THE

STATUTES AT LARGE

OF

SOUTH CAROLINA;

EDITED, UNDER AUTHORITY OF THE LEGISLATURE,

BY

DAVID J. McCORD.

VOLUME EIGHTH,

CONTAINING THE ACTS RELATING TO CORPORATIONS AND THE MILITIA.

COLUMBIA, S. C.
PRINTED BY A. S. JOHNSTON.
1840.
NOTICE.

All Militia Laws previous to the Act of 1794, re-organizing the Militia of the State, in conformity with the Act of Congress, were repealed by that Act, and have been omitted.
Table of Contents.

ACTS RELATING TO CORPORATIONS.—BANKS.

A. D. 1801.  No. 1729. An Act to incorporate the South Carolina and State Banks..................1
A. D. 1802. 1791. An Act to incorporate the State Bank, and imposing certain restrictions on the directors, officers and servants of Banks in this State..................6
A. D. 1810. 1964. An Act to incorporate the Union Bank of South Carolina....................14
1795. An Act to incorporate the Planters’ and Mechanic’s Bank of South Carolina....................18
A. D. 1811. 1996. An Act for amending the charter of the Planter’s and Mechanic’s Bank of South Carolina; and for other purposes therein mentioned........33
A. D. 1812. 2021. An Act to establish a Bank, on behalf of and for the benefit of the State......34
A. D. 1813. 2037. An Act to explain and amend an Act entitled “An Act to establish a Bank, on behalf of and for the benefit of the State.”.................................31
A. D. 1814. 2047. An Act to alter and amend the charter of the Bank of the State of South Carolina, so far as relates to the issuing of bills of a less denomination than one dollar; and for other purposes therein mentioned........33
A. D. 1815. 2092. An Act to amend the charter of the Bank of South Carolina..................34
2093. An Act to alter and amend the charter of the State Bank....................34
A. D. 1816. 2102. An Act to authorize the President and Directors of the Bank of the State of South Carolina to call in the paper medium loan office bonds; and to establish a branch Bank in Georgetown..................35
A. D. 1817. 2134. An Act to alter and amend an Act entitled “An Act to establish a Bank, on behalf of and for the benefit of the State.”.................................36
2140. An Act to amend the several Acts incorporating the Banks of the State of South Carolina.................................36
A. D. 1818. 2175. An Act to alter and amend the charter of the Bank of the State of South Carolina.................................37
2184. An Act to alter and amend the charter of the Bank of the State of South Carolina.................................37
2199. An Act to excuse the officers of the several branches of the Bank of the State of South Carolina, from the performance of ordinary Militia duty, and serving on Juries.................................38
A. D. 1822. 2209. An Act to authorize the President and Directors of the Bank of the State of South Carolina, to establish a branch of the said Bank in Camden.................................38
2292. An Act to protect Banks, and the holders of bills and notes, from fraud........39
2299. An Act to renew the charter of the State Bank, and the Bank of South Carolina; and for other purposes therein mentioned........39
2396. An Act to establish a Bank in the town of Hamburg, and to incorporate the same.................................40
<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Act Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2333</td>
<td>A.D. 1834</td>
<td>An Act to establish a Bank in the town of Cheraw, and to incorporate the same.</td>
</tr>
<tr>
<td>2345</td>
<td>A.D. 1834</td>
<td>An Act to amend the charter of the Bank of the State of South Carolina.</td>
</tr>
<tr>
<td>2349</td>
<td>A.D. 1834</td>
<td>An Act to amend the Acts for the incorporation of the State Bank.</td>
</tr>
<tr>
<td>2402</td>
<td>A.D. 1835</td>
<td>An Act to admit and incorporate private stockholders in the Bank of the State of South Carolina.</td>
</tr>
<tr>
<td>2115</td>
<td>A.D. 1837</td>
<td>An Act to admit and incorporate private stockholders in the Bank of the State of South Carolina.</td>
</tr>
<tr>
<td>2453</td>
<td>A.D. 1838</td>
<td>An Act to repeal an Act entitled &quot;An Act to admit and incorporate private stockholders in the Bank of the State of South Carolina.&quot;</td>
</tr>
<tr>
<td>2805</td>
<td>A.D. 1839</td>
<td>An Act to renew the charter of the Planters' and Mechanics' Bank, and of the Union Bank of South Carolina.</td>
</tr>
<tr>
<td>2520</td>
<td>A.D. 1839</td>
<td>An Act to authorize the President and Directors of the Bank of the State of South Carolina, to establish a branch of the said Bank at Hamburg.</td>
</tr>
<tr>
<td>2506</td>
<td>A.D. 1839</td>
<td>An Act to establish and incorporate a Bank in the town of Columbia.</td>
</tr>
<tr>
<td>2549</td>
<td>A.D. 1839</td>
<td>An Act concerning the Bank of the State of South Carolina.</td>
</tr>
<tr>
<td>2552</td>
<td>A.D. 1839</td>
<td>An Act to renew the charter of the Bank of South Carolina.</td>
</tr>
<tr>
<td>2556</td>
<td>A.D. 1839</td>
<td>An Act to re-charter the Bank of the State of South Carolina.</td>
</tr>
<tr>
<td>2606</td>
<td>A.D. 1839</td>
<td>An Act to renew the charter of the Bank of Cheraw.</td>
</tr>
<tr>
<td>2607</td>
<td>A.D. 1839</td>
<td>An Act to renew the charter of the Bank of South Carolina.</td>
</tr>
<tr>
<td>2610</td>
<td>A.D. 1839</td>
<td>An Act to incorporate a Bank in the town of Cheraw.</td>
</tr>
<tr>
<td>2632</td>
<td>A.D. 1839</td>
<td>An Act to establish and incorporate another Bank in the city of Charleston.</td>
</tr>
<tr>
<td>2648</td>
<td>A.D. 1839</td>
<td>An Act to incorporate a Bank in the town of Camden.</td>
</tr>
<tr>
<td>2665</td>
<td>A.D. 1839</td>
<td>An Act to establish and incorporate a Bank in the town of Hamburg.</td>
</tr>
<tr>
<td>2673</td>
<td>A.D. 1839</td>
<td>An Act to authorize the President, Directors and Company of the State Bank to increase its capital.</td>
</tr>
<tr>
<td>2683</td>
<td>A.D. 1839</td>
<td>An Act to establish and incorporate a Bank in the town of Georgetown.</td>
</tr>
<tr>
<td>2685</td>
<td>A.D. 1839</td>
<td>An Act to confer banking privileges on the stockholders of the Louisville, Cincinnati and Charleston Rail Road Company, on certain terms and conditions.</td>
</tr>
<tr>
<td>2720</td>
<td>A.D. 1839</td>
<td>An Act to alter and amend the charter of the Bank of Hamburg, South Carolina.</td>
</tr>
<tr>
<td>2727</td>
<td>A.D. 1839</td>
<td>An Act concerning the Bank of the State of South Carolina.</td>
</tr>
<tr>
<td>2783</td>
<td>A.D. 1839</td>
<td>An Act to authorize a subscription, in behalf of the State, to the South-Western Rail Road Bank.</td>
</tr>
<tr>
<td>1765</td>
<td>A.D. 1839</td>
<td>An Act to authorize the South-Western Rail Road Bank to establish branches and agencies in this State.</td>
</tr>
</tbody>
</table>

