the vicinity of the village of Newberry, consisting of a lot of one acre, more or less,
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dedicated by George McCreliss for the purpose of sepulture, and a lot of two acres, more or less, contiguous to the above, conveyed by John Caldwell to the Town Council of Newberry, for the same purpose; and that the said "Newberry Cemetery Association" have all powers necessary for the preservation, regulation and improvement of the said grounds for the purposes aforesaid, and all other powers, privileges and immunities of bodies corporate and politic forever, with the power of supplying any vacancies in their own body, occasioned by the death, resignation or removal from office, or from the State, of any of their members; and with the privilege of owning property, real, personal or mixed, of the value, at the time of acquisition, of twenty thousand dollars. Provided, always, that no part of the grounds aforesaid, dedicated or conveyed by the said George McCreliss and John Caldwell, shall, on any pretence, be made subject or liable for the debts of the said corporation, and they are hereby declared forever and entirely exempt from liability therefor. And the Town Council of Newberry be, and they are hereby authorized and empowered, to convey to the said corporation the said grounds dedicated and conveyed as aforesaid by the said George McCreliss and John Caldwell for the purposes aforesaid.

V. That the charters of the Episcopal Church of All Saints, The All Saints Academy, The Abbeville School Association, be and the same are hereby renewed, with all the rights, powers and privileges heretofore granted to them respectively; and that all the acts done by the Abbeville School Association, in accordance with their said charter, since the twenty-first day of December, in the year of our Lord one thousand eight hundred and fifty, when the same expired by its own limitation, be and the same are hereby declared to be legal and valid.

VI. That this Act is hereby declared to be a public Act.

VII. That D. S. Henderson, E. J. Webb, Samuel Sampson, B. P. Fishburne, Burrell Sanders, Joel Lariscy, and W. C. P. Bellinger, be appointed Trustees of the Walterborough Academy, with all the rights, privileges and immunities to said Academy heretofore belonging.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB’T. F. W. ALLSTON, President of the Senate,
JAMES SIMONS, Speaker House of Representatives.
AN ACT TO INCORPORATE THE CAROLINA MUTUAL INSURANCE COMPANY OF CHARLESTON.

I. Be it enacted, by 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 become members in the manner hereinafter prescribed, shall thereupon become, and they and their successors shall be one body politic and corporate, under the name, style and title of "The Carolina Mutual Insurance Company of Charleston."

II. That every person insured in this Company, shall be deemed a member thereof, and shall continue a member thereof during the continuance of such insurance.

III. That as soon as one hundred persons shall subscribe their names to one hundred an agreement to become insured by the said Company, the same shall go into operation; but if at any time thereafter the members amount to less than one hundred, the said Company shall immediately cease and determine.

IV. That the said Company under its name, shall have succession of officers and members, and all the powers, privileges and franchises incident to a corporation, and shall be capable of taking, holding, and disposing of their capital stock, according to such rules, regulations and institutions as they may from time to time establish; and also of taking, holding and disposing of or investing, as the said corporation shall from time to time judge fit, the increase, profit, or emoluments of their said capital stock to their own use, and shall have full power and authority to make, have and use a common seal, and with such device and inscription as they shall deem proper, and the same to break, alter and renew at their pleasure; and by the name, title and style aforesaid, shall be able and capable at law or in equity, to sue and be sued, implead and be impleaded, answer and be answered unto, in all or any of the Courts or tribunals of this State, in all manner of suits, pleas and demands whatsoever; and they are hereby authorized and empowered to appoint a Board of Directors, to consist of a President, a Secretary, a Treasurer, and six Directors at such periods and with such duties as they shall see fit; and also to make rules, by-laws and ordinances, and do every thing needful for the good government and support of the affairs of the said corporation, and for restoring their capital when diminished by losses: Provided always, that the said rules, by-laws and ordinances shall not be repugnant to the Constitution and laws of the United States, or of this State.

V. That the said corporation shall have a right and power to purchase, acquire, take, and hold in the said corporate name, lands and real estate, and the same to demise, grant, sell, lease, assign and convey in fee simple or otherwise: Provided, the clear yearly income of the real estate so to be held shall not at any time exceed ten thousand dollars.
VI. That the said corporation shall, by their said name and by the signature of their 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, and by their rules and bye-laws, ordain and appoint, have a right to make contracts and underwrite policies of insurance and indemnity upon marine risks, whether of vessels or goods and merchandize, in whole or in part, foreign and domestic, whether lying in foreign ports or shipped upon the high seas, or in any ports of the United States, or within any of the rivers, bays, creeks, canals or waters of this State, lying or being laden; and also in like manner to make contracts and underwrite policies of insurance and indemnity against fire, on all buildings, goods, wares, merchandize and other property liable to destruction or accident by or from fire or the effects thereof, situate, lying, being or deposited in this State or elsewhere; to lend or advance money upon bottomry or respondentia, to make insurance on lives, to grant and purchase annuities, to lend money on the security of real and personal property or either, or on bonds; bills or promissory notes, to make any other contingent contract involving the duration of life, and generally to transact and perform all the business relating to the objects aforesaid, according to the usage and custom of merchants, and by such contracts effectually to bind and pledge their said members, each according to his rate of insurance and amount insured, according to their rules and regulations established and subscribed.

VII. That in case any accident occurs and the damage has been ascertained, it shall and may be lawful to and for the said Board of Directors, if they shall deem the same necessary, to assess all the members according to the amount and rates of their insurance; one month's notice shall be publicly given in some newspaper, published within the State, of the said assessment, within which period the same shall be paid to the Treasurer; and if the assessment of any member be not paid within the period fixed aforesaid, the said Company may recover from such defaulting member the amount of his or her assessment, with interest thereon from the date of such assessment.

VIII. That in all elections in the said Company, each member thereof shall be entitled to one vote, and all elections shall be conducted by ballot.

IX. That this Act shall be deemed a public Act, and be in force for twenty-one years.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate,
JAMES SIMONS, Speaker House of Representatives.
No. 4083. AN ACT TO APPROPRIATE THE SUM OF THREE THOUSAND FIVE HUNDRED DOLLARS FOR THE ERECTION OF A SUITABLE BUILDING FOR THE EDUCATION OF THE DEAF AND DUMB OF THIS STATE, AT CEDAR SPRINGS, IN SPARTANBURG DISTRICT.

I. BE IT ENACTED by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the sum of three thousand five hundred dollars, be, and the same is hereby loaned and appropriated out of any money in the Treasury, for the erection of a suitable building or buildings, at Cedar Springs, in Spartanburg District, for the education of the deaf and dumb of this State, to be drawn and applied by N. Pinckney Walker, the principal of the Deaf and Dumb Asylum aforesaid, as hereinafter provided.

II. That as soon as the said N. Pinckney Walker shall have given bond to the State of South Carolina for the aforesaid sum of three thousand five hundred dollars, payable at the end of ten years, without interest, and shall have secured the payment of the same by the mortgage of real and personal property of the value of five thousand dollars, to be approved of and assessed by Robert White, Simpson Bobo and James W. Cooper, who are hereby appointed Commissioners in behalf of the State for that purpose; and the said mortgage shall have been duly authenticated and recorded, and the form and execution of the said bond and mortgage shall have been approved by the Attorney General or one of the Circuit Solicitors, and deposited in the office of the Treasurer of the Upper Division, then the said Treasurer shall be, and he is hereby authorized and required, to pay to the said N. Pinckney Walker, upon his draft, the aforesaid sum of three thousand five hundred dollars, to be applied by him to the erection of such building or buildings as he may deem necessary and proper for the purpose aforesaid.

III. That the acceptance of the said sum of money, upon the terms herein set forth, by the said N. Pinckney Walker, shall operate, ipso facto, as a mortgage of the building or buildings to be erected, and the premises upon which they may be situated, to the State of South Carolina; and it shall not be lawful for the said N. Pinckney Walker to appropriate the said sum of money, or any part thereof, any other to purpose whatever than to the erection of the building or buildings aforesaid; and upon information being made to the Attorney General, or any one of the Solicitors, that he has otherwise appropriated the same or any part thereof, it shall be the duty of such Attorney General or Solicitor, to institute proceedings forthwith upon the bond of the said N. Pinckney Walker, upon which, judgment and execution may be awarded by any of the Courts of this State, without regard to the time the said bond may have to run.
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IV. That if the said N. Pinckney Walker shall, at any time within said term of ten years, neglect or refuse to carry on, keep and conduct the said school for the education of the deaf and dumb, or to cause to be properly carried on, kept and conducted, the said Institution, at the same rates of tuition now fixed, or that hereafter may be fixed by the State for the beneficiaries of said school, the said sum of money hereinbefore authorized to be loaned, shall thereupon become due to the State, and it shall be the duty of any one of the Solicitors of this State, upon being informed of such failure on the part of said N. Pinckney Walker, to institute proceedings in any Court having jurisdiction for the collection of the same.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate,
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO PREVENT OBSTRUCTIONS TO THE PASSAGE OF FISH UP LYNCH'S CREEK.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That any person or persons who now have or hereafter may erect any oblique or other stationary hedge or hedges, or other temporary or permanent obstruction of any name or kind whatsoever, to the free passage of fish up Lynch's Creek, otherwise, near its mouth, called Clark's Creek, from its junction with the Great Pee Dee River, or who shall run two seines at one time, at or near the same place, or who shall erect or run a single seine of such length or in such oblique direction as to prevent the free passage of fish as aforesaid, or who shall open a new channel or channels for the said Creek, and erect any such obstructions in or across the channel or channels thus opened, although a passage of fifteen feet may apparently be left unobstructed, all such person or persons shall be subject to indictment in the Court of Sessions, and upon conviction, shall be punished by fine or imprisonment, or both, not exceeding five hundred dollars fine and six months imprisonment.

II. That all owners or occupiers of lands situated upon the said Creek, who shall wilfully and knowingly permit or suffer the erection of any such obstruction as aforesaid to the free passage of fish up said Creek, such owner or owners shall be subject to indictment and punishment upon con-
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viction as those who shall be convicted of erecting maintaining or using the said obstructions.

III. That one-half of all fines imposed by virtue of this Act shall go to

Fines, how the informer, (who shall be a competent witness to prove the offence,) and the other half to the Commissioners of Public Buildings of the District in which the conviction shall be had.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

No. 4085. AN ACT TO INCORPORATE "JOHNSON FEMALE UNIVERSITY."

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That


II. That the said trustees shall by their corporate name and style afo-

Powers and said, have perpetual succession of officers and members, and shall be capable and liable in law and equity to sue and be sued, plead and be impleaded in any Court of Law or Equity in this State, to use a common seal, and the same to change at will, and to make such bye-laws and rules for the regulation and government of themselves and the said University as they may deem necessary: Provided, such bye-laws, rules and regulations be not repugnant to the Constitution and laws of this State, or of the United States.

III. That the said Board of Trustees are and shall be authorized to appoint such officers as they may think proper for the organization and government of their own body, and also all the officers, professors, tutors,
and instructors of, and in said University, and to remove the same at pleasure, and to exercise such general control and supervision over the officers, instructors, affairs, and government of said University as they may deem advisable.

IV. That the said Board of Trustees, in order to raise a competent endowment therefor, shall have power and authority to sell and dispose of scholarships in said University, for such time and upon such terms as they may deem proper, and to issue certificates for the same under their corporate seal, and to confer and award all such distinctions, honors, licenses and degrees as are usually conferred and awarded in the Female Colleges and Universities of the United States.

V. That the said Trustees and their successors shall have and hold all the estate, property and funds now belonging to the said University, and all property, funds, money, donations, legacies, and devises which may hereafter be granted, conveyed, bequeathed, and devised, or given to said University, in trust, nevertheless for the use and benefit of said University.

VI. This Act shall be deemed and taken to be a public Act, and continue in force for the term of twenty-one years.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO AMEND AN ACT, ENTITLED " AN ACT TO INCORPORATE THE COMMERCIAL INSURANCE COMPANY."

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Commercial Insurance Company, incorporated by Act of the General Assembly, on the twentieth day of December, in the year of our Lord, one thousand eight hundred and fifty, shall have power to make contracts and underwrite policies of assurance and indemnity upon marine risks, in the manner provided for in the seventh section of said Act of Incorporation, upon vessels or goods and merchandise, lying or being, or laden upon or within any rivers, bays, creeks, canals or waters whatever and wheresoever, whether in this State or elsewhere.

II. That said Company shall have power to invest their surplus funds in any securities in which by the provisions of the eighteenth section of the
said Act of Incorporation, they are now authorized to invest the capital of said Company; and whenever the surplus funds, invested as aforesaid, shall amount to the sum of fifty thousand dollars, the same shall be added to the capital stock of the said Company, and certificates issued to the stockholders in proportion to the number of shares held by them respectively, of the par value of twenty-five dollars; and whenever thereafter the undivided surplus funds as aforesaid, with interest thereon, shall amount to the sum of fifty thousand dollars, the same shall, in like manner, be added to the capital stock aforesaid, and certificates of the same, shall be again issued as hereinbefore provided for. Provided, That the capital stock of the said Company shall at no time be increased to an amount beyond five hundred thousand dollars.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

No. 4087. AN ACT TO AUTHORIZE THE STATE TO AID IN THE CONSTRUCTION OF THE PENDLETON RAIL ROAD.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That whenever satisfactory proof is produced to the Comptroller General that the sum of eighty-five thousand dollars is duly subscribed by responsible persons to the capital stock of the Pendleton Rail Road Company, and that the said Company has been duly organized, he is hereby authorized to subscribe on the part of the State, forty-two thousand five hundred dollars to the said capital of said Company, to be paid in the stock held by the State in the South Carolina Rail Road Company, equal at its par value to the said sum; and that he take in the name of the State, a certificate from the said Company for that amount of stock, which said stock in the South Carolina Rail Road Company, shall be accepted by the said Pendleton Rail Road Company for the said amount, without any recourse whatever against the State.

II. The subscription shall be paid in the manner and subject to the terms and conditions hereinafter expressed.

III. Whenever satisfactory proof shall be produced to the Comptroller General that the sum of twenty thousand dollars shall have been paid by
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the stockholders, and expended in the construction of said Road, the Comptroller General shall transfer and deliver to said Company so much of the stock of the State in the South Carolina Rail Road Company, as shall amount at its par value to twenty thousand dollars, and when similar proof shall be produced to the Comptroller General that twenty thousand dollars more shall have been paid in and expended as aforesaid, the Comptroller General shall transfer and deliver fifteen thousand dollars more of the said stock to said Company, and in the same manner the remaining subscription of seven thousand five hundred dollars shall be paid to the said Company when the Road shall be finished and in operation.

IV. The State shall in no way whatever be liable for the debts and contracts of the said Rail Road Company.

V. The State shall have the same right in the Company and in its management as is reserved to private stockholders, and the General Assembly shall at any time have a right to examine into the condition of the said Company, and the Company shall annually submit to the Legislature a report exhibiting its condition and prospects.