### CORPORATIONS, GENERALLY.

<table>
<thead>
<tr>
<th>Date</th>
<th>Act Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.D. 1751</td>
<td>An Act to incorporate the society commonly called and known by the name of the South Carolina Society.</td>
</tr>
<tr>
<td>A.D. 1754</td>
<td>An Act for incorporating the Charleston Library Society.</td>
</tr>
<tr>
<td>A.D. 1757</td>
<td>An Act for incorporating the Winnow Indigo Society.</td>
</tr>
<tr>
<td>A.D. 1760</td>
<td>An Act to incorporate the society commonly called and known by the name of the Fellowship Society.</td>
</tr>
<tr>
<td>A.D. 1777</td>
<td>An Act for incorporating a society commonly called the Mount Zion Society.</td>
</tr>
<tr>
<td>A.D. 1778</td>
<td>An Act for incorporating the Catholic Society.</td>
</tr>
<tr>
<td>A.D. 1787</td>
<td>An Act for incorporating the Salem Society.</td>
</tr>
<tr>
<td>A.D. 1788</td>
<td>An Act for incorporating the Saint David's Society.</td>
</tr>
<tr>
<td>A.D. 1789</td>
<td>An Act for incorporating divers Religious Societies therein named.</td>
</tr>
<tr>
<td>A.D. 1790</td>
<td>An Act to incorporate the society commonly called and known by the name of the John's Island Society.</td>
</tr>
<tr>
<td>A.D. 1798</td>
<td>An Act for incorporating the Calvinistic Church of French Protestants.</td>
</tr>
<tr>
<td>A.D. 1799</td>
<td>An Act for incorporating the Saint Cecilia Society.</td>
</tr>
<tr>
<td>A.D. 1807</td>
<td>An Act for incorporating divers Religious Societies therein named.</td>
</tr>
<tr>
<td>A.D. 1808</td>
<td>An Act for incorporating divers Religious Societies therein named.</td>
</tr>
<tr>
<td>A.D. 1825</td>
<td>An Ordinance for incorporating Echaw Church, in Saint James's Parish, Saintee.</td>
</tr>
<tr>
<td>A.D. 1828</td>
<td>An Act to incorporate the Vestries and Church-wardens of the Episcopal Churches in the parishes of Saint Philip and Saint Michael, in Charleston; and for other purposes.</td>
</tr>
<tr>
<td>A.D. 1829</td>
<td>An Ordinance to incorporate the Master Tailor's Society.</td>
</tr>
<tr>
<td>A. D. 1786.</td>
<td>No. 1313. An Act for incorporating the Society for the relief of the Widow and Orphans of the Clergy of the Protestant Episcopal Church, in the State of South Carolina</td>
</tr>
<tr>
<td>A. D. 1787.</td>
<td>1322. An Act for incorporating divers Religious Societies therein named</td>
</tr>
<tr>
<td>A. D. 1788.</td>
<td>1323. An Act for incorporating the Beaufort Society, and the Saint Helena Society</td>
</tr>
<tr>
<td>A. D. 1789.</td>
<td>1329. An Act to incorporate the Vestries and Church-wardens of the Episcopal Churches in the parishes of Saint Bartholomew, Saint Helena and Saint John's Colleton county</td>
</tr>
<tr>
<td>A. D. 1787.</td>
<td>1357. An Act for incorporating divers Religious Societies therein named</td>
</tr>
<tr>
<td>A. D. 1788.</td>
<td>1363. An Act to incorporate the Vestry and Church-Wardens of the Episcopal Church of the parish of Christ Church</td>
</tr>
<tr>
<td>A. D. 1789.</td>
<td>1397. An Act to incorporate the Camden Orphan Society, and the Friendly Cambridge Society in Ninety-six district</td>
</tr>
<tr>
<td>A. D. 1790.</td>
<td>1414. An Act for incorporating divers Religious Societies therein named</td>
</tr>
<tr>
<td>A. D. 1791.</td>
<td>1415. An Act to incorporate the Vestries and Church-Wardens of the Episcopal Churches in the Parishes of Saint Luke, Saint Matthew, Prince George Winwaw, Saint Stephen, and Saint James Goose Creek; and also the Vestries and Church-Wardens of the Episcopal Churches of Claiborne, and of Saint Helena Island</td>
</tr>
<tr>
<td>A. D. 1787.</td>
<td>1439. An Act to incorporate the Vestry and Church-Wardens of the Episcopal Church of the parish of Saint George's Dorchester, and for vesting in them and their successors in office, the several donations and other charitable funds belonging to the parish; and for other purposes therein mentioned</td>
</tr>
<tr>
<td>A. D. 1790.</td>
<td>1440. An Act for incorporating the Society for the relief of elderly disabled Ministers, and of the Widows and Orphans of the Clergy of the Independent or Congregational Church, in the State of South Carolina</td>
</tr>
<tr>
<td>A. D. 1791.</td>
<td>1448. An Act for incorporating the Claremont Society at St. Mary's parish</td>
</tr>
<tr>
<td>A. D. 1790.</td>
<td>1450. An Act for incorporating the Presbyterian Congregation in the town of Puryburg, in Saint Peter's parish, in the State of South Carolina</td>
</tr>
<tr>
<td>A. D. 1791.</td>
<td>1477. An Ordinance for incorporating the Baptist Church on Horne's Creek, in Edgefield county, in the State of South Carolina</td>
</tr>
<tr>
<td>A. D. 1791.</td>
<td>1490. An Ordinance to incorporate a society, for the purpose of raising and securing a fund for the relief of the Widows and Children of the deceased Presbyterian Ministers belonging thereto</td>
</tr>
<tr>
<td>A. D. 1791.</td>
<td>1515. An Act to incorporate the Roman Catholic Church of Charleston</td>
</tr>
<tr>
<td>A. D. 1791.</td>
<td>1516. An Act for incorporating the Jewish Congregation at Charleston, called Beth Eblithim or House of God</td>
</tr>
<tr>
<td>A. D. 1791.</td>
<td>1517. An Act to incorporate the several churches known by the names of the Presbyterian Church of Hopewell, on Jeffrie's Creek; the Presbyterian Church of Aimwell, on Pee dee; the Presbyterian Church of Aiken, on Jackson's Creek; and the Baptist Church, Ebenezer, on Jeffrie's Creek</td>
</tr>
<tr>
<td>A. D. 1791.</td>
<td>1518. An Act to incorporate Camden</td>
</tr>
<tr>
<td>A. D. 1791.</td>
<td>1533. An Act to make and establish the Vestries and Church-Wardens of the Episcopal Churches of the Parishes of Saint Philip and Saint Michael, in Charleston, two separate and distinct bodies politic and corporate, and to enlarge their powers</td>
</tr>
<tr>
<td>A. D. 1791.</td>
<td>1535. An Act to incorporate the Grand Lodge, and the several Lodges under the jurisdiction thereof, of South Carolina Ancient York Masons</td>
</tr>
<tr>
<td>A. D. 1791.</td>
<td>1536. An Act for incorporating the Society of Free and Accepted Masons in this State</td>
</tr>
<tr>
<td>A. D. 1791.</td>
<td>1539. An Act to incorporate the German Friendly Society</td>
</tr>
<tr>
<td>A. D. 1791.</td>
<td>1540. An Act to incorporate the Society for promoting and encouraging the education of Children, and assisting and establishing Schools for that purpose, in Beaufort district</td>
</tr>
<tr>
<td>A. D. 1791.</td>
<td>1547. An Act relating to the recovery of arrears and other debts, dues and demands, owing to bodies corporate by their members</td>
</tr>
<tr>
<td>No.</td>
<td>Title</td>
</tr>
<tr>
<td>--------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>1561.</td>
<td>An Act to incorporate the General Committee for the Charleston Baptist Association fund</td>
</tr>
<tr>
<td>1564.</td>
<td>An Act to alter and amend an Act entitled &quot;An Act to incorporate certain Religious Societies therein named,&quot; so far as the same relates to the Presbyterian Church on Edisto Island.</td>
</tr>
<tr>
<td>A.D. 1793</td>
<td>An Act to incorporate the Episcopal Church on Edisto Island, the Primitive Methodists of Trinity Church, Charleston, and the Primitive Methodists of Ebenezer Church, Georgetown.</td>
</tr>
<tr>
<td>1575.</td>
<td>An Act to incorporate the United Independent Congregational Church of Dorchester and Beach Hill, in the parishes of Saint George and Saint Paul.</td>
</tr>
<tr>
<td>A.D. 1794</td>
<td>An Act to incorporate the Vigilant Fire Company in Charleston.</td>
</tr>
<tr>
<td>1585.</td>
<td>An Act to incorporate the Port Republic Bridge Company, and to authorize them to build a Bridge and Causeway.</td>
</tr>
<tr>
<td>1589.</td>
<td>An Act to incorporate the Medical Society of South Carolina.</td>
</tr>
<tr>
<td>1591.</td>
<td>An additional Act to an Act entitled &quot;An Act for incorporating the Society of Free and Accepted Masons in this State,&quot; passed the twentieth day of December, in the year of our Lord one thousand seven hundred and ninety-one.</td>
</tr>
<tr>
<td>A.D. 1795</td>