VI. That it shall not be lawful for said Company to prevent any Rail or Plank Road Company from crossing its main track or any branch thereof, but said crossings shall be regulated between said Companies on such terms and conditions as shall be reciprocally convenient to them, and at the same time conducive to the interest of the public.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO INCORPORATE THE FIREMAN'S INSURANCE COMPANY OF No. 4088. CHARLESTON.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the persons and bodies corporate who shall become stockholders in the manner hereinafter prescribed, and their successors, shall be a body politic and corporate, under the name, style, and title of "The Fireman’s Insurance Company of Charleston."

II. The capital stock of said Company shall be two hundred thousand dollars, to be divided into twenty thousand shares, of ten dollars each, and
shall be raised in the following manner: The following persons are appointed Commissioners to receive subscriptions to the capital stock, to wit: William Adger, Samuel Y. Tupper, R. Dewar Bacot, William C. Dagget, D. F. Armstrong, S. H. Kalb, J. S. Runken, William Wright, W. P. Patterson, A. F. W. Abrams, James Gilliland, S. H. Oppenheim, R. M. Butler. The said Commissioners, or a majority of them, shall open books at Charleston, on the first Monday in February next, and receive subscriptions to the said stock: Provided, The said Commissioners shall have given at least ten days notice, by advertisement in two daily gazettes in the City of Charleston, of the time and place of receiving the subscriptions, and shall require a payment of two dollars on each share to be made at the time of subscription therefor.

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

IV. The Fireman's Charitable Association and each Fire Company of the city of Charleston, which is now or hereafter may be incorporated, shall be entitled to subscribe to, purchase and hold said stock, in its own corporate name. The Corporation of the city of Charleston shall have the privilege of subscribing for any number of shares not exceeding two thousand, if their subscription be made within twelve months of the first opening of the books.

V. No body politic or corporate, other than those named in the fourth section of this Act, and the said Insurance Company itself, and no person other than a member of some Fire Company of Charleston, now or hereafter incorporated, the widows and orphans of the members of such Fire Companies (under certain conditions hereinafter expressed) and the managers and assistant managers of Fire Engines under the control of the City of Charleston, shall be entitled to subscribe to, purchase, take or hold any share or shares, or any part of the capital stock of said Insurance Company, save only and except where purchases may be made at sales under an order of Court, or of insolvent estates, in which cases any purchasers at such sales may take and hold any shares purchased at such sales. If any individual stockholder shall cease to be a member of a Fire Company, he shall within sixty days after, dispose of his stock to some person or body corporate, competent to take under this charter; in default of his so doing, the Directors of said Insurance Company, after ten days notice in some one of the daily papers published in Charleston, shall sell the shares at public auction, transfer the stock to the purchaser, and pay over the nett proceeds to the former stockholders. In case of the death of any individual stockholder, it shall be the duty of his executor or administrator, within two years after the grant of letters testamentary or of administration, to dispose of the said stock to some person or body corporate, competent to
take under this charter; and in default of so doing, the Directors of the said Insurance Company, after ten days notice in some one daily paper published in Charleston, shall sell the shares at public auction, transfer the stock to the purchaser, and pay over the nett proceeds to the said executor or administrator. All sales so made by the Director, shall be only to persons or bodies corporate competent to take and hold such stock under this charter. But if any stockholder shall, at his death, leave surviving him a widow, she shall, so long as she may remain a widow, be entitled to hold such stock as may be allotted her by devise or distribution of the estate. Should any stockholder leave a child or children, grand-child or grand-children, the child or children of a deceased child surviving him, such child or children, grand-child or grand-children, shall be entitled to hold such stock as may be allotted by devise or distribution of the estate, the male children until they are of the age of twenty-one years, and the female until they are of the age of twenty-one years, and further until they marry. Where the widow and children are entitled to hold stock under this section, they shall in all cases have six months to dispose of their stock after their privileges shall cease as above provided, and if they do not within that time dispose of such stock, the Directors of the Company shall proceed to sell the stock as provided for in other cases.

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

VII. In case the number of shares subscribed shall be less than twenty thousand, the Commissioners shall receive further subscriptions to make up that number at any time within one year after the first opening of the books.

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

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

X. The said corporation, in their said name, and by the signature of
their President for the time being, or by the signature of such other person
and in such form and with such ceremonies of authentication, as they
may by their rules and by-laws direct, shall have a right to make con-
tracts and underwrite policies of insurances and indemnity against fire on
all buildings, goods, wares, and merchandise, and other property liable to
destruction or accident by or from fire, or the effects thereof, situate, lying,
being, or deposited within the limits of the city of Charleston, and on all
vessels of every description, and their cargo, lying at the wharves or
within the harbor of the city of Charleston, and to transact and perform
all the business relating to such contracts or policies of insurance, as
aforesaid, according to the usage and custom of merchants; and by such
contracts, effectually to bind and pledge their capital stock. Every mem-
ber of any of the Fire Companies entitled to hold stock in this Company,
shall be entitled to effect insurances at a discount of five per cent. less
than other persons. The said Company shall be authorized to lend money
on the security of real and personal property, bonds, bills, or promissory
notes; but it shall not be lawful for the said Company to lend money on
the security of its own stock.

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

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

XIII. If the affairs of the corporation are not wound up as directed in
the preceding section, and they proceed with business, then the President
and Directors shall be jointly and severally liable to make good all engage-
ments of the Company, entered into after the reduction of the capital; but
nothing in this section shall extend to any President or Director who shall dissent to the proceedings of the Company in these particulars, and who shall enter his protest in the minutes of the Board and publish the same in the daily gazettes of the city of Charleston, or who shall be absent from the State during the six months in which the deficiency of capital ought to have been made up.

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

XV. In all elections and other corporate acts done by the stockholders of the said Company, every stockholder being the owner of five shares or less, shall have one vote; every stockholder being the owner of more than five shares, shall have one more vote for every five shares between five and fifty shares, and an additional vote for every ten shares he may own over fifty shares, but no stockholder shall be entitled to more than twenty votes.

XVI. One moiety of the capital of the Company shall be paid in, and satisfactory proof thereof be furnished to the Comptroller General, before the said Company shall be authorized to commence business, and the residue of the capital shall be paid in at such times and in such manner as the Company may appoint, provided the whole shall be paid in within one year after they shall have commenced business.

XVII. The books of the Company shall be examined from time to time by such person or persons as the Legislature may for that purpose appoint, and the person so appointed shall have full power to compel the attendance of witnesses and the production of books and papers, and to enquire into the management of the Company. In case of abuse or violation of their charter, the said Company may be proceeded against by scire facias in the Court of Common Pleas and General Sessions for Charleston District, and upon conviction, shall be liable to have their charter annulled by the judgment of the Court.

XVIII. At least half of the capital of the said Company shall be permanently invested in stock of this State, or of the city of Charleston, or of the General Government, or in good stocks of incorporated Companies within this State, or in bonds secured by mortgage of real estate within the State, and the Company may transfer and sell such stocks, or
any part thereof, or dispose of or collect the said bonds for the purpose of re-investment, whenever a due regard to the safety of its funds may require: Provided, however, That the said Company shall not deal or trade in buying and selling any goods, wares, merchandize, commodities or stocks whatsoever.

XIX. No dividend upon the capital of the Company shall be declared exceeding twelve per cent.; any excess of profits above said per centage, shall be carried to a surplus fund, to meet losses and equalize dividends. In case the profits fall below the per centage above specified, the dividends may be increased to that rate from the surplus fund, the interest upon the investment of said surplus fund may however be at all times added to the dividend, and distributed among the stockholders. All fractional parts of a dollar received by the Company in payment of premiums of insurance, shall be appropriated by them to the Fireman's Charitable Association of Charleston: Provided, Such amounts shall not exceed the sum of five hundred dollars per annum.

XX. This Act shall be deemed a public Act, and the Charter hereby granted shall continue and be in force for twenty years, and no longer.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO CHARTER THE LANCASHER RAIL ROAD COMPANY.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of establishing a communication by Rail Road from the village of Lancaster, to connect with the South Carolina Rail Road at Camden, or the Charlotte and South Carolina Rail Road at Chesterville, or at or near Ridgeway, in Fairfield District, or some other suitable point on said Road, as may be agreed on by the Stockholders, the formation of a corporate Company is hereby authorized, to be called the Lancaster Rail Road Company, which Company, when formed, in compliance with the conditions herein prescribed, shall have corporate existence as a body politic in this State.
II. That for the purpose of raising the capital stock of the said Company, it shall be lawful to open books at Lancaster Court House, under the direction of Dixon Barnes, Thomas K. Cureton, James H. Witherpoon, Thomas W. Huey, William McKenna, W. C. Cauthen, John Adams, W. A. Moore, H. R. Price, and James Robinson; at Camden, under the direction of John Rooser, W. Thurlow Caston, and Enoch Tryon; at Chester Court House, under the direction of John A. Bradley, Samuel McAliley, and C. D. Melton; at Winnsboro', under the direction of Samuel G. Barkley, J. Z. Hammond, and J. M. Rutland; at Columbia, under the direction of James V. Lyles, John Caldwell, and John G. Bowman; at Charleston, under the direction of S. S. Farrar, James S. Chambers, and Frederick E. Fraser; and at any other place or places in the States of South Carolina or North Carolina, under the direction of Commissioners, to be named and designated by a majority of the aforesaid Commissioners hereby appointed at Lancaster Court House, for the purpose of receiving subscriptions, to an amount not exceeding three hundred thousand dollars, in shares of fifty dollars each; to constitute a joint capital stock, for the purpose of constructing and carrying into operation the Rail Road herein by this Act provided for; but if the capital stock of the Company shall be found insufficient for the purposes for which said Company is formed or incorporated, it shall and may be lawful for said Company, at some general meeting, by a vote of the stockholders, from time to time, to increase the capital stock to an amount not exceeding four hundred thousand dollars, by the addition of as many shares as may be necessary for that purpose. That the times and places for receiving subscriptions shall be fixed by the Commissioners herein named at Lancaster Court House, or a majority of them, and shall be advertised for thirty days in one or more newspapers in this State, and in the State of North Carolina, and the books for receiving subscriptions shall be kept open for sixty days, at each of the places where the same shall be opened. That on each share of the stock subscribed for, the subscriber shall pay to the Commissioners who shall take the same, the sum of two dollars and fifty cents, in specie, or the notes of specie paying Banks—the said Commissioners giving a receipt or certificate for the same, and on non-payment of said installment, the subscription shall be void, and at the expiration of the time hereby prescribed for keeping open the said books, the said Commissioners and others shall deposit the sums received by them on the said cash installment, in some specie paying Bank in this State, and shall make a return of the subscriptions taken by them, and the sums paid thereon, to the Commissioners hereby appointed at Lancaster Court House; and the said Company is hereby authorized to construct a Rail Road from the Village of Lancaster, to connect with the
South Carolina Rail Road at Camden, or the Charlotte and South Carolina Rail Road at Chesterville or at Ridgeway, or to such other point on said Road, and by such route as may be designated and determined by a majority of the stockholders, in general meeting: Provided, That in the event the route be determined by the stockholders shall run to any particular point herein designated, such persons who may have subscribed for stock in said Company, to any route running to either one or both of the other points herein named, other than that which shall have been selected and determined as the route of the Road, may, if they choose to do so, withdraw their subscriptions.

III. It shall be the duty of the Commissioners, herein by this Act appointed, and others, for the opening of books of subscription, for the capital stock of said Company, at each of the places hereinbefore named, and to be designated, by the Commissioners hereby appointed at Lancaster Court House, and at the times provided for by this Act, to open three sets of books: the one for subscriptions for the Road, by a route from the Village of Lancaster to the Town of Camden: the other set of books, for subscriptions for the said Road, by a route from the Village of Lancaster to Chesterville; the third set of books, for subscriptions for the said Road, by a route from the Village of Lancaster, passing near Liberty Hill, to connect with the Charlotte and South Carolina Rail Road, at or near Ridgeway; and the route, or line of the Road, shall be determined by the amount subscribed for each route, reference being had to the proportion which the probable cost of each route or line will bear to the amount subscribed for each route or line.

IV. That whenever the sum of one hundred and fifty thousand dollars shall be subscribed for, in manner herein prescribed, to either one or all of the routes herein designated, the subscribers, their executors, administrators, or assigns, shall be, and they are hereby declared to be incorporated into a Company, by the name and style of the Lancaster Rail Road Company; and may meet and organize the said Company, at such time and place as may be designated by a majority of the Commissioners herein named for the Village of Lancaster.

V. That for the purpose of organizing and forming this Company, all the powers conferred by the Charter of the Charlotte and South Carolina Rail Road Company, on the Commissioners therein named, shall be vested in the Commissioners hereby appointed, at Lancaster Court House; and all the powers, rights, and privileges granted by the Charter of the Charlotte and South Carolina Rail Road Company to that Company, shall be, and are hereby granted to the Lancaster Rail Road Company, and subject to the conditions therein contained, except as to the amount of the capital stock, the amount and value of shares, and the sum necessary to autho-
OF SOUTH CAROLINA.

An Act to Incorporate the Beaufort and Columbia Loan and Building Associations.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Edward Rhett, Thomas O. Barnwell, John A. Johnson, A. McNeir Cunningham, William B. Means, E. J. Durban, David L. Thomson, and John M. Baker, together with other persons who are now or hereafter may be associated with them, be and they are hereby declared a body politic and corporate, for the purpose of making loans of money, secured by mortgages of real estate and personal property, to their members and stockholders, by the name and style of "The Beaufort Loan and Building Association," the capital stock of which shall consist of six hundred shares, to be paid in by successive monthly instalments of one dollar on each share, so long as the corporation shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for defaults in their payments, as may be prescribed by such by-laws as the said corporation shall be hereinafter empowered to make and adopt.

II. That John Fisher, W. W. Walker, R. L. Bryan, J. W. Parker, G. Monteith, John T. Goodwyn, and L. B. Beckwith, together with other persons, who now are or hereafter may be associated with them, be and they are hereby declared a body politic and corporate, for the purpose of making loans of money, secured by mortgage of real estate and personal property to their members and stockholders, by the name and style of the "Columbia Building and Loan Association," the capital stock of which shall consist of twelve hundred shares, to be paid in by successive monthly instalments of one dollar on each share, so long as the corporation shall continue, the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for defaults in their payments, according to such regulations as may be prescribed by the bye-laws of said corporation.
III. That the said corporations, respectively, shall have power and authority to make any such rules and bye-laws for their government as are not repugnant to the Constitution and laws of the land; shall have such number and succession of members and officers as shall be ordained and chosen according to the said rules and bye-laws made or to be made by them; shall have and keep a common seal, and may alter the same at will; shall sue and be sued, plead and be impleaded, in any Court of Law or Equity in this State, and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

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

V. That whenever it shall so occur that the funds of the said corporations, respectively, shall remain unproductive and uncalled for, for the space of two months, the corporations, respectively, shall have power to loan whatever amount may be thus on hand to others than stockholders and members, provided it can be safely invested and re-paid within one year, at the rate of not more than seven per cent.