<td>An Act to incorporate certain Religious Societies therein mentioned.</td>
</tr>
<tr>
<td>1625.</td>
<td>An Act to incorporate the Agricultural Society of South Carolina.</td>
</tr>
<tr>
<td>1629.</td>
<td>An Act to incorporate the Williamsburg Academy, and to empower the Trustees of the same to establish a Lottery or Lotteries.</td>
</tr>
<tr>
<td>1639.</td>
<td>An Act to vest certain lands in the district of Beaufort in Trustees, for the purpose of building and endowing a College in the town of Beaufort, and to incorporate the same; and for other purposes therein mentioned.</td>
</tr>
<tr>
<td>A.D. 1797</td>
<td>An Act to incorporate the Academy of Columbia; and for other purposes therein mentioned.</td>
</tr>
<tr>
<td>1660.</td>
<td>An Act for establishing a Mutual Insurance Company in Charleston.</td>
</tr>
<tr>
<td>1675.</td>
<td>An Act to incorporate the Charleston Insurance Company.</td>
</tr>
<tr>
<td>1683.</td>
<td>An Act to establish and incorporate a College in Pinckney district.</td>
</tr>
<tr>
<td>A.D. 1798</td>
<td>An Act to incorporate the Spartanburg Philanthropic Society.</td>
</tr>
<tr>
<td>1694.</td>
<td>An Act to incorporate certain Mechanics, Manufacturers and Handicrafts of the city of Charleston, by the name of the Charleston Mechanic Society.</td>
</tr>
<tr>
<td>1698.</td>
<td>An Act to incorporate the Saint Andrew's Society, of the city of Charleston, in the State of South Carolina.</td>
</tr>
<tr>
<td>A.D. 1799</td>
<td>An Act to incorporate the Georgetown Fire Company.</td>
</tr>
<tr>
<td>1725.</td>
<td>An Act to incorporate the Baptist Church at the head of Enoree river, by the name of the Head of Enoree Baptist Society.</td>
</tr>
<tr>
<td>1726.</td>
<td>An Act to incorporate the Charleston Water Company.</td>
</tr>
<tr>
<td>1730.</td>
<td>An Act to incorporate the Upper Long Cane Society, in Abbeville district.</td>
</tr>
<tr>
<td>1735.</td>
<td>An Act to incorporate a company for opening a Canal from Back River to Chappel Bridge.</td>
</tr>
<tr>
<td>A.D. 1800</td>
<td>An Act to incorporate the Georgetown Library Society.</td>
</tr>
<tr>
<td>1741.</td>
<td>An Act to incorporate the John's Island Society, of the Parish of St. John's, Colleton.</td>
</tr>
<tr>
<td>A.D. 1801</td>
<td>An Act to incorporate the Antipodes Baptist Church, in the town of Georgetown.</td>
</tr>
<tr>
<td>1789.</td>
<td>An Act to incorporate the Marlborough Academy, the Philomatic Society of Marion District, and the Jefferson Monticello Society of Fairfield District.</td>
</tr>
<tr>
<td>1795.</td>
<td>An Act to incorporate the several societies therein mentioned.</td>
</tr>
<tr>
<td>1799.</td>
<td>An Act to incorporate the &quot;Abee Yezumim Ubne Ebyomim,&quot; or the society for the relief of orphans and children of indigent parents.</td>
</tr>
<tr>
<td>A.D. 1803</td>
<td>An Act to continue, for fourteen years, an Act entitled &quot;An Act to incorporate certain mechanics, manufacturers and handicrafts of the city of Charleston, by the name of the Charleston Mechanic Society,&quot; and to alter and amend the same.</td>
</tr>
<tr>
<td>1890.</td>
<td>An Act to incorporate the town of Beaufort; and for other purposes therein mentioned.</td>
</tr>
<tr>
<td>Year</td>
<td>Title</td>
</tr>
<tr>
<td>------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>1804</td>
<td>An Act for extending the incorporation of the St. Andrew's Society</td>
</tr>
<tr>
<td>1805</td>
<td>An Act to incorporate the several Religious Societies therein mentioned.</td>
</tr>
<tr>
<td></td>
<td>An Act to alter and amend an Act entitled &quot;An Act to incorporate the town</td>
</tr>
<tr>
<td></td>
<td>of Beaufort; and for other purposes therein mentioned.</td>
</tr>
<tr>
<td>1806</td>
<td>An Act to incorporate the Trustees of the Pineville Academy</td>
</tr>
<tr>
<td>1807</td>
<td>An Act to incorporate the Botanic Society of South Carolina</td>
</tr>
<tr>
<td></td>
<td>An Act for the incorporation of Georgetown</td>
</tr>
<tr>
<td></td>
<td>An Act to incorporate the several Societies therein mentioned; and for</td>
</tr>
<tr>
<td></td>
<td>other purposes therein mentioned.</td>
</tr>
<tr>
<td>1808</td>
<td>An Act to repeal an Act of the General Assembly of this State, entitled</td>
</tr>
<tr>
<td></td>
<td>&quot;An Act for the better regulating the streets and markets of the town</td>
</tr>
<tr>
<td></td>
<td>of Columbia,&quot; and to incorporate the said town.</td>
</tr>
<tr>
<td>1809</td>
<td>An Act to incorporate the South Carolina Insurance Company</td>
</tr>
<tr>
<td></td>
<td>An Act to incorporate the several societies therein mentioned; and for</td>
</tr>
<tr>
<td></td>
<td>other purposes therein mentioned.</td>
</tr>
<tr>
<td>1810</td>
<td>An Act to incorporate the Union Insurance Company</td>
</tr>
<tr>
<td>1811</td>
<td>An Act to incorporate the Beaufort Library Society; as also, the Newberry</td>
</tr>
<tr>
<td></td>
<td>Library Society</td>
</tr>
<tr>
<td>1812</td>
<td>An Act to incorporate the South Carolina Homœopat Company</td>
</tr>
<tr>
<td>1813</td>
<td>An Act amending the charter of the Winwaw Indigo Society; and for other</td>
</tr>
<tr>
<td></td>
<td>purposes therein mentioned.</td>
</tr>
<tr>
<td>1814</td>
<td>An Act to incorporate the several societies therein mentioned.</td>
</tr>
<tr>
<td></td>
<td>An Act to incorporate the several societies therein mentioned; and for</td>
</tr>
<tr>
<td></td>
<td>other purposes.</td>
</tr>
<tr>
<td>1815</td>
<td>An Act to incorporate the Presbyterian Church in the Parish of St. Philip,</td>
</tr>
<tr>
<td></td>
<td>and State of South Carolina</td>
</tr>
<tr>
<td>1816</td>
<td>An Act to incorporate the Mount Pleasant Academy in the Parish of Christ</td>
</tr>
<tr>
<td></td>
<td>Church; and to enable the trustees to recover a legacy for the education</td>
</tr>
<tr>
<td></td>
<td>of the poor children of the said parish.</td>
</tr>
<tr>
<td>1817</td>
<td>An Act to alter and amend an Act entitled &quot;An Act to incorporate the society</td>
</tr>
<tr>
<td></td>
<td>commonly called and known by the name of the Fellowship Society,&quot;</td>
</tr>
<tr>
<td></td>
<td>passed the twenty-third day of August, one thousand seven hundred and</td>
</tr>
<tr>
<td></td>
<td>sixty-nine.</td>
</tr>
<tr>
<td>1818</td>
<td>An Act to incorporate the Protestant Episcopal Society for the advancement</td>
</tr>
<tr>
<td></td>
<td>of Christianity in South Carolina</td>
</tr>
<tr>
<td></td>
<td>An Act to incorporate the several societies, and for other purposes therein</td>
</tr>
<tr>
<td></td>
<td>mentioned.</td>
</tr>
<tr>
<td>1819</td>
<td>An Act to incorporate the Charleston Fire Insurance Company</td>
</tr>
<tr>
<td>1820</td>
<td>An Act to incorporate the Penland Circulating Library Society, the Sumterville Library Society, and the other societies therein mentioned.</td>
</tr>
<tr>
<td>1821</td>
<td>An Act to incorporate the Free Mason Hall Company</td>
</tr>
<tr>
<td>1822</td>
<td>An Act to incorporate the several societies therein mentioned; and for</td>
</tr>
<tr>
<td></td>
<td>other purposes.</td>
</tr>
<tr>
<td>1823</td>
<td>An Act for incorporating the Grand Lodge of South Carolina</td>
</tr>
<tr>
<td>1824</td>
<td>An Act to incorporate the Fishing Creek Circulating Library Society, in</td>
</tr>
<tr>
<td></td>
<td>Chester District; and the Ladies' Benevolent Society of Beaufort District</td>
</tr>
<tr>
<td>1825</td>
<td>An Act to continue in force an Act entitled &quot;An Act to incorporate the town</td>
</tr>
<tr>
<td></td>
<td>of Beaufort; and for other purposes therein mentioned.</td>
</tr>
<tr>
<td>1826</td>
<td>An Act to incorporate the Williamsburgh Library Society, and other societies therein mentioned.</td>
</tr>
<tr>
<td>1827</td>
<td>An Act to incorporate the Societe Francaise of the city of Charleston</td>
</tr>
<tr>
<td>1828</td>
<td>An Act to extend the corporation of the Saint Andrew's Society of the city of Charleston</td>
</tr>
<tr>
<td>1829</td>
<td>An Act to incorporate the several societies, and for other purposes therein mentioned.</td>
</tr>
</tbody>
</table>
TABLE OF CONTENTS.