VI. That whenever the funds of the said corporations, respectively, shall have accumulated to such an amount, that upon a fair and just division thereof, each stockholder and member shall have received or be entitled to receive the sum of two hundred dollars or property of that value, for each and every share of stock by whom or her so held, and such distribution and division of the funds shall have been so made, then these corporations, respectively, shall cease and determine; and that this Act shall be taken and deemed a public Act, so held and judicially taken notice of as such, and that the same may be given in evidence without special pleading.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.
OF SOUTH CAROLINA.

AN ACT TO AMEND AN ACT, ENTITLED AN "ACT TO AMEND THE LAW IN RELATION TO THE HARBORING OF DESERTED SEAMEN."

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the second section of an Act, entitled "An Act to amend the law in relation to the harboring of Seamen," who have deserted, passed on the twenty-first day of December, in the year of our Lord, one thousand eight hundred and thirty-seven, be, and the same is hereby amended, so that hereafter a copy of the articles of the ship or vessel, authenticated by the affidavit of the Captain, sworn to before any Notary Public or Magistrate, shall be admissible in evidence, in like manner, and for like purposes, for which the original articles of said ship or vessel are now admissible in evidence, under the provisions of said Act.

II. And the said copy, so certified as aforesaid, shall also be admissible in evidence in any trial or prosecution commenced under this Act, and any person who shall hereafter be convicted of harboring deserting seamen, or of inveigling or procuring them to desert any service for which they have engaged, or disregard any articles into which they have entered, shall be held guilty of a misdemeanor, and, upon trial and conviction, shall be punished by fine and imprisonment at the discretion of the Judge, not to exceed three hundred dollars fine and three months imprisonment.

III. That it shall not be lawful for any master or keeper of a boarding or lodging house intended for or appropriated to the use or accommodation of seamen, or any servant, agent or other person in their employment, or for any broker, shipping master, or other person engaged in the business of procuring seamen for vessels, or furnishing them with such seamen, or making contracts for their services, to enter or attempt to go on board of any vessel lying at any port or in any waters within the jurisdiction of this State, without having previously obtained the permission of the master or other person having the care, custody, and control of such vessel, and any such person so entering any vessel, as aforesaid, without the permission required by this Act, shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished by fine and imprisonment at the discretion of the Judge who tries the case, not to exceed three hundred dollars and three months imprisonment; and it shall be lawful for the master or other person having the command of the said vessel, or the care, custody, and control of the same, to seize and arrest all persons while so offending, and to take them before any Magistrate to be committed or bound over to appear as in other cases of misdemeanor, and upon the trial of any person indicted under this Act, in case it shall be proved that any
such person as above described shall have entered or attempted to go on board of any vessel within the jurisdiction of this State, it shall be obligatory upon the person accused, to prove that he had previously received the permission required by this Act; and in default of such proof, such person shall be presumed to have entered without such permission, and be found guilty accordingly.

IV. That when any prosecution shall be commenced against any person, under this or any former Act, providing for the punishment of harboring seamen who have deserted, and it shall appear to the Magistrate, before whom the prosecution was commenced, that the testimony of any Master of a vessel or other transient person will be important on such trial, such Magistrate shall have authority, after five days notice to the party accused to summon such witness before some judge of the Court of General Sessions, or the Recorder of the City Court of Charleston, to appear and give evidence in the said matter, when such witness shall be examined with the right to the party accused to examine or cross-examine such witness as in trials in open Court, and the Judge or Recorder shall certify and seal up such evidence to be used, on the trial of the cause, in the same manner as if the same had been given orally on such trial. Provided, that such testimony shall in no case be used unless it shall appear by the affidavit of the Magistrate, before whom such prosecution shall have been commenced, that such witness is not at the time of such trial within the jurisdiction of this State.

No. 4092.

AN ACT TO INCORPORATE THE TOWN OF BLUFFTON.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, who now own, or may hereafter own, dwelling houses in the town of Bluffton, in the Parish of Saint Luke's, District of Beaufort, and those who may occupy such dwelling houses under lease, may be deemed, and are hereby declared, a body corporate or politic; and that the said town shall be called and known by the name of Bluffton, and its limits shall be held and deemed to extend...
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on the North from the Northern edge of the public road, beginning from dividing line between Stock Farm and Buck Island Plantation, belonging to James Pope, senior; thence Eastwardly to the North Western angle of Boundary street; thence down the Eastern edge of said street until it joins the North West angle of Rowel's lot; on the South by May River; on the East by lots as indicated on the plat of Deputy Surveyor Buckner, excepting and excluding the lot on which is the residence of the late James Kirk, known and marked on said plat "Mr. Kirk's settlement," on the West by the dividing line between Stock Farm and Buck Island Plantation.

II. That the said town shall be governed by an Intendant and four Wardens, who shall be appointed in the first instance by the delegation of Saint Luke's Parish, and shall continue in office until the third Monday of September next, on which day, as well as on the third Monday of September in every year thereafter, an election shall be held for an Intendant and four Wardens, (who shall always be freeholders within the limits of said town,) at such place as the Intendant and Wardens shall designate, ten days notice being previously given; and that all free white male inhabitants of the age of twenty-one years of the said town, and who have resided therein three months previous to the election, or who may own a house or lot in said town, shall be entitled to vote for the said Intendant and Wardens, the election to be held from nine o'clock in the morning until two o'clock in the afternoon; and when the polls shall be closed, the Managers shall proclaim the said election, and give notice in writing to the persons elected; and that the Intendant and Wardens of the said town, for the time being, shall always appoint the Managers, three in number, for the ensuing election. That the Intendant and Wardens, before entering upon the duties of their offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: As Intendant or Warden of Bluffton, I will equally and impartially, to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been appointed: So help me, God.

III. That in case a vacancy shall occur in the office of Intendant or Wardens, by death, resignation, removal from office, or absence from the State, an election to fill such vacancy shall be held by appointment of the Intendant and Wardens, or the Wardens, as the case may be, ten days previous notice being given, and in case of the sickness or temporary absence of the Intendant, the Wardens, forming a council, shall be empowered to elect one of the Wardens to act in his stead during the time.

IV. That the Intendant and Wardens, when elected and duly qualified, shall, during their term of service, severally and respectively, 

A. D. 1859.
be vested with all the powers of Magistrates of this State, except for the trial of small and mean causes, and their immediate jurisdiction shall extend to the limits of said town; that the Intendant shall and may, as often as occasion may require, summon the Wardens to meet in Council, any two of whom, with the Intendant, may constitute a quorum to do business, and they shall be known by the name of "The Town Council of Bluffton," and they, and their successors hereafter to be elected, may have a common seal; and they shall have power and authority to constitute and appoint from time to time, such and so many proper persons to act as constables within their jurisdiction, according to law, as they shall find expedient and proper; which constables shall have all the powers and privileges, and be subject to all the duties and regulations, appointed by the laws of this State for the said office. And the Intendant and Wardens shall have full power, under their corporate seal, to make and establish all such rules, bye-laws and ordinances, respecting the streets, ways, lots, markets, and police of the said village, as shall appear to them requisite and necessary for the security, welfare and convenience of the said town, and for preserving health, peace, order and good government within the same; and the said Council may affix fines for offences against their rules, bye-laws and ordinances, and appropriate the same to the public uses of the said corporation; but no fine shall exceed thirty dollars, for any one offence; which fines when they exceed twenty dollars, may be recovered in the Court of Common Pleas for Beaufort District, and when under the sum of twenty dollars, before the said Intendant and Wardens or any two of them, who shall have power to issue their execution for the collection of the same. Provided, that nothing herein contained shall authorize the said Council to make any laws inconsistent with, or repugnant, to the laws of the land; and that all the rules, bye-laws and ordinances, they may make and ordain, shall at all times be subject to the revisal or repeal of the Legislature.

V. That the said Intendant and Wardens shall have full power to abate and remove nuisances in said Town, and to classify and arrange the inhabitants liable to do patrol and road duty, and to require them to perform such duty as often as occasion may require, and to enforce the performance thereof, under the same penalties as are now established by law; and that the said Intendant and Wardens, or any one of them, upon view thereof or complaint lodged, are hereby required to issue warrants against all offenders, and cause them to be brought before them, and, upon examination, shall either release, admit to bail, (if the offence be bailable,) or commit to jail, such offenders, as the case may require; and the Sheriff of Beaufort District is enjoined to receive and keep the persons so committed, until discharged in due course of law; and that the said Intendant and Wardens may, collectively or severally, take re-
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Cognizance in all criminal cases, upon the terms and in the manner as Magistrates are required to do by law.

VI. That the said Intendant and Wardens shall have the full and only power to grant licences to keep taverns and retail spirituous liquors within the said limits, which licenses shall be granted in the same manner and upon the same conditions as they are now granted by Commissioners of Roads, under the laws of this State: and all the powers vested in Commissioners of Roads are hereby granted to the said Intendant and Wardens within the limits of the said town; and that all monies paid for licenses, fines and forfeitures, for retailing spirituous liquors and keeping taverns, within the said limits, shall be paid to and appropriated by the said Intendant and Wardens to the public uses of the said corporation.

VII. That the said Intendant and Wardens shall have full power and authority to compound with persons liable to work on the roads and streets, and perform patrol duty in said town, and to release such persons as may desire to be released therefrom, upon the payment of such annual sum of money to the said Intendant and Wardens, as may be deemed by them a fair equivalent therefor, to be applied by them to the services and uses of said corporation; and that no person residing within said limits seven months in the year, shall be liable to work on any road or perform patrol duty without the limits of said town.

VIII. That all persons owning houses and lots in the said town, and residing there during the summer months, shall be liable to do patrol and road duty in said town during the whole year: Provided, that the said Intendant and Wardens shall not have power to order out any persons to perform road or patrol duty during the whole year, unless they be in the habit of making the said town their summer residence; nor shall any hands be ordered out to perform said road duty except those hands who are employed about the said residences, and who are liable by law to perform said duty.

IX. That this Act shall remain in force for the term of three years next, after the first day of March next ensuing.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.

JAMES SIMONS, Speaker House of Representatives.
AN ACT TO ALTER AND AMEND AN ACT, ENTITLED "AN ACT TO INCORPORATE THE NORTH EASTERN RAIL ROAD COMPANY.

Be it enacted by 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 incorporate the North Eastern Rail Road Company" be, and the same is hereby so amended, as to allow the said North Eastern Rail Road Company to locate their northern terminus on or near the Wilmington and Manchester Rail Road, west of the Pee Dee River, so as to connect with the southern terminus of the Cheraw and Darlington Rail Road: Provided, that the trains of the said North Eastern and Cheraw and Darlington Rail Roads, in crossing the track of the said Wilmington and Manchester Rail Road, shall always conform to the reasonable times prescribed by the schedule of the said Wilmington and Manchester Rail Road; and further, that all accidents by collisions shall prima facie be imputed to the negligence or default of the agents or servants of the said North Eastern and Cheraw and Darlington Rail Roads.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO ALTER AND AMEND AN ACT, ENTITLED "AN ACT TO PROVIDE FOR THE DEFENCE OF THE STATE."

1. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Board of Ordnance established by an Act, entitled "An Act to provide for the defence of the State," be, and the same is hereby abolished.

II. That the office of Ordnance-officer created by said Act be continued, and that said ordnance-officer hereafter receive a salary of one thousand dollars per annum, instead of two thousand dollars, as now provided by law; and in case the said office shall become vacant by death, resigna-
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tion or otherwise, that his Excellency the Governor, for the time being, be, A. D. 1852.
and he is hereby authorized, by appointment, to fill such vacancy.

In the Senate House, the sixteenth day of December, in the year of our Lord
one thousand eight hundred and fifty-two, and in the seventy-seventh year
of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate,
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO AUTHORIZE THE SOUTH CAROLINA RAIL ROAD COMPANY TO
construct a certain Bridge over the Congaree River.

I. Whereas the public interest is concerned in the ready and safe passage over the Congaree River, as well as in the navigation of the same, and a secure passage over the said river by bridge, interferes with the uninterrupted navigation thereof by steamboats with chimneys of great height, unless means be taken to reduce the height of such chimneys, by hinges, to be used as occasion may require; therefore, Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That it shall and may be lawful for the South Carolina Rail Road Company, to construct a Bridge over the Congaree River, where it is intersected by the Rail Road, although the said Bridge be not of sufficient elevation to permit steamboats to pass without lowering their smoke stocks: Provided, That the said Bridge be at least forty-two feet above the bed of the river: And provided also, That the said Company shall satisfy and pay all the expense which any steamboat may incur, by reason of any alterations which may be rendered necessary by this Act, and by the necessity of lowering the smoke stock of such steamer, by the use of hinges or by any other manual contrivance. Provided also, That the said Rail Road Company shall transport Guano, and Agricultural Plaster of Paris, at a rate not exceeding twelve and a half cents per hundred pounds, to Camden, Columbia, and Hamburg, and at the same rate to all intermediate stations.

II. And it is hereby expressly declared that the said South Carolina Rail Road Company is exempted from the provisions of the forty-first section of an Act, entitled "An Act to incorporate certain Villages, Societies, and Companies, and to renew and amend certain Charters heretofore granted, and to establish the principles on which Charters of incorporation will hereafter be granted," ratified on the seventeenth day of December, in the year of our Lord one thousand eight hundred and forty-one. But
nothing herein contained shall be construed as exempting the said Company from the provisions of the said forty-first section, upon any future grant, renewal, or modification of their Charter.

In the Senate House, the sixteenth Day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate,
JAMES SIMONS, Speaker House of Representatives.

No. 4096. AN ACT TO REPEAL ALL ACTS AND PARTS OF ACTS AUTHORIZING ORDINARIES TO TAKE POSSESSION OF AND ADMINISTER DERELICT ESTATES.

Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, "That the seventh section of the Act of 1839, entitled an Act concerning the office and duties of Ordinary, and all other Acts and parts of Acts authorizing the Ordinary to take charge of and administer Derelict Estates, be, and the same are hereby repealed."

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

No. 4097. AN ACT TO ESTABLISH CERTAIN ROADS, BRIDGES AND FERRIES, AND TO AMEND THE LAW RESPECTING COMMISSIONERS OF ROADS IN CERTAIN PARTICULARS.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the bridges erected by the Greenville and Columbia Rail Road Company across Broad River and Saluda River, be, and they are hereby chartered and vested in the said Rail Road Company, for the term of ten years, and the said Company shall have power to regulate, by public notice, the hours at which said bridges may be used by the public, and may charge at the
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Road River Bridge the same rates of toll as are allowed by law to be charged at Hughes' Ferry, and at the Saluda Bridge the same rates of toll as are allowed to be charged at Chappell's Bridge.

II. That the Mount Pleasant Ferry Company be, and they are hereby authorized and empowered to establish a communication from the said Company's lands, adjoining the town of Mount Pleasant, to Sullivan's Island, by means of a flat or drawbridge, for the term of fourteen years, with the following rates of toll, viz: For each foot passenger, 5 cents; for each horse and rider, 15 cents; for each horse and chair or sulky, 37½ cents; for each carriage and pair of horses, 75 cents; for each cart horse and driver, 37½ cents; for each wagon and four horses, $1.50; for each wagon and pair of horses, $1; for cattle, per head, 10 cents; for calves and hogs each, 6½ cents; for sheep, goats, pigs and deer, each, 5 cents; for turkeys each, 2 cents; for fowls, ducks, &c., each, 1 cent: Provided, the said flat or drawbridge shall not in any manner interfere with the navigation of the said channel.

III. That so much of an Act, entitled "An Act to establish certain Roads, Bridges and Ferries, and to amend the law respecting the Commissioners of Roads in certain particulars," passed on the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-one, as authorizes the laying out of a new road from Pickens Court House to Green-ville Court House, by the way of Pickensville, be, and the same is hereby repealed, so far as it relates to the road between Pickensville and Pickens Court House.

IV. That so much of the first section of an Act, entitled "An Act to establish certain Roads, Bridges and Ferries," passed on the nineteenth day of December, in the year of our Lord one thousand eight hundred and forty-nine, as authorizes a new road to be laid out from Anderson Court House via Pendleton village to Pickens Court House, be, and the same is hereby repealed, so far as relates to the opening of a new road from Anderson Court House to Pendleton village; and the Commissioners therein named are hereby authorized and required to make all such changes and alterations in the location of the old road, between the points above mentioned, as they may deem necessary and proper, and for that purpose the said Commissioners are hereby invested with all the powers and privileges, and subjected to all the duties and liabilities now imposed by law upon Commissioners of Roads.

V. That a public road, be, and the same is hereby authorized to be laid out and established in Abbeville District, to commence and leave the road leading from White Hall to Abbeville Court House, at or near Abbeville Church; to run thence along a road called the Old Ridge Road, through the lands of Samuel Marshall, J. S. Marshall, John Anderson, L. H. Ry- kard, and others, until it intersects with the Mathis Road, near Ware's
A. D. 1852.

Cross Roads, and thence by the shortest and most direct route to the depot of the Greenville and Columbia Rail Road Company, near Greenwood, in said district.

VI. That A. B. Crook, J. H. Cleaveland, and their associates, be, and they are hereby empowered, at their own expense, to lay out a road leading from Greenville Court House to the North Carolina line, through Gap Creek, or up the middle fork of Saluda River, and to erect and keep in repair a turnpike thereon, to be vested in them and their heirs and assigns for the term of twenty-one years from the completion of the same; and that it shall and may be lawful for the said A. B. Crook, J. H. Cleveland, their associates, heirs, and assigns, to take and receive as a toll for passing the said turnpike, the following rates of toll and no more, that is to say:

for every four-wheeled carriage and driver, seventy-five cents; for every empty wagon and team and driver, fifty cents; for any four-wheeled pleasure carriage with two horses, seventy-five cents; for every four-wheeled carriage with one horse, fifty cents; for every other carriage or wagon, twenty-five cents; for every man and horse, ten cents; for every head of horses or black cattle, two cents; for every head of hogs, sheep or goats, one cent. And that the said A. B. Crook, J. H. Cleveland, and their associates, shall have power at any time hereafter to build a plank or other hard road over the said turnpike; and they shall likewise have power to construct a turnpike or plank road up the Gap Creek, and also up the middle fork of Saluda River to the North Carolina line, with the same rates of toll as are herein specified.

VII. That the Ferry established by C. J. Gaffney, on Broad River, between Spartanburg and York Districts, near the Limestone Springs, be, and the same is hereby chartered and vested in the said C. J. Gaffney, his heirs and assigns, for the term of ten years, with the following rates of toll, that is to say:

for each wagon and four horses, fifty cents; for each wagon and two horses, or pleasure carriage with two horses, thirty-seven and a half cents; for each wagon, buggy, carriage, or other vehicle, with one horse, twenty-five cents; for each person on horseback, ten cents; for each head of horses and cattle, five cents per head; for each head of hogs, sheep, or other animals, two cents.

VIII. That the Bridge across Edisto River, known as Rumph's Bridge, is hereby re-chartered and vested in Moses West, his heirs and assigns, for the term of fourteen years, with the same rates of toll as are now allowed by law.

IX. That the Ferry at Jacksonborough, in Colleton District, known as the Jacksonborough Ferry, be, and the same is hereby re-chartered and vested in Emanuel Witsell, his heirs and assigns, for the term of fourteen years, with the same rates of toll as are now allowed by law.
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X. That the Turnpike Road from Pumpkintown to the base of the Table Mountain, be, and the same is hereby re-chartered and vested in Nancy Keith, her heirs and assigns, for the term of ten years, with the same rates of toll as are now allowed by law.

XI. That Huit's Ferry, across Saluda River, be, and the same is hereby re-chartered and vested in William Bouknight, his heirs and assigns, for the term of ten years, with the same rates of toll as are now allowed by law.

XII. That the Bridge across Lynch's Creek, belonging to Middleton DuBose, be and the same is hereby re-chartered and vested in the said Middleton DuBose, his heirs and assigns, for the term of ten years, with the same rates of toll as are now allowed by law.

XIII. That the turnpike road made by J. P. Hillhouse from a point on the Buncombe Road, between the seven and eight mile posts to the summit of Paris mountain, in Greenville district, be, and the same is hereby chartered and vested in the said J. P. Hillhouse, his heirs and assigns, for the term of ten years with the following rates of toll, to wit: for a wagon and two or more horses, fifty cents; for a pleasure carriage drawn by one or more horses, thirty-seven and a half cents; for each person on horseback, twelve and a half cents.

XIV. That the Town Council of Sumterville shall be, and they are hereby authorized and empowered to close up so much of the public road, leading through said town to Stateburg, as divides the lot of J. M. Pitts: Provided, they shall keep open and in repair for the public use, the streets contiguous to said lot, known as Washington and Warren streets.

XV. That R. P. Haynesworth, John F. June, and James McCauley, be, and they are hereby appointed Commissioners to lay out and open a public road in Clarendon County, from Col. Wm. A. Colclough's plantation to June's store, and the said Commissioners are hereby invested with all the powers invested by law in Commissioners of Roads; and when the said road shall have been opened, it shall be placed under the jurisdiction of, and kept in repair by the Eastern Board of Commissioners of Roads of Clarendon County.

XVI. That the Commissioners of Roads in this State, be, and they are hereby authorized and empowered, to employ the ordinary road labor in the construction and repair of all bridges over the rivers or creeks of this State, which constitute the boundary line between Districts or Parishes, if in their opinion the same shall be sufficient, and shall assess their respective Districts and Parishes, whenever in their judgment the said ordinary road labor is insufficient. And where any such bridge exists or shall be hereafter built, it shall be the duty of the Boards adjoining to divide the same by measurement in the centre, and each Board shall be responsible for the good order of the half next adjoining the District or Parish in
which it lies. And whenever it becomes necessary to build a new bridge or to re-place entirely an old one which has been carried away or destroyed, it shall be the duty of the Boards of the two Districts or Parishes to re-place the same as is now by law provided.

XVII. That a public road be laid out in York District, leading from a point on the Cureton Ferry Road, at or about where John Sitgreaves now lives, and running in a westerly direction, the most practicable route to intersect the main road leading to Columbia and Chester, at the ten mile post from Nation's ford, near Joseph Crook's house; and that A. F. Fewell, John S. Bratton, and John McGill be appointed Commissioners and invested with full powers to lay out said road, and the same, when completed, to be placed under the jurisdiction of the Commissioners of Roads of York District.

XVIII. That a public road be opened and laid out in Abbeville District, commencing at the Barksdale Ferry Road, half a mile from the point where the road leading from Abbeville Court House to Hamburg, intersects the aforesaid road, and running through the lands of E. Chiles, John A. Childs, J. H. Wideman, J. M. Chiles, J. W. Hearst, Samuel Cook, Frederick Cook, D. Roundtree, and D. Minor, to the public road near Talbert's Mills, and that Samuel B. McLinton, W. W. Belcher, P. S. Guillebeau, and J. H. Wideman, be appointed Commissioners to lay out said road, with all the powers usually granted for such purpose; and when said road is completed, the same to be placed under the jurisdiction of the Board of Commissioners who have charge of that section of roads in Abbeville District.

XIX. That Hughey's Ferry across Broad River be re-chartered and vested in Daniel Hughey, his heirs and assigns, for the space of fourteen years, with the same rates of toll as are now allowed by law.

XX. That a Public Road be laid out and opened from Cureton's Ferry, on the Catawba River, in York District, to a point of intersection with the Columbia Road, about one mile north of Maj. N. R. Eaves' Mill, on Fishing Creek, in Chester District; the said road to commence on a line between J. E. Rodgers and Mrs. E. S. Dunlap, on the road running from Cureton's Ferry aforesaid, to Yorkville, in York District, and thence near a west course, and near the Indian line, through lands of Mrs. E. S. Dunlap, C. Reives, Samuel McDowell, Jonathan Davis, Elizabeth White, Elizabeth Wren, James, John and W. W. Kenmore's and Henry Lee, in York District, and through lands of James Lee and Mrs. Mary Reives, in Chester District, in a south-western direction, to its intersection with the Columbia road, at the point aforesaid; and that Isaac McFaden, C. S. Cline and William W. Kenmore, of York District, and James Lee, Robert Ferguson and William Wear of Chester District, be, and they are hereby appointed Commissioners to lay out and open the same, and for this pur-
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... they are invested with all the powers and subject to all the liabilities of Commissioners of the Roads.

XXI. That a Public Road be laid out and opened in York District, commencing at the Turkey Creek Bridge, on the Quinns Road, and running thence by Fowler's Grave Yard and Olivet Church to station number four, on the King's Mountain Rail Road, at McConnells, and that Jeptha Quinn, William Robertson and William Minter, be, and they are hereby appointed Commissioners to lay out and open the same, with all the powers, privileges and liabilities incident to Commissioners of Roads.

XXII. That a public road, be, and is hereby laid out and established in Newberry District, to begin at the Buncombe road, at the late residence of James P. Caldwell, deceased; thence to pass over the lands of the estate of the said deceased, of Thomas Crosson, William Price, James Sloan, Jr., and Thomas Chalmers, pursuing the route of the road now in use, except such slight changes as the Commissioners of Roads for said District may adopt for its improvement; thence to proceed through the lands of Henry Kinard, along the route of the old Calmes road, passing through a field of Hugh Wilson on or near the old track of said Calmes road, and after passing the head of the ravine in which the spring of said Wilson is situated, said road then to turn to the right and pass near Wilson's cotton house, to intersect with the road leading from Wilson's house to William Martin's lane, and to follow said road to the said lane; thence to pass through Martin's land where the road now runs, and when it reaches George Garmany's land, to turn to the left and pass a few rods south of Dugan's Rock, entering and passing through Garmany's field on the ridge which begins at or near Martin's land, to the corner of Archibald Sloan's land, and to intersect the road now in use at the corner of Sloan's field; thence to follow the road now in use to a point near the Ashford's Ferry road, and thence to turn to the left and intersect said road at the south-east corner of an old field through which said road should pass at a point between two and three miles from the town of Newberry.

XXIII. That it shall be the duty of every Commissioner of Roads to report annually to the Board of which he is a member, if he has complied with the law in relation to posting and pointing the section of road under his charge.

XXIV. That the Chairman of each Board shall include the returns required by the sixteenth section of the Act of 1851 "to establish certain Roads, Bridges and Ferries, and to amend the Law respecting Commissioners of Roads in certain particulars," in the Report now required to be made at the Fall Term of the Court of Common Pleas; and shall, in addition thereto, report such Commissioners as have not made the return required in the last preceding section of this Act. And all returns and reports required by law, shall be signed by the Chairman and countersigned by the Clerk of each Board.
XXV. That a new ferry be established over Black River, on the Counter-line Road, at the place formerly known as Whitman's Ferry, and that the same be vested in Robert Abrams, his heirs and assigns, for the term of fourteen years, with the right to take and receive the same rate of toll as now allowed by law to be taken and received at the ferry on Black River known as Brown's Ferry.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate,
JAMES SIMONS, Speaker House of Representatives.

No. 4098. AN ACT TO ALTER AND ARRANGE THE TIMES OF THE SITTING OF THE COURTS OF EQUITY IN THE FIFTH CIRCUIT.

Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That hereafter the Courts of Equity for the Fifth Circuit shall be held as follows, to wit: At Edgefield Court House on the first Monday in June; at Abbeville Court House on the second Monday in June; at Laurens Court House on the third Monday in June; at Anderson Court House on the fourth Monday in June; at Pickens Court House on the first Monday after the fourth Monday in June, and at Greenville Court House on the second Monday after the fourth Monday in June; to sit for one week at each place, if so much time be necessary to dispose of the business.

In the Senate House, the sixteenth Day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

No. 4099. AN ACT TO INCORPORATE THE “COLUMBIA GAS LIGHT COMPANY.”

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That John Bryce, A. H. Gladden, Andrew Crawford, G. Monteith, E. H. Fisher, J. S. Boatwright, Wm. F. DeSaussure, Jno. I. Gracey, and their
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associates and successors, shall be, and they are hereby, incorporated and made and declared a body politic and corporate, in deed and in law, by the same and style of the "Columbia Gas Light Company," and as such body politic and corporate shall have power to make, use, have, and keep a common seal, and the same at will to alter; to make all necessary by-laws not repugnant to the laws of the land, and to have succession of officers and members conformably to such by-laws; and to sue and be sued, plead and be impleaded, in any Court of Law or Equity in this State, and to have, use, and enjoy all other rights, and be subject to all other liabilities which are incident to bodies corporate.

II. That the said corporation shall have full power and authority to manufacture, make, and sell gas, to be made of rosin, coal, oil, turpentine or other material, and to furnish such quantities of gas as may be required in or near the town of Columbia, for lighting the streets, stores, manufactories and buildings there situate, and for other purposes; to lay pipes or other conductors for conducting gas through the streets, alleys, lanes, and squares of the town of Columbia aforesaid, or its vicinity, and also to erect such buildings and to hold such real and personal estate as may be requisite or necessary to carry on the business aforesaid. And the said corporation shall have power to raise by subscription, in shares of twenty-five dollars each, a capital of fifty thousand dollars, with the privilege of increasing the same to one hundred thousand dollars; and the said corporation shall or may go into operation, and the rights, privileges, and franchises hereby granted, shall attach whenever twenty thousand dollars of the capital aforesaid shall have been actually paid in, in gold or silver current coin, or the current notes of the incorporated banks of this State, and an oath or affirmation thereof shall have been made by the President, Treasurer, and a majority of the Board of Directors of the said Company, and recorded in the office of the Secretary of State at Columbia, and shall have been published in one of the newspapers of the said town.