A. D. 1817.

No. 2049. An Act to incorporate the Bethel Circulating Library Society; and Regular Baptist Church of Fairfield District; and to authorize the Vestry and Wardens of the Episcopal Church of Prince George Winwyaw, to raise by lottery a sum of money for the purpose therein mentioned. 387

2154. An Act to incorporate the proprietors of the Charleston Theatre. 388

2155. An Act to incorporate the Village of Montreville on Sullivan’s Island. 390

2156. An Act to amend the Act incorporating the Free School in Saint George’s Dorchester. 393

A. D. 1818.

2174. An Act to incorporate the Charleston Fire and Marine Insurance Company. 395

2180. An Act to incorporate certain societies. 395

2182. An Act to incorporate the Grand Lodge of Ancient Free Masons of South Carolina; and for other purposes therein mentioned. 301

A. D. 1819.

2213. An Act to alter and amend “An Act to incorporate the Charleston Fire and Marine Insurance Company,” passed in the year of our Lord eighteen hundred and eighteen. 303

2217. An Act to incorporate the several societies therein mentioned. 304


A. D. 1820.

2231. An Act to incorporate the Union Insurance Company. 308

2234. An Act to make and establish the Vestry and Church Wardens of the Protestant Episcopal Church, called Grace Church, in the State of South Carolina, a body politic and corporate. 310

2246. An Act to incorporate the several societies therein mentioned. 312

A. D. 1821.

2251. An Act to incorporate certain societies. 320

2254. An Act to incorporate the South Carolina Academy of Fine Arts. 323

2265. An Act to amend the charter of the John’s Island Society. 324

A. D. 1822.

2291. An Act to incorporate the several societies therein mentioned. 325

A. D. 1823.

2292. An Act to incorporate certain societies; and for other purposes. 326

A. D. 1824.

2322. An Act to incorporate the Society of the Cincinnati of the State of South Carolina. 334

2340. An Act to incorporate certain societies. 325

2342. An Act to alter and amend the charter of the Protestant Episcopal Society for the advancement of Christianity in South Carolina. 341

A. D. 1825.

2366. An Act to incorporate the Charleston Water Company; and for other purposes therein mentioned. 343

A. D. 1826.

2379. An Act to incorporate certain societies. 344

A. D. 1827.

2400. An Act to incorporate certain societies. 348

2414. An Act to incorporate certain societies. 352

2417. An Act to authorize the formation of a company for erecting Rail Roads or Canals from the city of Charleston, to the towns of Columbia, Camden and Hamburgh. 354

A. D. 1828.

2443. An Act to amend an Act entitled “An 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 Hamburgh.” 355

A. D. 1829.

2451. An Act to incorporate certain societies. 354

2472. An Act to incorporate certain societies. 356

A. D. 1830.

2514. An Act to authorize the formation of a company for the purpose of constructing a Turnpike Road, from Edgefield Court House to the town of Hamburgh. 366

2516. An Act to incorporate certain societies. 369

A. D. 1831.

2531. An Act to revive the charter of the Winyaw and Wando Canal Company. 370

2534. An Act to incorporate the Medical College of South Carolina. 371

2539. An Act to incorporate certain societies; and for other purposes. 372

A. D. 1832.

2568. An Act concerning the Cambridge Association. 374

2572. An Act to incorporate, under a new name, the Jackson Guards. 375

2574. An Act to incorporate certain societies. 376

A. D. 1833.

2580. An Act to incorporate the Medical College in South Carolina. 379

2586. An Act concerning the South Carolina Canal and Rail Road Company. 390

A. D. 1833.

2591. An Act to incorporate the Docken and Wapahoula Rail Road Company. 390

2593. An Act to incorporate certain societies. 391
TABLE OF CONTENTS

| A. D. 1838. No. | An Act concerning the South Carolina Canal and Rail Road Company | 384 |
| A. D. 1834. | 2617. An Act to renew the charter of the South Carolina Insurance Company | 385 |
| | 2621. An Act to establish a company under the name of the Atlantic Steam Packet Company | 386 |
| | 2625. An Act to amend the charter of the Society for the relief of Elderly and Disabled Ministers, and of the Widows and Orphans of the Clergy of the Independent or Congregational Church in the State of South Carolina | 388 |
| | 2629. An Act to incorporate the Insurance Company of Columbia South Carolina | 399 |
| | 2630. An Act to incorporate certain societies | 399 |
| | 2631. An Act to incorporate the Saluda Manufacturing Company | 394 |
| | 2634. An Act to incorporate the Durham Creek Rail Road Company | 395 |
| | 2635. An Act to authorize the formation of the Edgefield Rail Road Company | 396 |
| | 2636. An Act to incorporate the Charleston Cotton Seed Oil Manufacturing Company | 404 |
| A. D. 1835. | 2647. An Act to cause surveys for a Rail Road between Cincinnati and Charleston | 406 |
| | 2659. An Act to incorporate Cokesbury School, at Cokesbury, in Abbeville District | 407 |
| | 2655. An Act to amend the charter of the Edgefield Rail Road Company | 408 |
| | 2658. An Act to incorporate the Cincinnati and Charleston Rail Road Company | 409 |
| | 2661. An Act to incorporate the Charleston and Liverpool Line Packet Company | 418 |
| | 2665. An Act to incorporate the American and German Trading and Insurance Company | 431 |
| | 2664. An Act to authorize the formation of the Barnwell Rail Road Company | 422 |
| | 2666. An Act to establish a company under the name of the Charleston and Philadelphia Steam Packet Company | 429 |
| A. D. 1836. | 2678. An Act to establish a company under the name of the Savannah and Charleston Steam Packet Company | 430 |
| | 2679. An Act to amend the Charter of the Louisville, Cincinnati and Charleston Rail Road Company | 431 |
| | 2681. An Act to incorporate the Charleston Insurance and Trust Company | 432 |
| | 2687. An Act to incorporate the Charleston Hotel Company | 436 |
| | 2688. An Act to incorporate certain Companies | 438 |
| | 2690. An Act for the incorporation of the General Mining Company of South Carolina | 439 |
| | 3692. An Act to renew the charter of the Saint Patrick Benevolent Society of Charleston, South Carolina | 439 |
| | 2693. An Act to authorize the formation of the Sumter and Darlington Rail Road Company | 440 |
| | 2697. An Act to incorporate certain Societies, and to renew and amend the charters of certain Villages | 448 |
| A. D. 1837. | 2706. An Act to alter the name and amend the charter of the Nesbitt Iron Manufacturing Company | 451 |
| | 2719. An Act to amend the charter of the Nesbitt Manufacturing Company | 453 |
| | 2722. An Act to amend the charter of the Union Insurance Company | 454 |
| | 2725. An Act to incorporate the Statesburg Bridge Company | 454 |
| | 2726. An Act to incorporate certain Companies and Societies | 455 |
| | 2729. An Act to establish a company under the name of the Southern Steam Packet Company | 461 |
| A. D. 1838. | 2732. An Act to incorporate the Governor's Guards | 468 |
| | 2746. An Act to incorporate the Bivinsville Cotton Manufacturing Company | 463 |
| | 2750. An Act to incorporate the Pendleton Manufacturing Company | 463 |
| | 2752. An Act to incorporate the Metropolitan Rail Road Company | 464 |
| | 2753. An Act to authorize the formation of the Charleston, Georgetown and All Saints Rail Road Company | 472 |
| | 2761. An Act to incorporate the Union Insurance and Trust Company of South Carolina | 480 |
| | 2764. An Act to authorize the President and Directors of the Louisville, Cincinnati and Charleston Rail Road Company, to increase the rates of transportation on the Charleston and Hamburg Rail Road, in certain cases; and to grant certain vacant lots in the town of Columbia | 484 |
TABLE OF CONTENTS.

ACTS RELATING TO THE MILITIA.

A. D. 1794. No. 1588. An Act to organize the Militia throughout the State of South Carolina, in conformity with the Act of Congress .............................................. 485

A. D. 1795. No. 1602. An additional Act to the Act entitled "An Act to organize the Militia throughout the State of South Carolina, in conformity with the Act of Congress;" and for other purposes therein mentioned .............................................. 496

A. D. 1796. No. 1607. An Act to prolong the time for certain officers of the militia to take the oath or affirmation prescribed by law .............................................. 501

A. D. 1797. No. 1609. An Act concerning the Cavalry and Artillery of this State; and for other purposes therein mentioned .............................................. 503

A. D. 1800. No. 1745. An Act in addition to the Militia Laws of this State .............................................. 506

A. D. 1807. No. 1792. An Act to alter and amend an Act entitled "An Act concerning the Cavalry and Artillery of this State, and for other purposes therein mentioned;" passed the sixteenth December, seventeen hundred and ninety-seven .............................................. 509

A. D. 1808. No. 1899. An Act to give the militia officers of this State, who have not taken the oath required by the Act of the General Assembly, passed the nineteenth day of December, one thousand seven hundred and nineteen, in the manner directed by said Act, further time to take the said oath .............................................. 510

A. D. 1916. No. 1916. An Act requiring the Major Generals of the Militia of this State to cause one uniform system of evolutions to be adopted by the Cavalry, within their respective divisions; for perfecting the several officers of the militia throughout this State, in their military duties; and for other purposes therein mentioned .............................................. 511

A. D. 1809. No. 1940. An Act to amend and explain the militia laws of this State .............................................. 515

A. D. 1812. No. 3010. An Act to exempt the officers, non-commissioned officers and privates, of the City Guard of Charleston, from militia duty .............................................. 518

A. D. 1813. No. 3066. An Act to alter and amend the militia laws of this State .............................................. 519

A. D. 1814. No. 3046. An Act to prolong the time for certain militia officers to take the oath or affirmation prescribed by law .............................................. 522

A. D. 1815. No. 3054. An Act to divide the State into five Divisions and ten Brigades .............................................. 523

A. D. 1816. No. 2055. An Act to raise a Brigade of State Troops .............................................. 524

A. D. 1816. No. 3069. An Act for the organization of the Staff of the Militia of South Carolina; and for other purposes therein mentioned .............................................. 528

A. D. 1818. No. 2071. An Act to alter and amend the militia laws of this State .............................................. 529

A. D. 1819. No. 2099. An Act to make all the officers of the militia of this State elective .............................................. 533

A. D. 1820. No. 2187. An Act to increase the number of places of elections, now limited by law, for the elections of Colonels and Majors in each regiment or battalion throughout the State; and for other purposes therein mentioned .............................................. 535

A. D. 1821. No. 2199. An Act to excuse the officers of the several Branches of the Bank of the State of South Carolina from the performance of ordinary militia duty, and serving on juries .............................................. 537

A. D. 1822. No. 2290. An Act to provide for the more effectual performance of patrol duty .............................................. 538

A. D. 1822. No. 2298. An Act to give the same compliment of officers to companies of Artillery in this State, as are required by the laws now of force in the United States service; and for other purposes therein mentioned .............................................. 541

A. D. 1821. No. 2244. An Act authorizing another regiment of militia to be raised and organized in the District of Pendleton; and for other purposes .............................................. 543

A. D. 1822. No. 2271. An Act authorizing another regiment of militia to be raised and organized in the District of Barnwell; and for other purposes .............................................. 543

A. D. 1823. No. 2294. An Act to consolidate and equalize certain militia companies; to authorize the sale of small arms; and the inspection of muskets made by Adam Carruth, preparatory to their being purchased by the State .............................................. 544

A. D. 1823. No. 2317. An Act to regulate the performance of patrol duty on Charleston Neck .............................................. 545

A. D. 1823. No. 2318. An Act to require the officers of each brigade of militia to assemble in Brigade Encampments; and for other purposes .............................................. 549
| A.D. 1824. | No. 2341. | An Act to repeal the first section of an Act entitled "An Act to require the officers of each brigade of militia to assemble in Brigade Encampments, and for other purposes;" passed the 30th day of December, 1823; and for other purposes. | 550 |
| A.D. 1827. | 2405. | An Act to alter and define the Line between the thirty-fourth and thirty-fifth Regiments of the South Carolina Militia; and for other purposes. | 552 |
| A.D. 1828. | 9410. | An Act to enlarge the recruiting limits of the Winnborough Light Infantry Volunteer Company. | 552 |
| A.D. 1829. | 2450. | An Act to regulate the elections of Cavalry and Artillery Officers throughout this State. | 553 |
| A.D. 1830. | 2479. | An Act to regulate the collection of Military Fines; and for other purposes. | 553 |
| A.D. 1831. | 2487. | An Act to provide for the division of Beat Company number seven, of the 15th Regiment of South Carolina Militia. | 554 |
| A.D. 1834. | 2488. | An Act to consolidate the two Beat Companies of Georgetown. | 555 |
| A.D. 1833. | 2504. | An Act to change the place of Company Muster in Saint James Santee. | 555 |
| A.D. 1835. | 2506. | An Act to establish the Dividing Line between the 36th and 37th Regiments of Militia; and to lay off a new Beat Company at and around Summerville. | 556 |
| A.D. 1836. | 2510. | An Act to confirm the Military with the Judicial Divisions of Pendleton District; and for other purposes. | 557 |
| A.D. 1833. | 2511. | An Act to form a Squadron of Cavalry in the Eighth Brigade. | 559 |
| A.D. 1834. | 2523. | An Act to authorize the formation of a Mounted Corps in Charleston. | 560 |
| A.D. 1835. | 2525. | An Act to define the Recruiting Limits of the Fairfield Grenadier Company. | 560 |
| A.D. 1836. | 2529. | An Act to lay off and establish a new Beat Company in the seventh Regiment of South Carolina Militia. | 561 |
| A.D. 1833. | 2541. | An Act to enable officers of the militia to reside, in certain cases, out of their commands. | 561 |
| A.D. 1834. | 2550. | An Act further to alter and amend the Militia Laws of this State. | 562 |
| A.D. 1835. | 2551. | An Act to regulate the militia of the parishes of St. Philip and St. Michael; and for other purposes. | 565 |
| A.D. 1836. | 2555. | An Act to empower the Commissioners of Cross Roads, for Charleston Neck, to appoint a collector of patrol fines. | 566 |
| A.D. 1833. | 2557. | An Act to transfer Captain Cleckley's Company to the 14th Regiment of South Carolina Militia; and for other purposes. | 567 |
| A.D. 1834. | 2570. | An Act prescribing the mode of altering the boundaries of the several Militia Beasts, Battalions and Regiments, within this State. | 567 |
| A.D. 1835. | 2513. | An Act to provide for the Military organization of this State. | 568 |
| A.D. 1836. | 2524. | An Act to amend an Act entitled "An Act to provide for the Military organization of this State," passed on the 19th day of December, 1833; and for other purposes. | 578 |
| A.D. 1833. | 2530. | An Act further to provide for the military organization of this State. | 581 |
| A.D. 1834. | 2555. | An Act to alter and amend the fourteenth section of an Act entitled "An Act to provide for the more effectual performance of patrol duty," passed on the eighteenth day of December, in the year of our Lord one thousand eight hundred and nineteen. | 597 |
| A.D. 1835. | 2560. | An Act to consolidate the First Company of the Charleston Ancient Battalion of Artillery, and the Jefferson Artillery, into one company, and to incorporate the same; and for other purposes. | 598 |
| A.D. 1836. | 2566. | An Act further to provide for the military organization of this State. | 599 |
| A.D. 1837. | 2714. | An Act further to provide for the military organization of this State; and for other purposes. | 599 |
| A.D. 1836. | 2794. | An Act to amend an Act entitled "An Act to regulate the performance of patrol duty on Charleston Neck;" and for other purposes. | 597 |
AN ACT TO INCORPORATE THE SOUTH CAROLINA AND STATE BANKS. No 1759.

WHEREAS, Thomas Jones, as president of the Bank of South Carolina, with the directors of the said bank, hath petitioned the Legislature, that they, and the stockholders of the said bank, may be incorporated, under the name of the Bank of South Carolina. And whereas, John Blake, president of the State Bank, hath presented another petition, praying that the said John Blake, with the directors and stockholders in the said bank, may also be incorporated. And whereas, it is deemed expedient that the said companies be incorporated, under proper restrictions: therefore,

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Thomas Jones, president, Alexander Edwards, John Williamson, Keating Simons, Christopher Fitzsimons, John Brownlee, William Greenwood, James Lynah, Robert Dewar, William Somersel, Alexander Shirras, and F. J. Foltz, directors, with all such persons as are now, or may hereafter become, stockholders in the said company, be, and they are hereby, incorporated and made a corporation and body politic, by the name and style of "The Bank of South Carolina."

II. And be it further enacted by the authority aforesaid, That John Blake, president, Wade Hampton, Daniel Doyley, David Alexander, Thomas Bank in- as Shubrick, John Dawson, jun., William Allen, John Champneys, Joseph Byrnes, Theodore Gaillard, jun., John Kirk, Ebenezer Coffin, and Micah Jenkins, directors, with all such persons who now are, or hereafter may become, stockholders in the said company, be, and they are hereby, incorporated and made a corporation and body politic, by the name and style of "The State Bank."