III. That the said shares in the capital stock aforesaid, of the said corporation, shall be deemed personal estate, and be transferable only on the books of the said corporation. And no part of the said capital stock shall, at any time or under any pretence whatever, be loaned to or divided amongst the stockholders; nor shall the said capital be withdrawn or divided amongst the stockholders until all the liabilities of the said corporation have been lawfully paid, nor shall any dividend be at any time declared, except of the clear earnings and profits of the said Company, over and above the capital.

IV. That if the proprietor of any share shall refuse or neglect to pay any instalment assessed thereon, for the space of thirty days after the time appointed for the payment thereof, the Treasurer of the Company may, by order of the Board of Directors thereof, sell, by public auction, a sufficient number of any shares held by such defaulter, to pay all insta-
ments then due by him, together with the necessary and incidental charges; and the Treasurer shall give notice of the time and place of such sale, and of the sum due on each share, by advertising the same for two successive weeks previous to such sale, in some newspaper in the town of Columbia, and a bill of sale of the shares so sold shall be made by the Treasurer of the Company to the purchaser thereof, who shall thereupon be entitled to have the same transferred to him on the books of the Company, and shall be liable for all future instalments on the stock which he may have purchased.

V. That the said John Bryce, A. H. Gladden, Andrew Crawford, G. Monteith, E. H. Fisher, J. S. Boatwright, Wm. F. DeSaussure, and John Gracey, may open books and take subscriptions for the capital stock of the said Company, in such manner as they may deem expedient, and whenever such subscription shall amount to the sum of thirty thousand dollars, the stockholders, having had two weeks notice in writing, or in one of the public newspapers in the town of Columbia, may meet and proceed to elect a President, Treasurer, and Board of Directors, or such other officers as they may deem necessary for organizing the said Company and conducting the affairs thereof; and the said Board of Directors shall continue in office until their successors shall have been duly elected, and until otherwise provided by the by-laws of the said corporation, shall have power to dispose of the residue of the capital stock of the said Company not subscribed for, in such manner and at such times as they may deem fit; and at the said election of officers, and at all other meetings of the said Company, every stockholder shall be entitled to one vote for every share held by him.

VI. That the Directors shall submit to the Stockholders, annually, a written statement, under the oath or affirmation of the treasurer of the corporation, setting forth the amount of the capital stock paid in and of the general assets of the Company, and also the amount of all existing debts and liabilities of the said Company.

VII. That any person wilfully injuring or causing to be injured any of the property of the said corporation, shall forfeit and pay to the said corporation treble the amount of damages sustained by any such injury, to be recovered by action in any Court having cognizance thereof, and shall be considered guilty of a misdemeanor; and, being thereof convicted, shall be punished by fine not exceeding three hundred dollars or imprisonment not exceeding two years.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate,
JAMES SIMONS, Speaker House of Representatives.
OF SOUTH CAROLINA.

AN ACT TO APPOINT COMMISSIONERS TO ASCERTAIN AND DEFINE THE PROPER DIMENSIONS AND DIRECTIONS OF THE STREETS OF THE TOWN OF MOULTRIEVILLE, AND TO REMOVE ALL OBSTRUCTIONS IN SUCH STREETS.

Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Jacob Bond I'On, James L. Petigru, H. E. Ravenel, W. H. Gilliland, and Robert Adger, be, and are hereby appointed Commissioners to ascertain and define the proper dimensions and directions of the streets of the town of Moultrieville, and thereafter to remove all obstructions in said streets: Provided, That in case of the removal of any building or buildings, compensation to be assessed by said Commissioners, shall be awarded to the owner or owners thereof by the Town Council of Moultrieville.

In the Senate House, the sixteenth Day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO ALTER AND AMEND THE LAW IN RELATION TO THE EDUCATION OF THE DEAF AND DUMB OF THIS STATE.

Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the fourth section of an Act, entitled "An Act to provide for the Education of the Deaf and Dumb children of this State," passed on the seventeenth day of December, Anno Domini, one thousand eight hundred and thirty-four, be so altered and amended as to read as follows: That the sum which shall be allowed for the board, tuition and all incidental expenses of one deaf and dumb person, for one year, (except travelling expenses, clothing and medical attendance,) shall not exceed one hundred and fifty dollars; and as to the expenses excepted, the Commissioners shall take care to place them upon the most economical scale.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.
AN ACT TO INCORPORATE CERTAIN SOCIETIES, ASSOCIATIONS AND COMPANIES, AND FOR THE RE-CHARTER OF OTHERS.

1. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the officers and members of the following Societies, Associations and Companies, to wit: the German Artillery Company and Charitable Society, the Edgefield Flying Artillery Company, the Carolina Blues, the Trinity Lodge, number twenty-two, of the Independent Order of Odd Fellows at Yorkville, the Morgan Lodge, number nineteen, of the Independent Order of Odd Fellows at Spartanburg, C. H., the Edgefield Odd Fellows, and Masonic*Building Association, the Charleston Club, and the Fourth of July Association of Charleston, be, and the same are hereby declared and constituted bodies politic and corporate, by the name and style to each of them herein before respectively assigned.

II. That the said Societies, Associations and Companies, according to their respective by-laws, shall have succession of officers and members, and shall have power respectively to make by laws not repugnant to the laws of the land, and to have, use, and keep a common seal, and the same to alter at will; to sue and be sued in any Court of this State, and to have and enjoy every right, power and privilege incident to such incorporations, and they are hereby empowered to hold, retain, possess and enjoy all such property, real and personal, as they may now severally have and possess or be entitled to, or which shall hereafter be given, bequeathed or devised to them respectively, or in any manner acquired by them; and to sell, alien and transfer the same or any part thereof: Provided, that the amount so held shall in no case exceed the sum of twenty thousand dollars, except that the Charleston Club may hold any real and personal estate not exceeding in value the sum of fifty thousand dollars.

III. That the Richland Volunteer Rifle Company, the Washington Light Infantry, and the New England Society, be, and the same are hereby re-chartered, with all the rights, powers and privileges heretofore granted to them respectively.

IV. That the name of a Company, heretofore incorporated by the name of "Axe Company of Charleston Neck" be changed, and hereafter the said Company be known and called by the name and style of "The Palmetto Axe Company of Charleston."

V. That the Philomathean Literary Society of Erskine College, be, and the same is hereby incorporated as a body politic and corporate, with power to sue and be sued, plead and be impleaded in any Court of Law or Equity in this State; and shall have a common seal, and succession of officers, by
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the name and style of the Philomathean Society. That the said Society shall hold but one meeting in each year in a corporate capacity, which meeting shall be on a day in the week in which the commencement of the said Erskine College shall be held, at which meeting no business of a corporate capacity shall be transacted, unless a majority of the honorary and regular members then present be of full age, and that the said Society at their annual meeting aforesaid, may make by-laws for their government, not repugnant to the laws of the land, and the said Society shall be able and capable in law to take and receive, by donation or otherwise, and possess any personal estate: Provided the same shall not exceed the sum of one thousand dollars, and dispose of the same as they may deem proper.

VI. That this Act is hereby declared to be a public Act, and shall continue in force for the term of fourteen years.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO AUTHORIZE THE FORMATION OF THE SAVANNAH RIVER VALLEY RAIL ROAD COMPANY.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the formation of a corporate company is hereby authorized for the construction of a Railroad, on the most practicable route from the Town of Hamburg, in Edgefield District, up the valley of the Savannah River, to Anderson Court House, or to some convenient point on the Greenville and Columbia Rail Road at or near Anderson Court House, (which said points is to be hereafter selected,) which said company shall have the exclusive right to make, keep up and use such Rail Road, and for the term of time, hereinafter to be mentioned, no other Rail Road shall be constructed between the points above designated.

II. That for the purpose of raising the capital stock of said company it shall be lawful to open books at Hamburg under the direction of J. W. Stokes, A. Burnsides, J. Blackwood, Charles Hammond and B. Baird, as Commissioners, and at such other places, and under the direction of such other persons as the said Commissioners, or a majority of them, may designate, for the purpose of receiving subscriptions to an amount not exceeding
A. D. 1852. two millions of dollars, in shares of one hundred dollars each, to constitute a joint capital stock for the purpose of constructing and carrying into operation the Railroad by this Act provided for, and on each share of the stock subscribed for, the subscribers shall pay to the Commissioners who shall take the same, the sum of ten dollars in specie or notes of specie paying banks of this State.

III. That when the sum of five hundred thousand dollars shall be subscribed for, in manner herein prescribed, the subscribers shall be, and they are hereby declared to be incorporated into a company, by the name and style of "The Savannah River Valley Rail Road," and may meet and organize the said company at such time and place as may be designated by the Commissioners, herein named, for Hamburg.

IV. That for the purpose of organizing and forming this company, all the powers conferred by the charter of the "Greenville and Columbia Rail Road Company" on the Commissioners at Greenville, shall be vested in the Commissioners, herein appointed, at Hamburg, and all the powers, rights and privileges granted by the charter of the "Greenville and Columbia Rail Road Company" to that company, shall be, and are hereby granted to the Savannah River Valley Rail Road Company, and subject to the same conditions therein contained, except as to the capital stock, the sum necessary to authorize organization, and the amount of shares, and except so far as may be otherwise necessary to conform to the special provisions of this Act.

V. That in the event of any vacancy in the Commissioners herein appointed at Hamburg, by refusal to serve, death or otherwise, the delegation in both branches of the Legislature for Edgefield District for the time being, are authorized to fill such vacancy.

VI. The charter hereby granted shall endure for thirty-six years, and this Act shall be taken and deemed to be a public Act.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

No. 4104. AN ACT TO RELIEVE PLANK ROAD COMPANIES FROM THE NECESSITY OF MAKING RETURNS, UNLESS SPECIALLY CALLED FOR BY THE LEGISLATURE.

Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That
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hereafter it shall not be requisite for Plank Road Companies to make any report to the Legislature of their acts and doings, receipts and expenditures, condition and business of the Roads, unless such reports shall be specially called for by the Legislature.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO AUTHORIZE THE FORMATION OF A NEW VOLUNTEER No. 4105. COMPANY WITHIN THE LIMITS OF THE TWENTY-THIRD REGIMENT OF INFANTRY.

Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Adjutant and Inspector General be authorized and empowered to inspect and receive into the twenty-third Regiment of Infantry, a new Volunteer Company, to be called the "Carolina Blues," upon their conforming to the requisitions of the law in relation to the reception of new Volunteer Companies.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO CHANGE THE DAY FOR THE ELECTION OF, AND THE TERM OF OFFICE OF, THE MAYOR AND ALDERMEN OF THE CITY OF CHARLESTON, AND FOR OTHER PURPOSES.

1. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by and with the authority of the same, That the election for Mayor and Aldermen of the City of Charleston shall be held on the first Wednesday in November next, and on the first Wednesday in every alternate year thereafter, instead of the day now Election to be held in November.
by law appointed—and from and after the first Wednesday in November next, the Mayor and Aldermen of the said city shall continue to hold their respective offices for the term of two years, instead of the term now by law prescribed.

II. That the Mayor and Aldermen of the city of Charleston now in office shall continue therein until the said first Wednesday in November next.

III. That from and after the passing of this Act, it shall be the duty of all persons resident of the City of Charleston, and claiming as such, to exercise the right of voting at any election for Mayor and Aldermen of the said city, to return themselves as citizens subject to a poll-tax, at such time as shall be required by the ordinances of the city for making returns of taxable property; and all such citizens so returning themselves, shall, for the purpose of qualifying themselves to vote as aforesaid, be liable to pay to the city, in the way and at the time appointed for the payment of other city taxes, the sum of one dollar as a poll-tax, and that no person shall be entitled or allowed to vote at the next regular city election for Mayor and Aldermen, or any succeeding election of such officers, unless, in addition to the qualifications now required by law, he shall have paid the said tax at the time appointed for the payment of other city taxes, next preceding such election; and shall, at the time that he is about to vote, produce a properly authenticated receipt or certificate from the City Treasurer, or other officer appointed by the City Council to receive taxes, showing that the said tax has been paid as aforesaid, when it shall be the duty of the Managers of Election to mark or stamp the said receipt or certificate, that no attempt may afterwards be made by any other person again to use the said certificate for the purpose of entitling him to vote; and the City Council are hereby authorized and empowered to make any additional regulations which they may deem necessary and proper, for the purpose of enforcing the provisions of this Act, and preventing frauds in relation to the same: Provided, however, that nothing contained in this Act shall be intended or construed as giving to the said Council power or authority to impose any other penalty, or issue any execution to enforce the payment of the said tax; and that the Act now of force requiring voters to register their names, shall be, and the same is hereby repealed.

IV. That all the laws now of force in relation to the election of Mayor and Aldermen of the city of Charleston, except so far as hereby repealed, be and continue of force.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.

JAMES SIMONS, Speaker House of Representatives.
AN ACT TO RELEASE FROM PLEDGE THE RAILWAY SHARES BELONGING TO THE STATE.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be, and he hereby is authorized and required to pledge to the President and Directors of the Bank of the State of South Carolina, so many of the shares in the Charlotte and South Carolina Rail Road Company, now held by the State, as may be equal in value to the shares in the South Carolina Rail Road Company, pledged to the said President and Directors of the Bank of the State of South Carolina, in pursuance of an Act, entitled "An Act to provide for the payment of the instalments due on the shares held by the State in the South Carolina Rail Road Company," ratified on the twentieth day of December, in the year of our Lord one thousand eight hundred and fifty-two: Provided, That the said shares shall, in no event, be estimated at less than their par value.

II. That whenever such pledge or transfer shall have been made, it shall be the duty of the President and Directors of the Bank of the State, to re-transfer to the Comptroller General, the shares of the South Carolina Rail Road now held in pledge by said Bank.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO VEST IN WILLIAM H. TRAPP THE EXCLUSIVE RIGHT TO NAVIGATE LITTLE RIVER.

Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the exclusive right to navigate Little River, (a stream emptying into Broad River, on the east side of said river, at Littleton Depot, on the Greenville and Columbia Rail Road,) or such portion thereof as he may render navigable, be, and the same is hereby vested in William H. Trapp, his heirs and assigns, for the period of twenty-one years from the first day of January, which shall be in the year of our Lord one thousand eight hundred and fifty-three: Provided, That the said William H. Trapp shall clear
out of said river, or such portion thereof as he may navigate, all such natural, artificial, or accidental obstructions as may now interfere with the navigation of the same, and continue to keep the same so cleared out for the above period of twenty-one years; and that upon the failure or neglect of said William H. Trapp to keep such river so cleared of obstructions, for a period of more than two years at a time, he is and shall be thereafter excluded from the benefit of this Act.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

No. 4109. AN ACT TO EXEMPT ROBERT HOPTON, A FREE PERSON OF COLOR, FROM CAPITATION TAX.

Be it enacted by 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, Robert Hopton, a free person of Exemption color, be, and is hereby exempted from the annual payment of the Capitation Tax now imposed by law on free negroes, mulattoes, and mustizoes.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

No. 4110. AN ACT TO INCORPORATE THE VILLAGE OF COKESBURY.

1. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all the free white persons having resided six months in the village of Cokesbury, in the District of Abbeville, are hereby declared to be a body politic and corporate, by the name and style of "Cokesbury," and its corporate limits shall extend one mile in each and every direction from the Church now standing in said village.
II. The said village shall be governed by an Intendant and four Wardens, who shall be elected on the second Monday in January next, and in every year thereafter, ten days notice being previously given; and all free white male inhabitants of said village, who shall have attained the age of twenty-one years, and resided therein six months previous to the election, shall be entitled to vote for the said Intendant and Wardens, and no person shall be eligible as Intendant or Warden, unless he shall be a freeholder residing within the corporate limits of said village.

III. The election of Intendant and Warden of the said village shall be held at the Church, or some other convenient public place in said village, from ten o'clock in the morning until two o'clock in the afternoon; and when the polls shall be closed, the managers shall forthwith count the votes and proclaim the election, and give notice in writing to the persons elected. The Clerk of the Court of Common Pleas of Abbeville District, shall give the legal notice, and appoint the managers for the first election; the Intendant and Wardens for the time being, shall always appoint three managers to hold the ensuing election, and for any subsequent election, whenever there shall not be an Intendant and Wardens to order the same, the Clerk of the Court of Common Pleas for Abbeville District shall act. The managers shall, before they open the polls for said election, take an oath fairly and impartially to conduct the same, and the Intendant and Wardens before entering upon the duties of their offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant or Warden of Cokesbury, I will equally and impartially to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace, and carry into effect according to law, the purposes for which I have been appointed, so help me God." And if any person on being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the Town Council of Cokesbury, the sum of twenty dollars for the use of said village: Provided, no person shall be compelled to serve more than one year in any term of three years.

IV. That in case a vacancy should occur in the office of Intendant or Wardens, by death, resignation, or otherwise, an election to fill such vacancy shall be held by the appointment of the Intendant and Wardens, as the case may be, ten days previous notice having been given; and in case of sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of the Wardens to act in his room during the time.

V. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively be vested with all the powers of magistrates in this State, within the limits of the said village, except the power to hear and try small and mean causes; and the Intendant shall and may, as often as may be necessary, summon the War-
A. D. 1852. dens to meet in council, any two of whom, with the Intendant, may con-
stitute a quorum to transact business; and they shall be known by the
name of the "Town Council of Cokesbury," and they and their suc-
cessors, hereafter to be elected, may have a common seal, which shall be
affixed to all their ordinances. And the Intendant and Wardens shall
have full power, under their corporate seal, to make all such rules, by-laws
and ordinances respecting the roads, streets, markets, and police of the
said village, as shall appear to them necessary and requisite for the securi-
ty, welfare, and convenience of the said village, or for preserving health,
peace, order, and good government within the same; and the said Coun-
cil may impose fines for offences against their by-laws, and appropriate
the same to the public uses of said corporation; but no fine above the
sum of twenty dollars shall be collected by the said Council, except by
suit in the Court of Common Pleas: And provided also, that no fine
shall exceed fifty dollars, and also that nothing herein contained shall au-
thorize the said Council to make any by-laws inconsistent with, or repug-
nant to, the laws of this State; and all the by-laws and ordinances the
Council may make, shall at all times be subject to revision or repeal by the
Legislature of this State.

VI. That the power and duty of organizing, superintending, and regu-
lorating the patrol in the said village, be, and the same is hereby, transferred
to the said Council, and for that purpose the said Council is vested with the
powers in that respect exercised by the officers of a beat company and
courts martial, and severally and collectively the members of the said
Council are made subject to like penalties for neglect of duty. No ordi-
nance, however, shall diminish the quantity of duty or reduce the fines for
neglect of duty, which is now, or hereafter may be, provided for by law.

VII. That the Intendant and Wardens shall have the full and only
power of granting licenses for billiard tables, to keep taverns, or retail
spirits, within the said limits, which licenses shall be granted in the same manner and upon the same conditions as they now are or
may hereafter be granted by Commissioners of Roads, under the laws of
this State; and the powers vested in the Commissioners of Roads are
hereby granted to the said Intendant and Wardens within the said limits;
and all money paid for licenses and for fines and forfeitures for retailing
spirits, keeping taverns and billiard tables, within the said limits
without license, shall be appropriated to the public use of said corporation.

VIII. That it shall be the duty of the said Intendant and Wardens to
keep good all roads, ways and streets, within their corporate limits, open and in
good repair, and for that purpose they are invested with all the powers
granted to Commissioners of Roads, and for neglect of duty therein, they
shall be liable to the same penalties as are imposed on Commissioners of
Roads. The Intendant and Wardens shall have power to compound with
all persons liable to work on said roads, ways and streets, to release such persons as may desire it upon the payment of such sum as they may deem a fair equivalent therefor, to be applied by them to the use of said corporation; and no person residing within the said limits shall be liable to work on any road without the said limits.

IX. The Intendant and Wardens shall have power to appoint Marshals, who shall be duly sworn in and invested with all the powers constables now have by law, and whose jurisdiction and authority shall be confined within the corporate limits of said village.

X. That for any wilful violation or neglect of duty, mal-practice, abuse or oppression, the said Intendant and Wardens, severally, shall be liable to indictment, and, upon conviction, to be fined at the discretion of the Court, not exceeding one hundred dollars and removal from office, besides being liable for damages to any person injured.

XI. This Act shall be taken and deemed to be a public Act, and shall continue in force for twenty-one years, and until the end of the Session of the Legislature then next following.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO OPEN AND EXTEND PITT STREET, IN THE TOWN OF MOUNT PLEASANT, TO HIBBEN STREET.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Pitt street, in the town of Mount Pleasant, as delineated by a plot of the same, made by F. Litchfield, in the year of our Lord, one thousand eight hundred and eleven, be, and the same is hereby, further extended until it shall intersect Hibben street, and that S. Riley, T. D. Wagner, John Hamlin, C. D. Carr and W. C. Venning be appointed to open, and lay out the said street.

II. That the said Commissioners, after having first taken an oath faithfully and impartially to discharge the duty hereby imposed upon them, shall have full power and authority to award such compensation to those who may be injured by the opening and extension of the said street, as they may deem proper after a full and fair examination of the premises, and to
A. D. 1853. assess the persons who may be benefitted thereby, in such sums as they may adjudge equivalent to the benefits derived by them respectively from the opening and extension of said street; and upon the death, resignation or refusal to serve, of any of the said Commissioners, those who may remain and consent to act, shall have full power to nominate and appoint a successor or successors to fill such vacancies, who shall proceed to complete the object of this Act.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

No. 4112. AN ACT TO AMEND AN ACT, ENTITLED "AN ACT TO PROVIDE FOR THE INSPECTION OF FLOUR."

Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Act, entitled "An Act to provide for the Inspection of Flour," ratified on the twentieth day of December, in the year of our Lord one thousand eight hundred and fifty-two, be, and the same is hereby so amended, that no flour, as hereinafter specified, flour of wheat, rye, or corn, which has been previously inspected in any port of any other State of the United States, by the authority of the laws thereof, shall not be liable to re-inspection in this State, or to any of the provisions or regulations of the said Act.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

No. 4113. AN ACT TO ALTER AND AMEND AN ACT, ENTITLED "AN ACT TO AUTHORIZE THE STATE TO AID IN THE CONSTRUCTION OF THE SPARTANBURG AND UNION RAIL ROAD."

I. Be it enacted by 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 authorize the State to aid in the construction of the Spartanburg and Union Rail Road," passed on the twentieth day of December, in the year of our Lord one thousand eight hundred and fifty, be so altered and amended as to read as follows: That whenever satisfactory proof is produced to the Comptroller General that five hundred thousand dollars are duly subscribed by responsible persons, or corporate bodies, to the capital stock of the Spartanburg and Union Rail Road Company, and that the said Company has been duly organized, he is hereby authorized to subscribe on the part of the State two hundred and fifty thousand dollars to the said capital of said Company, to be paid in the stock held by the State in the South Carolina Rail Road Company, equal at its par value to the said sum, and that he take in the name of the State, a certificate from the said Company for that amount of stock, which said stock in the South Carolina Rail Road Company, shall be accepted by the said Spartanburg and Union Rail Road Company for the said amount, without any recourse whatever against the State.

II. That the subscription shall be paid in the manner and subject to the terms and conditions hereinafter expressed.

III. That whenever satisfactory proof shall be produced to the Comptroller General, that the sum of one hundred and fifty thousand dollars shall have been paid by the stockholders and expended in the construction of said road, the Comptroller General shall transfer and deliver to said Company so much of the stock of the State in the South Carolina Rail Road Company as shall amount, at its par value, to one hundred and fifty thousand dollars; and when similar proofs shall be produced to the Comptroller General that one hundred thousand dollars more shall have been paid in and expended as aforesaid, the Comptroller General shall transfer and deliver fifty thousand dollars more of said stock to said Company, and in the same manner the remaining subscription of fifty thousand dollars shall be paid to the said Company, when the road shall be finished and in operation.

IV. That the State shall in no way whatever be liable for the debts and contracts of the said Rail Road Company.

V. That the State shall have the same rights in the Company and in its management, as is reserved to private stockholders, and the General Assembly shall at any time have a right to examine into the condition of the said Company, and the said Company shall, annually, submit to the Legislature a report exhibiting its condition and prospects.

VI. That an irrevocable condition is hereby imposed upon said Company, that said Company shall locate the Spartanburg and Union Rail Road so as to form a junction, at some convenient and practicable point, with the Greenville and Columbia Rail Road, or at some convenient and practicable point with the Charlotte and South Carolina Rail Road.

VII. That it shall not be lawful for said Company to prevent any other
A. D. 1852. Rail or Plank Road Company from crossing its track or any branch thereof, but such crossing of tracks shall be regulated in every instance on such terms and conditions as may be reciprocally convenient to the two Companies, and conducive to the public interest.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

No. 4114. AN ACT TO AUTHORIZE AID IN THE CONSTRUCTION OF THE CHERAW AND DARLINGTON RAIL ROAD.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That whenever satisfactory proof is produced to the Comptroller General, within two years after the passing of this Act, that two hundred thousand dollars are duly subscribed by responsible persons, to the capital stock of the Cheraw and Darlington Rail Road Company, and that the said Company has been duly organized, he is hereby authorized to subscribe on the part of the State, one hundred thousand dollars to the said capital of said Company, to be paid in the shares held by the State in the Charlotte and South Carolina Rail Road Company, equal at its par value to the said sum; and that he take in the name of the State a certificate from the said Company for that amount of stock, which said shares in the South Carolina Rail Road Company, and in the Charlotte and South Carolina Rail Road Company, shall be accepted by the said Cheraw and Darlington Rail Road Company for the said amount, without any recourse whatever against the State: Provided, that no subscription shall be made by the State, unless the Cheraw and Darlington Rail Road Company shall provide for the formation of a connection, by their main track with the Rail Road of the North Eastern Rail Road Company, on such terms and conditions as shall be agreed on between the Companies; and in case of disagreement, their differences shall be referred to one of the Chancellors for decision.

II. That the subscription shall be paid in the manner, and subject to the terms and conditions hereinafter expressed.

III. That whenever satisfactory proof shall be produced to the Comptroller General that the sum of fifty thousand dollars shall have been paid by the stockholders, and expended in the construction of said road, the Comptroller General shall transfer and deliver to said Company so many
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of the shares of the State in the South Carolina Rail Road Company as shall amount, at their par value to fifty thousand dollars; and when similar proofs shall be produced to the Comptroller General, that fifty thousand dollars more shall have been paid in and expended as aforesaid, the Comptroller General shall transfer and deliver twelve thousand five hundred dollars of the shares held by the State in the South Carolina Rail Road Company, and twelve thousand five hundred dollars of the shares held by the State in the Charlotte and South Carolina Rail Road Company, to the said Company, and in the same manner the remaining subscription of twenty-five thousand dollars shall be paid to the said Company, by a transfer of shares held by the State in the Charlotte and South Carolina Rail Road Company, equal at their par value to twenty-five thousand dollars, when the Road shall be finished and in operation.

IV. That the State shall in no way whatever be liable for the debts and contracts of the said Rail Road Company.

V. That the State shall have the same rights in the Company and in its management, as is reserved to private stockholders, and the General Assembly shall at any time have a right to examine into the condition of the said Company, and the Company shall, annually, submit to the Legislature a report exhibiting its condition and prospects.

VI. That it shall not be lawful for the said Company to prevent any Plank or Rail Road Company from crossing its main track or any branch thereof; but such crossing of tracks shall be regulated on such terms and conditions as shall be suitable to the convenience of the two Companies, and conducive to the interest of the public.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT to vest the right, title and interest of the State in the proceeds of the Sale of the Personal Estate of Daniel McGill, deceased, in Catharine McDonald, wife of Donald D. McDonald.

Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all the right, title and interest which the State may have in the fund arising

Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all the right, title and interest which the State may have in the fund arising
from the sale of the personal estate of Daniel McGill, late of the District
of Marlborough, who is said to have died a minor, having no heirs,
which fund is in the hands of the administrators of the said Daniel Mc-
Gill, be, and the same is hereby, vested in Catharine McDonald, wife of
Donald D. M. Donald, of the said District of Marlborough, her executors,
administrators, and assigns.

In the Senate House, the sixteenth day of December, in the year of our Lord
one thousand eight hundred and fifty-two, and in the seventy-seventh year
of the Sovereignty and Independence of the United States of America.

ROB'T. F. W ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

No. 4116. AN ACT TO INCORPORATE THE BLUE RIDGE RAIL ROAD COMPANY IN
SOUTH CAROLINA.

Whereas, the State of Georgia has granted to the Blue Ridge Rail
Road Company a charter for the construction of a Rail Road, from a point
on the boundary line between North Carolina and Georgia, called the Lo-
cust Stake, by the most practicable route to Clayton, in Rabun county, to
connect with the South Carolina Rail Roads at Anderson Court House.

And, whereas, it is highly expedient, as well for the interest of a large
portion of the people of North Carolina, Tennessee and of Georgia, as of
South Carolina, that such a Rail Road communication should be establish-
ed, but such communication cannot be effected without the co-operation of
this State, in opening a way for the same along that part of the proposed
route which is in South Carolina:

I. Be it enacted by the Senate and House of Representatives, now met and
sitting in General Assembly, and by the authority of the same, That the
subscribers to the capital stock hereinafter mentioned, and their assignees,
shall be a body politic and corporate, by the name and style of "The Blue
Ridge Rail Road Company in South Carolina," for the purpose of con-
structing a Rail Road connection between the Greenville and Columbia
Road and the Georgia line; and by said corporate name shall be able and
capable in law to purchase, hold and convey real and personal estate, to
have a common seal, make contracts, sue and be sued, and do all lawful
acts properly incident to a corporation, and necessary and proper for the
construction of the works and management of the business for which said
Company is incorporated.