III. And be it further enacted by the authority aforesaid, That the said companies, respectively, shall continue incorporated until the first day of January, one thousand eight hundred and twenty-three; and by their respective names aforesaid, shall be, and they and each of the said corpora- tions are hereby made, capable in law, to have, purchase, receive,

VOL. VIII.—1.
possess, enjoy and retain, to them and their successors, lands, rents, tene-
ments, hereditaments, goods, chattels and effects, of what kind, nature or
quality soever, to an amount not exceeding, in the whole, one million five
hundred thousand dollars, including the amount of the capital stock afo-
said, and the same to sell, alien, or dispose of; to sue and be sued, plead
and be pleaded, answer and be answered, defend and be defended, in
courts of record, or any other place whatsoever: and also to make, have,
and use a common seal, and the same to break, alter and renew, at their
pleasure: and also to ordain, establish, and put in execution, such by-laws,
ords and regulations as shall seem necessary and convenient for the
government of the said corporation, not being contrary to law, or to the
constitution thereof, (for which purpose general meetings of the stockhol-
ders shall and may be called by the directors, at such time or times as to
them shall be deemed necessary;) and generally to do and execute all and
singular such acts, matters and things, which to them it shall or may app-
tain to do; subject, nevertheless, to such regulations, restrictions, limita-
tions and provisions, as hereinafter shall be prescribed and declared.

IV. Be it further enacted by the authority aforesaid, That there shall
be an election by each of the said corporations, of thirteen directors, who
shall be chosen annually by the stockholders, from and among themselves,
and by plurality of votes actually given; and in case of the death, resigna-
tion or absence from the State, or removal of a director by the stockholders,
his place may be filled up by a new choice for the remainder of the year.
But should it so happen, that an election of directors should not be made
on any day, when, pursuant to the constitutions of the said corporations,
or either of them, it ought to have been made, the said corporations, or
either of them, shall not, for that cause, be deemed to be dissolved; but it
shall be lawful, on any other day, to hold and make an election of direc-
tors, in such manner as shall have been regulated by the laws and ordinan-
ces of the said corporations, respectively.

V. And be it further enacted by the authority aforesaid, That the di-
rectors for the time being shall have power to appoint such officers, clerks
and servants under them as shall be necessary for executing the business
of the said corporations, respectively, and to allow them such compensation
for their services as shall be reasonable; and shall be capable of exercising
such other powers and authorities for the well governing and ordering of
the affairs of the said corporations, as shall be described, fixed and deter-
mained by the laws and regulations of the respective companies hereby in-
corporated.

VI. And be it further enacted by the authority aforesaid, That the fol-
lowing rules, restrictions, limitations and provisions, shall form and be fun-
damental articles of each of the constitutions of the companies hereby in-
corporated.

1. That the number of votes to which each stockholder shall be entitled,
shall be in such proportions as by each of the said companies, hereby in-
corporated, shall have been, or may hereafter be, established: Provided
always, That no person, co-partnership, or body politic, shall be entitled to
a greater number than thirty votes. And no share or shares shall confer a
right of suffrage, which shall not have been held three calendar months
previous to the day of election. Stockholders actually resident within the
United States, and none other, may vote in elections by proxy.

2. No more than three-fourths of the directors in office, exclusive of
the president, shall be eligible for the next succeeding year. But the director who shall be president at the time of an election, may always be re-elected.

3. No person but a stockholder, being a citizen of the United States, shall be eligible as a director.

4. The lands, tenements and hereditaments, which it shall be lawful for each of the said corporations to hold, shall be only such as shall be requisite for its immediate accommodation, in relation to the convenient transacting of its business; and such as have been bona fide mortgaged to it by way of security, for debts previously contracted in the course of its dealings, or purchased at sales upon judgments which shall have been obtained for such debts.

5. The total amount of the debts which each of the said corporations shall at any time, respectively, owe, whether by bond, bill, note, or other contract, shall not exceed three times the amount of its capital, (over and above the monies then actually deposited in the bank for safe keeping,) unless the contracting of any greater debt shall have been previously authorized by a law of this State. In case of excess, the directors under whose administration it shall happen, shall be liable for the same, in their private capacities; and an action of debt may, in such case, be brought against them, or any of them, their or any of their heirs, executors or administrators, in any court in this State having jurisdiction, by any creditor or creditors of the said corporations, respectively, and may be prosecuted to judgment and execution; any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt the said corporations, or the lands, tenements, goods or chattels of the same, from being also liable for, and being chargeable with, the said excess. Such of the said directors who may have been absent when the said excess was contracted or created, or who may have dissented from the resolution or act whereby the same was so contracted or created, may, respectively, exonerate themselves from being individually liable, by entering, if present, their dissent on the books of the bank, at the time the debt may be so contracted, and forthwith giving notice of the fact to the stockholders, at a general meeting, which each of the said directors shall have power to call for that purpose.

VII. And be it further enacted by the authority aforesaid, That neither of the said corporations shall be permitted to purchase any public debt whatever, (except as may hereinafter be excepted,) nor shall, directly nor indirectly, deal or trade in any thing, except bills of exchange, gold or silver bullion, or in the sale of goods really and truly pledged for money lent, and not redeemed in due time; or of goods which shall be the produce of its lands; neither shall the said corporations take more than at the rate of six per centum per annum for or upon its loans or discounts.

VIII. And be it further enacted by the authority aforesaid, That in case of failure of the banks, or of either of them, each stockholder, co-partnership, or body politic, having a share or shares therein at the time of such failure, or who have been interested therein at any time within twelve months previous to such failure or bankruptcy, shall be liable and held bound for any sum not exceeding twice the amount of his, her or their share or subscription. And that the stock of the said corporations shall be assignable and transferable, according to such rules as shall be instituted in that behalf by the respective laws and regulations of each of the said corporations. And that no loan shall be made by either of the said corporations, to or for the
use of any foreign prince, state or government, unless previously au-
thorized by a law of this State.

The bills obligatory and of credit under the seal of the said respective corpo-
rations, which shall be made to any person or persons, shall be assignable by
endorsement thereupon, under the hand or hands of such person or persons,
and of his, her or their assignee or assignees, and so as absolutely to trans-
fer and vest the property thereof in each and every assignee or assignees
successively, and to enable such assignee or assignees to bring and main-
tain an action thereupon, in his, her or their own name or names. And
bills or notes which may be issued by order of the said corporations, respec-
tively, signed by the president, and countersigned by the principal cashier
or treasurer thereof, promising the payment of money to any person or
persons, his, her or their order, or to bearer, though not under the seal
of the said respective corporations, shall be binding and obligatory upon
the corporation issuing the same, in like manner, and with like force
and effect, as upon any private person or persons, if issued by him, her or
them, in his, her or their private or natural capacity or capacities; and
shall be assignable and negotiable in like manner as if they were so issued
by such private person or persons; that is to say—those which shall be
payable to any person or persons, his, her or their order, shall be assignable
by indorsement, in like manner and with like effect as foreign bills of
exchange now are; and those which are payable to bearer, shall be nego-
tiable and assignable by delivery only.

Dividends shall be made at least once in each year, by the said respective
incorporations, of so much of the profits of the bank as shall appear to
the directors advisable; and once in every three years, the directors shall
lay before the stockholders, at a general meeting, for their information, the
amount of surplus profits, if any, after deducting losses and dividends.

IX. And be it further enacted by the authority aforesaid, That if the
said respective incorporations, or either of them, or any person or persons,
for or to the use of either of the said incorporations, shall deal or trade in
buying or selling any goods, wares, merchandize or commodities what-
ever, contrary to the provisions of this Act, all and every person and per-
sions by whom any order or direction for so dealing or trading shall have
been given, and all and every person and persons who shall have been
concerned, after the passing of this Act, as parties or agents therein, shall
forfeit and lose treble the value of the goods, wares, merchandizes and
commodities, in which such dealing and trade shall have been; one half
thereof to the use of the informer, and the other half thereof to the use
of this State; to be recovered with costs of suit.

X. And be it enacted by the authority aforesaid, That the South Caro-
olina Bank, hereby intended to be incorporated, shall not be so incorporated,
or derive any benefit or advantage from any of the clauses or provisions in
this Act contained, until it shall have paid into the public treasury, for the
use of the State, the sum of fifteen thousand dollars; and that, unless it
shall pay such sum on or before the first day of March next, this Act shall
be held and considered as null and void, in relation to the said Bank; and in
consideration of said payment, to be relieved from all taxes during the time
for which they are hereby incorporated.

XI. And be it further enacted by the authority aforesaid, That it
shall and may be lawful for the comptroller, or, in case of his death, resig-
nation or absence from the State, for one of the treasurers, and he is here-
by authorized and required, to cause a subscription of three hundred thou-
sand dollars to be made to the stock of the State Bank, as part of its
capital; and that the said sum of three hundred thousand dollars so to be subscribed, be paid to the said Bank, under and by direction of the comptroller or treasurer, as the case may be, in the six per cent stock of the said State.

XII. And be it further enacted by the authority aforesaid, That unless there should be danger of bankruptcy by a run on the said Bank, so as to make it absolutely necessary that the said stock should be sold, the same shall not be sold or disposed of by the said Bank, but be kept by them in lieu of the three hundred thousand dollars subscribed by the State. But it shall not be lawful for the directors of the said Bank to sell and dispose of the stock, or any part thereof, on pretense of any impending danger of bankruptcy, without previously consulting the comptroller, and procuring his consent thereto in writing; and the comptroller shall be bound to make a special report to the Legislature, of the particular circumstances which induced him to consent to such sale.

XIII. And be it further enacted by the authority aforesaid, That until the said six per cent stock shall be sold by the said Bank, which they are hereby authorized to do in case of absolute necessity aforesaid, and under the restrictions hereinafore mentioned, the interest of six per cent annually accruing thereon, shall be, and the same is hereby, considered as belonging to the State, and not to the bank, or its assignee or assignees.

XIV. And be it enacted by the authority aforesaid, That if, in the opinion of the comptroller, the danger of failure is such as to justify a sale of the stock so subscribed, that in that case, he shall be, and he is hereby, authorized to redeem the whole, or so much stock, as the cash then in the treasury, unappropriated, will enable him to do.

XV. And be it further enacted by the authority aforesaid, That in case of the death, resignation, inability, or absence from the State, of the comptroller, the governor or commander-in-chief for the time being, shall be, or to com- And be it further enacted by the authority aforesaid, That the Legislature shall annually nominate three directors, who shall continue in the office for the term of directorship as limited in and by the constitution of the said bank, so long as the connexion of the State with the said Bank shall continue to exist; and the Legislature do hereby nominate the Honorable Theodore Gaillard, William Stevens Smith, and Henry William DeSaussure, directors of the said State Bank, until the next meeting of the Legislature.

XVI. And be it further enacted by the authority aforesaid, That the president and directors of the State Bank shall furnish the comptroller, annually, with statements of the amount of capital Stock of the said corporation, and the amount of the debts due to the same, of the monies deposited therein, of the notes in circulation, and of the cash in hand; and that the said comptroller shall have a right to inspect such general account in the books of the Bank as shall relate to the said statements, and that it shall be his duty to report thereon to the Legislature annually. Provided, that this shall not be construed to imply a right of inspecting the account of any private individual or individuals, or any body politic or corporate, with the bank.

XVIII. And be it further enacted by the authority aforesaid, That from and after the first day of January, one thousand eight hundred and twenty-three, the said corporations shall be, and the same are hereby, dissolved;
and that any monies or profits which, on such, (or any other dissolution,) of either of said corporations, may, at the time, be owned or possessed by them, shall be held by the directors of the said corporations, respectively, for the use and benefit of all persons holding shares in said corporations, in average and proportion to the number or amount of said shares.

XIX. And be it further enacted by the authority aforesaid, That unless the directors of the said State Bank shall accept the terms herein offered, and receive the subscription on the part of the State, in the manner herein directed, in the six per cent stock of this State, then, and in such case, the charter herein and hereby granted to the said State Bank, and every regulation of this Act, shall be, and the same are hereby declared, null and void, and of none effect; any thing herein contained to the contrary here- of, notwithstanding.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and one, and in the twenty-sixth year of the Independence of the United States of America.

JOHN WARD, President of the Senate.

THEODORE GAILLARD, Speaker of the House of Representatives.

No. 1791. AN ACT TO INCORPORATE THE STATE BANK, AND IMPOSING CERTAIN RESTRICTIONS ON THE DIRECTORS, OFFICERS AND SERVANTS OF BANKS IN THIS STATE.

WHEREAS, John Blake, president, and David Alexander, John Kirk, Michael Jenkins, Thomas Shubrick, John Dawson, jr. William Allan, Theodore Gaillard, jr. Wade Hampton, Daniel Doyley, Thomas Ogier, Robert J. Turnbull, and Morton Waring, directors of the State Bank in the city of Charleston, have, on behalf of themselves and the other stockholders in the said Bank, set forth, in their memorial to the Legislature, that they cannot accept of the charter heretofore granted unto them, in and by an Act of the Legislature, passed the last session, for the reasons in their said memorial particularly set forth and contained; and whereas, the Legislature, upon due consideration of the said reasons, have deemed the same satisfactory, and have accordingly deemed it expedient to repeal the said Act as far as it relates to the said Bank, and to associate with, and to incorporate the said Bank, upon other terms more advantageous to the members or stockholders of the same.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That so much of the said Act, passed on the nineteenth day of December, in the year of our Lord one thousand eight hundred and one, entitled "An Act to incorporate the South Carolina and State Banks," as relates to the said State Bank, be, and the same is hereby, repealed.

II. And be it further enacted by the authority aforesaid, That the said John Blake, president, David Alexander, John Kirk, Michael Jenkins, Thomas Shubrick, John Dawson, jr. William Allan, Theodore Gaillard, jr. Wade Hampton, Daniel Doyley, Thomas Ogier, Robert J. Turnbull, and
Morton Waring, directors, with all such persons who now are or hereafter may become stockholders in the said company, be, and they are hereby, incorporated and made a corporation and body politic, by the name and style of "The President, Directors and Company of the State Bank," and so shall continue until the first day of January, one thousand eight hundred and twenty-three; and by that name shall be, and are hereby made, able and capable in law, to have, purchase, receive, possess, enjoy and retain, to them and their successors, lands, rents, tenements, hereditaments, goods, chattels and effects, of what kind, nature or quantity soever, to an amount not exceeding, in the whole, two millions four hundred thousand dollars, including the amount of the capital stock of the said Bank, and the same to sell, grant, demise, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in courts of record, or any other place whatsoever; and also, to make, have and use a common seal, and the same to break, alter and renew at their pleasure; and also to ordain, establish and put in execution, such by-laws, ordinances and regulations as shall seem necessary and convenient for the government of the said corporation, not being contrary to law, or to the constitution thereof, (for which purpose, general meetings of the stockholders shall and may be called by the directors, at such time or times as to them shall be deemed necessary;) and generally to do and execute all and singular such acts, matters and things, which to them it shall or may appertain to do; subject, nevertheless, to the rules, regulations, restrictions, limitations and provisions, hereinafter prescribed and declared.

III. And be it further enacted by the authority aforesaid, That for the well ordering of the affairs of the said corporation, there shall be fifteen directors, three of whom shall be appointed by the Legislature, in the manner hereinafter mentioned, and the remaining twelve directors shall be chosen annually, on the second Wednesday in March, in each year, by the private stockholders or proprietors of the capital stock of the said corporation, and by plurality of the votes actually given. And those who shall be duly chosen at any election, shall be capable of serving as directors, by virtue of such choice, until the end or expiration of the Wednesday next annually ensuing the time of such election, and no longer. And the said fifteen directors, at their first meeting after each election, shall choose one of their number as president. And in case of the death, resignation, or absence from the State, or removal of a director by the stockholders, his place may be filled up by a new choice, for the remainder of the year. But should it so happen that an election of directors should not be made on the said second Wednesday in March in each year, or any other day appointed by the stockholders, the said corporation shall not, for that cause, be deemed to be dissolved, but it shall be lawful on any other day, to hold and make an election of directors, in such manner as may be regulated by the laws and ordinances of the said corporation. And in case of the death, resignation, or absence from the State, or removal of all or either of the directors representing the State in said corporation, during the recess of the Legislature, the vacancies shall be filled up by such proper person or persons, as the Governor for the time being shall or may appoint to serve as director or directors of the said corporation, until a new appointment shall or may be made by the Legislature.

IV. And be it further enacted by the authority aforesaid, That no person hereafter to be appointed a director of said corporation, shall be authorized to continue and act as such, after he shall be entered up on the books
STATUTES AT LARGE

Acts relating to Corporations.—Banks.

A. D. 1802.

Directors entered up under protest, disqualified for serving as such.

Fundamental articles.

Amount of capital stock.

Directors to appoint officers, &c., and to receive money on deposit.

of said Bank under protest, either as drawer or indorser, on any paper which the said Bank may hold, either for discount or collection; unless he shall prove, to the satisfaction of a majority of the other directors, that he hath just reason and legal and sufficient cause for refusing payment of the demand on which such protest may be founded.

V. And be it further enacted, That the following rules, limitations and provisions, shall form and be fundamental articles of the constitution of the said corporation:

Rule 1st. The capital stock of the bank shall consist of eight thousand shares of one hundred dollars each, making the sum of eight hundred thousand dollars; three thousand shares whereof be subscribed by the State, as hereinafter directed.