II. That the capital stock of said Company shall be two millions five
hundred thousand dollars, in shares of one hundred dollars; and it shall
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be lawful for said Company, from time to time, and at any time, to increase their capital to a sum or amount not exceeding four millions of dollars; and it shall be lawful for the Board of Directors, for the time being, to prescribe the terms and conditions of subscribing to the additional capital, provided that no subscription, without the previous or actual payment at the time of the cash instalment hereinafter mentioned, shall ever be received.

III. That for the original capital stock of two millions five hundred thousand dollars, books of subscription shall be opened at Pendleton, Anderson Court House, Abbeville, Newberry, Columbia and Charleston, by three Commissioners at each place, to wit: At Pendleton, E. B. Benson, J. S. Lorton, and J. V. Shanklin; at Abbeville, Isaac Branch, H. A. Jones, John McIlvain; at Newberry, J. B. McMorris, B. J. Ramage, and W. H. Harrington; at Columbia, J. V. Lyles, James S. Scott, and W. S. Wood at Charleston, W. H. Gilliland, Robert Adger, and W. M. Lawton; at Anderson C. H., B. F. Crayton, J. P. Reed, and J. W. Harrison; and the books shall be opened in each of the said places on the same day, viz: on the fifteenth day of January next. And the said Commissioners shall have authority to do all acts that may be incident or proper to the discharge of their duties, and shall give twenty days notice of the opening of the books, and shall receive subscriptions for any number of shares from individuals, companies or corporations, and shall deliver to the subscriber a certificate of the number of shares subscribed and the payments made thereon; and the said books of subscription shall remain open ten days, and on the last day each set of Commissioners shall transmit to the Commissioners in Charleston a list of the subscribers, with the number of shares subscribed, and cash paid by each, and shall pay over the cash in their hands to the Bank of the State in Charleston or the Branch in Columbia, subject to the order of the Company after its organization; and if it should not be organized, then subject to the order of the depositors, to be refunded to the subscribers. And thereupon the Commissioners in Charleston shall, from all the lists, make an account of the whole sums subscribed and paid, and the names of the subscribers; and if the amount subscribed shall fall short of five hundred thousand dollars, the Commissioners shall take measures forthwith to refund to the subscribers the amounts severally paid by them. But if the subscriptions shall amount to five hundred thousand dollars, the Company shall be forthwith organized; and for the residue of the stock of the said Company, a book shall be opened and kept open till the whole amount of the capital stock shall be subscribed. Provided, That no subscription shall be received, either before or after the organization of the Company, upon any other terms than the cash payment of five dollars upon each share as a condition precedent of such subscription.

IV. That as soon as the state of the subscriptions shall authorize the organization of the Company, it shall be the duty of the Commissioners in
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A. D. 1852. Charleston, to announce that the Company will be formed, and to appoint a time and place for the subscribers to attend, and to give one month's public notice thereof, at which time and place the subscribers may attend in person, or be represented and vote by proxy in writing, at which meeting the chairman of the Charleston Commissioners shall preside, and hold an election for nine Directors, to be chosen from the body of the subscribers, and each subscriber shall have one vote for every share to which he is entitled, and the chairman shall cause a record to be made of the proceedings, and shall declare the persons having the highest number of votes duly elected.

V. That the Directors shall choose one of their own number as President, and shall also choose a Secretary and Treasurer for one year, who shall give bond and security, in such sum or sums as the Directors may require; and the Directors shall be annually chosen in the same manner as hereinbefore directed, by the stockholders, and shall elect one of their number to be President, and, in case of a vacancy occurring in the Board, between the stated periods of election, the Directors, or a majority of them, may fill such vacancy by electing a Director from the stockholders, or a President from their own body, and the said Directors may hold elections for officers at any day, should it occur that the regular time of electing should pass without such election, upon giving ten days notice thereof.

VI. That the said company shall have power to purchase and hold in fee simple, to them and their successors, any lands, tenements, or hereditaments that they may find necessary for the site or road bed of the said Rail Road, and any lands contiguous to or in the vicinity of the said Rail Road, that may be necessary for procuring materials for constructing or repairing said road, and such as may be necessary for erecting toll houses, store houses and other buildings and accommodations, that may be necessary or useful to said Rail Road or the business thereof; and, also, all rights of way on land and all necessary privileges on water-courses that may lie on or across the route of said road; and the said company shall have power to conduct such Rail Road across any public road or highway that may lie on the route of said Rail Road: Provided, the said company shall so construct said Rail Road as to not to injure or obstruct the same.

VII. That in all cases where any lands or private rights of way may be required by the said Company for the purposes aforesaid, and the same cannot, for want of agreement of the parties as to price, or for any other cause, be purchased from the owner or owners, the same may be taken at valuation to be made by Commissioners, or a majority of them, to be appointed by the Court of Common Pleas of the District where any part of the land or right of way may be situated; and the proceedings in such case, shall in all respects conform to the provisions and regulations for
such purpose contained in the tenth section of the Act passed on the thirteenth day of January, in the year one thousand eight hundred, and twenty-eight, for amending the Act to authorize the formation of a Company for constructing Rail Roads or Canals from the city of Charleston to the towns of Columbia, Camden and Hamburg.

VIII. That the said Blue Ridge Rail Road Company in South Carolina, shall have the sole and exclusive right of transportation and conveyance of persons, produce, merchandize, and all other things over and along said Rail Road, as long as they see fit to exercise said right; and said Company, in the exercise of said right, shall be regarded as common carriers, and liable as such; and said Company shall be authorized to fix by by-laws the charges and rates of transportation and carriage on said Rail Road, and to call on the stockholders for the payment of such instalments on the shares subscribed, as they may deem necessary and expedient for the prosecution and completion of the aforesaid Rail Road, and the works therewith connected, until the whole of the stock subscribed for is paid in; and the Board of Directors shall give ninety days notice in a public gazette by publication once a month of the amount of the instalments so required to be paid and the time of payment; and the failure of any stockholder to comply with such demand of payment, in addition to the liability to the recovery thereof by suit, shall induce a forfeiture of the share or shares on which such default shall be made, and of all preceding payments thereon, and the same shall vest in, and belong to the Company at their election, and may be appropriated as they may see fit to the purposes for which the Company is chartered. And the power of making by-laws, appointing such officers and agents as the business of the Company may require, and of entering into contracts in its behalf, and controlling generally its affairs, shall be exercised by the President and Directors of the Company; and said President and Directors shall be authorized from time to time to make all by-laws and regulations touching said Road and the business thereof, which may be deemed expedient: Provided they make none repugnant to the laws of the land.

IX. That if any person shall wilfully and maliciously destroy, or in any manner hurt, damage or obstruct, or shall wilfully and maliciously cause or aid, or assist, or counsel and advise any other person or persons to destroy, or in any manner to hurt, damage, injure, or obstruct the said Rail Road, or any branch thereof, or any bridge or vehicle used for or in the transportation thereon, such person or persons so offending, shall be liable to be indicted therefore, and on conviction, shall be imprisoned not more than six, nor less than one month, and pay a fine not exceeding five hundred dollars, nor less than twenty dollars, at the discretion of the Court before which such conviction shall take place, and shall be further liable to pay all the expenses of repairing the same; and it shall not be competent for
any person so offending against the provisions of this clause to defend himself by pleading, or giving in evidence that he was the owner, or agent, or servant of the owner, or agent of the land where such destruction, hurt, damage, injury, or obstruction was done or caused, at the time the same was caused or done.

X. That it shall be lawful for the said Blue Ridge Rail Road Company in South Carolina, to build or make one or more branches of the said road: Provided, such branches shall not conflict with any chartered rights at the time of their construction.

XI. That it shall and may be lawful for the said company to combine with any other Rail Road, having the privilege so to do, and to consolidate the management of the companies so combining, and to make any regulations for such combination of interests and management, as the public good may require, and to them may seem meet.

XII. That the President and the Company hereby incorporated, as soon as may be after the organization of the Company, shall issue to each subscriber scrip or certificates of the stock held by him, and of the amount paid thereon, and the shares of said stock held by any person shall be assignable and transferable in law, and the Board of Directors shall and may regulate the mode of issuing certificates, and making transfer of stock.

XIII. That the faith and the funds of the State of South Carolina, be, and the same are hereby pledged to secure the punctual payment of any contracts which shall be made for borrowing money by the "Blue Ridge Rail Road Company, in South Carolina, from any person or persons, company or companies, corporation or corporations, to any amount not exceeding one million two hundred and fifty thousand dollars, either in the United States or in Europe, and when such contracts shall be made by bond or bonds signed by the President of the said Company, under its seal, and countersigned by the Secretary or Treasurer thereof, it shall be the duty of the Comptroller General of this State to endorse thereon, that the faith and funds of the State of South Carolina are pledged to the faithful performance of the said contract or contracts, as respects the punctual payment, both of the principal and interest, according to the terms of the said contract or contracts: Provided, That the interest to be made payable thereon, shall not exceed six per cent per annum, in quarterly or half yearly payments: And provided also, That the Comptroller General shall not endorse any such contract or contracts, until satisfactory proof is produced to the Governor of the State, or the Comptroller General, that five hundred thousand dollars are duly subscribed by responsible persons, companies, or corporations, to the capital stock of the said "Blue Ridge Rail Road Company, in South Carolina:" And provided further, That such endorsement shall not be made until the Governor or Comptroller General shall have satisfactory proof that such subscriptions have
been made, or aid furnished to other Rail Road Companies in North Car- 
olina and Tennessee, designed to connect the said Blue Ridge Rail Road 
with the "Georgia and East Tennessee Rail Road," as shall give reason-
able assurance of the construction of the said North Carolina and Ten-
nessee Rail Roads.

XIV. That as soon as the Comptroller General shall have made any 
such endorsement on any such contract, the whole estate, property, and 
funds, within the State, which the said Company may then possess, or 
shall afterwards acquire, shall thenceforth stand pledged and mortgaged 
to the State, without any further act or deed on the part of the Company, 
for the faithful and punctual performance, on the part of the said Com-
pany, of such contract, in priority and preference of any other debt which 
the said Company may then or at any other time owe: Provided, That no-	hing herein contained shall be construed to prevent the said "Blue Ridge 
Rail Road Company, in South Carolina," from applying the proceeds of 
the loan so made by them, and the instalments which may be called for 
and paid in, on the stock of the Company, for the purposes of construct-
ing, equipping and working the Road, and for no other purpose, except to 
pay the interest on the said loan or loans, and the ultimate extinguish-
ment of the principal thereof: And provided further, That so long as 
no part of the principal of the debt of the Company under the contracts 
aforesaid, shall be due and unpaid, it shall be lawful for the Company to 
divide among its stockholders its surplus nett income, after payment of 
the interest due upon its debts: And provided further, That the Com-
troller General shall not endorse, as aforesaid, any such bond or bonds, 
until the stockholders in the said Company shall have paid in two hun-
dred and fifty thousand dollars, and the same shall have been expended 
in the construction of the Road; whereupon, the Comptroller General 
shall be authorized to endorse such bonds to an amount not exceeding 
six hundred and twenty-five thousand dollars, and when two hundred and 
fifty thousand dollars more shall have been paid in by the stockholders, 
and expended as aforesaid, he shall be authorized to endorse such bonds 
to the further amount of six hundred and twenty-five thousand dollars: 
And provided also, That none of the said bonds endorsed as aforesaid, 
shall be issued or sold, unless the said Company shall receive therefor 
their full par value, and if any bond so endorsed shall be sold or issued 
in violation of this condition, the endorsement thereon shall be void.

In the Senate House, the sixteenth day of December, in the year of our Lord 
one thousand eight hundred and fifty-two, and in the seventy-seventh year 
of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.
AN ACT TO AUTHORIZE THE STATE TO AID IN THE CONSTRUCTION OF THE NORTH EASTERN RAIL ROAD.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That whenever satisfactory proof is produced to the Comptroller General that six hundred thousand dollars are duly subscribed, by responsible persons or corporate bodies, to the capital stock of the North Eastern Rail Road Company, and that the said Company has been duly organized, he is hereby authorized to subscribe on the part of the State, two hundred and fifty thousand dollars to the said capital of said Company, "from which however is to be deducted any amount which may have been heretofore subscribed by the Bank of the State for shares in the said Company," to be paid in the stock held by the State in the South Carolina Rail Road Company, equal at its par value to the said sum, and that he take, in the name of the State, a certificate from the said Company for that amount of stock, which said stock in the South Carolina Rail Road Company shall be accepted by the said North Eastern Rail Road Company, for the said amount, without any recourse whatever against the State: Provided, that no subscription shall be made by the State, unless the North Eastern Rail Road Company shall provide for the formation of a connection by their main track with the Rail Road of the Cheraw and Darlington Rail Road Company, on such terms and conditions as shall be agreed on between said Companies; and in case of disagreement, their differences shall be referred to one of the Chancellors for decision.

II. The subscription shall be paid in the manner, and subject to the terms and conditions hereinafter expressed.

III. Whenever satisfactory proof shall be produced to the Comptroller General that the sum of one hundred thousand dollars shall have been paid by the stockholders, and expended in the construction of said Road, the Comptroller General shall transfer and deliver to said Company so much of the stock of the State in the South Carolina Rail Road Company, as shall amount at its par value to one hundred thousand dollars; and when similar proofs shall be produced to the Comptroller General that one hundred thousand dollars more shall have been paid in and expended as aforesaid, the Comptroller General shall transfer and deliver one hundred thousand dollars more of the said stock to said Company, and in the same manner the remaining subscription of fifty thousand dollars shall be paid to the said Company, when the Road shall be finished and in operation, and in the like proportion should the subscription on the part of the State be reduced, as stated in the first section.
OF SOUTH CAROLINA.

IV. The State shall in no way whatever, be liable for the debts and contracts of the said Rail Road Company.

V. The State shall have the same rights in the Company and its management as are reserved to private stockholders, and the General Assembly shall, at any time, have a right to examine into the condition of the said Company, and the Company shall annually submit to the Legislature a report exhibiting its condition and prospects.

VI. That it shall not be lawful for the said Company to prevent any other Rail or Plank Road Company from crossing its track or any branch thereof, but such crossing of tracks shall be regulated in every instance on such terms and conditions as may be reciprocally convenient to the two Companies, and conducive to the public interest.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO ARRANGE THIS STATE INTO DISTRICTS FOR THE ELECTION OF REPRESENTATIVES IN THE CONGRESS OF THE UNITED STATES, AND FOR OTHER PURPOSES.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That this State be, and is hereby divided into six Districts, for the purpose of electing Representatives from this State, to the Congress of the United States, of which the united Districts of Lancaster, Chesterfield, Marlborough, Darlington, Marion, Williamsburg, Horry, and Georgetown, shall constitute one District, to be designated the First Congressional District; the District of Charleston, exclusive of the Parish of St. John's, Colleton, shall constitute one District, to be designated the Second Congressional District; the united Districts of Beaufort, Barnwell, Orangeburg, Colleton, and the Parish of St. John's, Colleton, shall constitute one District, to be designated the Third Congressional District; the united Districts of Lexington, Edgefield, Newberry, Laurens, and Abbeville, shall constitute one District, to be designated the Fourth Congressional District; the united Districts of Anderson, Pickens, Greenville, Spartanburg, and Union, shall constitute one District, to be designated the Fifth Congressional District; the united Districts of York, Chester, Fairfield, Richland, Ker-
A. D. 1852.

I. That the election of Representatives from this State to the next Congress, shall be held on the fourth Monday in February next, and the day following, at the same places, and be conducted by the same Managers, and in the same manner, as the election of members of the State Legislature; and the person who shall have the greatest number of votes in the several Districts thus constituted, shall be the member for that District, to the House of Representatives in the next Congress of the United States, from this State.

II. That the elections of members of the House of Representatives of the United States from this State, after the next election, shall be held at the same time and conducted by the same managers and in the same manner, as the elections of members of the State Legislature, and the person having the greatest number of votes in any Congressional District at any of the said elections, shall be the Representative of that District in the Congress of the United States.

IV. That the votes, when returned to Columbia, shall be counted by his Excellency the Governor, and Commissioners whom he may call to his assistance, on the fourth Monday in March next, and by proclamation he shall announce the persons elected as by law now provided.

In the Senate House, the sixteenth Day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

No. 4119. AN ACT TO VEST THE RIGHT AND TITLE OF THE STATE IN AND TO CERTAIN ESCHATED PROPERTY, IN CERTAIN PERSONS THEREIN MENTIONED.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all the right, title and interest which the State may have in certain real estate in the city of Charleston, lately held by Christina B. S. Gulden, deceased, that is to say: two certain lots of land on the south side of Elliott
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or Bridge street in the said city, adjoining each other, and measuring each one hundred feet in front by one hundred and seventy-two feet in depth, more or less, the easternmost of said lots being known by the number (12) twelve, be, and the same is hereby, vested in Robert Adger, executor of the last will and testament of the said Christina B. S. Gulden, in trust, for the uses of the said will.

II. That all the right, title and interest, which the State has in the real and personal estate of Arthur J. Counts, an illegitimate, be vested in Elizabeth Counts, her heirs, and assigns.

III. That all the right, title and interest, which the State may have in the real estate of Margaret Elliott, John Mason, and Joseph Mason, deceased, be vested in Charles F. Levy, his heirs, and assigns.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT IN RELATION TO THE EXECUTION OF SLAVES AND FREE PERSONS OF COLOR.

No. 4120.

Be it enacted by 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, it shall be the duty of magistrates and freeholders, who shall convict any free negro, slave, or other person of color, subject to the jurisdiction of such Court, of any capital offence, and sentence such person to capital punishment, to direct the warrant of execution to the Sheriff of the judicial district in which the offence was committed, whose duty it shall be to execute such sentence at the time and place specified in said warrant, and for which he shall be entitled to one-half the compensation now allowed by law for executing a white person. And in case of default herein by the Sheriff, he shall be liable to all the punishments now provided by law, for the punishment of official misconduct of district officers, passed on the eighteenth day of December, in the year of our Lord one thousand eight hundred and twenty-nine.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Planters' & Mechanics' Bank of South Carolina, be and the same is hereby renewed for the term of twenty-one years from and after the first day of January next, which will be in the year of our Lord one thousand eight hundred and fifty-three.

II. That said Bank shall, during the said term of twenty-one years, be permitted to enjoy all the privileges, rights, powers, immunities and benefits which it now enjoys under the existing charter of said Bank, and the said Bank shall be subject to all the provisions of an Act, passed on the eighteenth day of December, in the year of our Lord one thousand eight hundred and forty, entitled "An Act to provide against the suspension of specie payments by the Banks of this State," and, also to such regulations and restrictions as the Legislature shall from time to time impose.

III. That the capital stock and other property of the said Planters' & Mechanics' Bank, and all the other Banks hereby re-chartered or incorporated, shall be liable to taxation in the same manner as the capital stock and property of individuals and of other corporations. Provided, That no municipal corporation shall tax the capital stock or profits of said Banks, without authority first had and obtained from the Legislature.

IV. That in case of the failure of said Bank, each stockholder, copartnership or body politic, having a share or shares in such Bank, at the time of such failure, or who shall have been interested therein at any time within twelve months previous to such failure, shall be liable and held bound individually for any sum not exceeding twice the amount of his, her or their share or shares.

V. It shall not be lawful for the said Bank, except in settlements with other Banks, to pay or deliver out in payment or satisfaction of any demand upon it, or by way of loan or discount, any bill, note, check or other paper of any other Bank. And for each and every violation of this section, the said Bank shall be subject to the payment of one hundred dollars, to be recovered by action of debt, at the suit of the State, and ap-
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appropriated, one half to the use of the State, and the other half to the in
former.

VI. The bills or notes of the said Bank shall be receivable by the Treas-
surers, Tax Collectors, and other public officers, in payment for taxes and
other moneys due to the State, no longer than while the said Bank shall
promptly pay, on demand, gold and silver current coin for their notes; but
whenever the said Bank shall refuse or delay to pay any of their notes in
gold or silver current coin, or whenever there shall be a protest on any of
the bills or notes of the said Bank for non-payment in specie, it shall be the
duty of the Comptroller General to forbid the receipt of the bills or notes of
the said Bank for taxes and other public dues, unless satisfactory reasons
be shewn him by the said Bank for contesting, in a Court of justice, the
payment of such protested bills or notes.

VII. That the charters of the Union Bank of South Carolina, and the
Commercial Bank of Columbia, South Carolina, be also renewed, from the
period at which their charters respectively expire, for the same time
and with the same rights, privileges and obligations, and subject to
the same regulations and restrictions as herein before provided in relation
to the said Planters' & Mechanics' Bank.

VIII. That the following eight Banks are hereby incorporated, to be
named and known as follows, to wit: One in Columbia, to be known as the
"Exchange Bank of Columbia," with a capital of five hundred thousand
dollars, and with the privilege of increasing it to one million; one at Charle-
ston, to be known as the "Farmers & Exchange Bank of Charleston," with
a capital of one million of dollars; one at Chester, to be styled the "Bank
of Chester, South Carolina," with a capital of three hundred thousand dol-
lars; one at Newberry, to be styled the "Bank of Newberry, South Caroli-
na," with a capital of three hundred thousand dollars; one at Winnsboro',
to be styled the "Planters Bank of Fairfield," with a capital of three hundred
thousand dollars; one at Anderson, to be styled the "Western Bank of
South Carolina," with a capital of three hundred thousand dollars; one at
Sumterville, to be styled the "Bank of Sumterville," with a capital of three
hundred thousand dollars; and one at Charleston, to be styled the "People's
Bank of South Carolina," with a capital of one million dollars; which said
Banks shall have and possess the same rights and privileges, and be sub-
ject to the same duties, liabilities, obligations, regulations, and restrictions
herein provided for the said Planters' & Mechanics' Bank, and Union Bank
and Commercial Bank. The capital stock of each of the said eight Banks
shall be divided into shares of twenty-five dollars each.

IX. The Comptroller General shall be authorized to appoint fit and
proper persons as Commissioners at Columbia and Charleston, or else, point Commiss-
here, as he may decide, to open subscriptions, between the first day of
April and the first day of July next, to the capital stock of the eight
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Banks respectively named in the foregoing section, and to require five dollars on each share from subscribers in specie or notes of specie paying Banks of this State, and shall deposit the same in such Bank as a majority of the subscribers shall designate, for the use of the respective Banks, on the first meeting of the subscribers. That as soon as the subscription shall respectively be filled to the amount of the capital stock of each of the Banks respectively hereinbefore named, it shall be the duty of the Comptroller General to notify said subscribers to meet, who shall thereupon become a body corporate, with the same privileges and rights as the stockholders of the Banks whose charters are hereby renewed, and make all bye-laws not inconsistent with the laws of the land, to provide for the election of officers, the division of the capital stock as aforesaid, the payment of the subscriptions and all arrangements to put into operation the charters hereby granted. Provided, That no one of the Banks hereby incorporated for the first time, shall issue any bill or note or transact business until satisfactory proof shall be given to the Comptroller General that one-half of the capital stock of each Bank has been paid, in one moiety thereof in gold or silver, and the other moiety in notes of specie paying Banks. And, provided further, That in case of over-subscription to the stock of any of the foregoing Banks, the said subscription shall be reduced pro rata, but no subscription of five shares or under shall be reduced; and it shall not be lawful for any person to subscribe for shares in the name of other persons.

X. No loan shall be made on pledge of stock of any of the said Banks until one year after the whole capital shall have been paid in.

XI. The officers of the Banks above named shall not be exempt from militia duty or from serving on juries.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate,
JAMES SIMONS, Speaker House of Representatives.

No. 4122. AN ACT TO AUTHORIZE THE CONVEYANCE OF CERTAIN PARCELS OF LAND, IN FEE SIMPLE, TO THOMAS BENNETT AND JAMES FULLER, UPON CERTAIN CONDITIONS.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That
the Attorney General be, and he is hereby authorized and empowered, upon sufficient proof having been made before him, that Thomas Bennett has paid the purchase money for two lots of land, known as numbers "eleven" and "twelve," on the plan or map of the "Lines," of record in the office of Register of Mesne Conveyances for Charleston District, due upon his purchase, at a sale of the same, made by order of the Commissioners for raising a Municipal Guard in the month of October, in the year of our Lord one thousand eight hundred and twenty-three, to make and execute to the said Thomas Bennett a deed conveying to him, his heirs, and assigns, forever, all the right, title and interest of the State of South Carolina in and to the said two lots of land: Provided, however, that the expenses of making the proof hereinbefore required, and of executing the title herein authorized to be made, shall be paid by the said Thomas Bennett.

II. That upon the payment by James Fuller of the sum of two hundred dollars, to the agent of the State for the sale of vacant lots in the town of Columbia, within three months from the passage hereof, the said agent be authorized to convey lots numbered twenty-nine (29) and thirty (30) in the town of Columbia to James Fuller, his heirs, and assigns.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America.

ROB'T. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

AN ACT TO INCORPORATE THE "BEAUFORT FEMALE SEMINARY."

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Thomas Fuller, Lewis R. Sams, Jacob D. Guerard, Robert W. Barnwell, Stephen Elliott, Henry M. Stewart, Edmund Rhett, Henry M. Fuller and Benjamin J. Johnson and their successors be, and they are hereby, declared a body politic and corporate, under the name and style of "Trustees of the Beaufort Female Seminary," and by the said name shall have perpetual succession of officers and members and a common seal, with power to change, alter and make new the same, as often as the said corporation shall judge expedient.

II. That the said corporation shall be capable in law to purchase, have, hold, receive, enjoy, possess and retain to itself in perpetuity, or for any
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term of years, any lands, tenements or hereditaments or other property of
what kind or nature soever, and to sell, alien or release the same as they
shall think proper; and also, that it shall and may be lawful for the said
corporation to take and hold forever, any charitable donations, devises or
bequests of land or personal property, and to appropriate the same to the
purposes of the said corporation; and by its said name to sue and be sued,
implead and be imploed, answer and be answered unto, in any Court of
Law or Equity in this State: Provided, always, that all such purchases,
donations, devises and bequests of land or personal property, shall be ex-
clusively appropriated to the establishing and endowing of a Female Sem-
inary in the town of Beaufort, and shall not in the whole exceed the sum
of twenty-five thousand dollars.

III. That the said Female Seminary be under the management and
control of the aforesaid Trustees or a quorum or Board thereof, to be cho-
sen, appointed and perpetuated as follows: The said Trustees and their
successors shall meet on the first Monday of March, in every year, at such
place in the town of Beaufort as they may by notice designate, and the ma-
jor part of those so met shall elect, by ballot, a President and such other of-
icers as they shall think necessary for the year ensuing. On the
death, resignation or removal from the State of any Trustee, the Presi-
dent, or in his absence, the next presiding officer, shall within three
months thereafter, cause the other Trustees to be summoned to meet, and
the Trustees who shall meet, or a majority of those so met, not less than a
quorum being present, shall chose by ballot another Trustee in the place
of the one so dying, resigning or removing, who shall be vested with all
the powers and privileges of his predecessor.

IV. That the said Trustees, or a majority of them, shall have full power
and authority, from time to time, to make, constitute and establish such
and so many bye-laws, rules and orders as to them shall seem necessary
and convenient; which said bye-laws, rules and orders so made, shall be
binding upon all persons in anywise connected with the said Seminary.

V. That this Act shall be deemed a public Act, and shall be judicially
taken notice of as such, without special pleading.

In the Senate House, the sixteenth Day of December, in the year of our Lord
one thousand eight hundred and fifty-two, and in the seventy-seventh year
of the Sovereignty and Independence of the United States of America.

ROBT. F. W. ALLSTON, President of the Senate,
JAMES SIMONS, Speaker House of Representatives.
A BILL TO ALTER AND AMEND THE CONSTITUTION so as to change the name of the Election District of Saxe-Gotha to that of Lexington, and to extend its boundaries to its present judicial limits.

Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the amendment of the Constitution, ratified on the seventeenth day of December, in the year of our Lord one thousand eight hundred and eight, be amended to read as follows: The election district, called by the name of Saxe-Gotha, shall be changed to that of Lexington, and the boundaries thereof extended to the judicial limits of the same, as now fixed by law.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-one, we certify that the above Bill has been read the present Session, three times in the House of Representatives and three times in the Senate, and was agreed to by two-thirds of both branches of the whole representation on the second and third reading thereof.

ROB'T. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America. We, the President of the Senate and Speaker of the House of Representatives, do certify, that the foregoing Bill has been read three times, on three several days in each house, and was agreed to by two-thirds of each house, by yeas and nays, in the terms of the Constitution of this State.

ROB'T. F. W. ALLSTON, President of the Senate.
JAMES SIMONS, Speaker House of Representatives.

A BILL TO ALTER THE CONSTITUTION OF THIS STATE so as to divide Pendleton into two Election Districts.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That
the Constitution of the State be altered and amended as follows: The District of Pendleton shall constitute two election districts, to be called Anderson District and Pickens District. Anderson District shall include all the territory now constituting Anderson Judicial District, and Pickens District shall include all the territory now constituting Pickens Judicial District.

II. Each of the said Districts shall be entitled to elect one Senator and such a number of Representatives as they may respectively be entitled to from time to time, according to the provisions of the Constitution now in force.

III. That until the next apportionment of representation, Anderson District shall be entitled to four members in the House of Representatives, and Pickens District to three members.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Sovereignty and Independence of the United States of America, we certify that the above Bill has been read the present Session, three times in the House of Representatives and three times in the Senate, was agreed to by two-thirds of the whole representation.

-ROB'T. F. W. ALLSTON, President of the Senate,
JAMES SIMONS, Speaker House of Representatives.
### Acts for 1852

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