Rule 2d. The directors for the time being shall have power to elect and remove the cashier; and they shall also have power to appoint such officers, clerks and servants under them, as shall be necessary for executing the business of the said corporation, and allow them such compensation for their services as may be reasonable. They shall receive money on deposit, and pay away the same to order, free of expense; discount bills of exchange accepted and payable in the city of Charleston, and notes with two or more good names thereon, or secured by a deposit of bank or any other public stock, at a rate of interest not exceeding one one per cent. discount for sixty days. Provided, the said bills and notes have not more than sixty days to run. They shall have power to issue notes, signed by the president, and countersigned by the cashier, on behalf of the said corporation, for such sums, and with such devices, as they may deem most expedient and safe. They shall also be capable of exercising such other powers and authorities as may be necessary for the well governing and ordering the affairs of the said corporation, and of promoting its interest and its credit, and of such as shall be authorized by the rules thereof, or by the direction of the Stockholders.

Rule 3d. In voting for directors, and all other questions on which the stockholders may be called to give their voices, the number of votes to which each stockholder shall be entitled, shall be according to the number of shares he shall hold, in the proportion following, that is to say: for four shares, one vote; for every four shares above four, and not exceeding twenty, one vote; for every eight shares above twenty, and not exceeding sixty, one vote; for every twelve shares above sixty, and not exceeding one hundred and twenty, one vote; for every sixteen shares above one hundred and twenty, and not exceeding two hundred, one vote; and for every twenty shares above two hundred, and not exceeding four hundred, one vote. But no person, co-partnership, or body politic, shall be entitled to a greater number than thirty votes; except the State, who, by the authority of the majority of their directors, shall be entitled to sixty votes; except in elections for directors representing the private stockholders. The manner, however, of voting for the directors for the private stockholders, and on all other questions relating to the affairs of the said corporation, shall, at any time, be altered by such private stockholders, at any public meeting to be for that purpose called, after two weeks previous notice in two public gazettes. Provided, that at such meeting a majority of all the private shares of the bank are represented, and the holders of two-thirds of such shares concur in such alteration.

Rule 4th. No share or shares shall confer a right of suffrage, which shall not have been held by three calendar months previous to the day of election.
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks.

No other stockholders than stockholders who are citizens of the United States, in the United States or not, shall be allowed to vote by proxy or holder to vote, otherwise, provided such proxy be a stockholder, and a citizen of the United States.

Rule 5th. To prevent a division of shares, in order to obtain to the person or persons so dividing them, an undue influence, the managers of elections for directors shall administer to every stockholder offering to vote, the following oath: "You, A B, do swear (or affirm) that the stock you now represent, is bona fide your property, and that no other person or persons is offering to vote, or are concerned therein;" and to any person voting by proxy, or for a minor, or in right of, or in trust for, any other person entitled to vote, the following oath: "You, A B, do swear (or affirm) that the stock of C D, whom you now represent, is, to the best of your knowledge and belief, the property of the said C D, and that no other person or persons is or are concerned therein." And any stockholder refusing to take such oath or affirmation, shall not be allowed to vote at such election.

Rule 6th. Any person or persons holding or subscribing for stock in the persons subscribed to, in the name of or in trust for minors, shall, to all intents and purposes relating to this Act, be viewed and taken as holding or subscribing for stock in the name or names of such person or persons so holding nor, to be considered as the holders of such stock shall be entitled to vote in such proportion only, as if the stock of such minor or minors was the sole and exclusive property of the person or persons so voting.

Rule 7th. A fair and correct list of the stockholders shall be made out, at least two weeks before any election of directors, to be submitted to the inspection of any stockholder who shall require to see the same, to the end that public information may be given to the parties concerned, of their connection and stockholders.

Rule 8th. No director of any other bank, or co-partner of any such director, shall be eligible as a director of this corporation; neither shall any stockholder, who is a citizen of the United States, be eligible as a director.

Rule 9th. Not more than three-fourths of the directors, exclusive of the president and the three appointed by the Legislature, shall be eligible for the next succeeding year. But the director who shall be president at the time of any election, may always be re-elected.

Rule 10th. No less than six directors shall constitute a board for the transaction of business, of whom the president shall always be one; except in case of sick directors or necessary absence; in which case his place may be supplied by any other director, whom he, by writing under his hand, shall nominate for the purpose; and in default of such nomination by the president, or in case of the sickness or necessary absence of the person so appointed, either in event, the board of directors may, by ballot, appoint a temporary president.

Rule 11th. The directors shall keep fair and regular entries, in a book to be provided for the purpose, of their proceedings; and on any question where two directors shall require it, the yeas and nays of the directors voting shall be duly inserted on their minutes, and those minutes be, at all times, open to the inspection of any committee thereof, who shall require the same.

Rule 12th. The stockholders shall allow such compensation to the president for his services as may appear to them reasonable, not exceeding two thousand five hundred dollars a year.

VOL. VIII.—2.
Rule 13th. Every cashier, before he enters on the execution of his duty, shall give bond, with two or more securities, to the satisfaction of the directors, in a sum not less than twenty thousand dollars, conditioned for his good behaviour.

Oath of president and cashier.

Amount of debts which the bank may owe.

Rule 14th. The president and cashier shall take the following oath, on entering on the duties of their respective offices: "That they will well and faithfully discharge the duties thereof."

Rule 15th. The total amount of the debts which the bank shall at any time owe, including the monies then actually deposited in the bank for safe keeping, whether by bond, bill, note or other contract, shall not exceed, in the aggregate, the sum of two millions four hundred thousand dollars; unless the contracting of any greater debt shall have been previously authorized by a law of this State. In case of excess, the directors under whose administration it shall happen, shall be liable for the same in their private capacities, and an action of debt may, in such case, be brought against them, or any of them, their or any of their heirs, executors or administrators, in any court of this State having jurisdiction, by any creditor or creditors of the said corporation, and may be prosecuted to judgment and execution; any condition, covenant and agreement to the contrary notwithstanding. But this shall not be construed to exempt the said corporation, or the lands, tenements, goods or chattels of the same, from being also liable and chargeable with the said excess. Such of the said directors who have been absent when the said excess was contracted or created, or who may have dissented from the resolution or act whereby the same was so contracted or created, may, respectively, exonerate themselves from being so liable, by forthwith giving notice of the fact, and of their absence or dissent, to the Governor of the State, and to the stockholders at a general meeting, which they shall have power to call for that purpose.

Rule 16th. The lands, tenements and hereditaments which it shall be lawful for the said corporation to hold, shall be only such as shall be requisite for its immediate accommodation, in relation to the convenient transacting of its business, and such as shall have been bona fide mortgaged to it by way of security, or conveyed to it by way of security, or conveyed to it in satisfaction of debts contracted in the course of its dealings, or purchased at sales upon judgments which shall have been obtained for such debts.

Rule 17. The stock of the bank shall be assignable and transferable according to such regulations as may be instituted in that behalf by the directors.

Meeting of the stockholders may be called.

When the accounts are to be balanced, and a dividend declared.

Rule 18th. A meeting of the stockholders may be called at any time by the president and directors, or by any director who protests against the proceedings of the board, and who wishes the propriety of his dissent to be considered by the stockholders; or whenever the holders of seven hundred shares, and upwards, shall require the same. Provided, however, that no such meeting shall be deemed regular, unless ten days notice be given of the intention to call the same, in at least two public gazettes.

Rule 19th. The accounts of the corporation shall be balanced to the last day of June and December, in every year; and a dividend shall be declared every half year, of so much of the profits as shall appear to the directors advisable; and at the expiration of every fourth year, from the first day of January next, the directors shall lay before the stockholders at a general meeting, for their information, the amount of surplus profit, if any, after deducting losses and dividends.
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks.

VI. And be it further enacted by the authority aforesaid, That the said corporation shall not be permitted to purchase or hold any public debt whatever, except what may be subscribed by the State, as part of the capital, and except such as may be bona fide pledged to the said corporation, on monies loaned by it; nor shall the said corporation, directly or indirectly, deal or trade in any thing, except bills of exchange, gold or silver bullion, or in the sale of goods and public stock, really and truly pledged for money lent and not redeemed in due time, or of goods which shall be the produce of its lands; neither shall the said corporation take more than at the rate of one per centum discount for sixty days, for or upon its loans or discounts, except as may hereinafter be excepted.

VII. And be it further enacted by the authority aforesaid, That the bills obligatory and of credit, under the seal of the said corporation, which shall be made to any person or persons, shall be assignable by indorsement thereupon, under the hand or hands of such person or persons, and of his, her, their or their assignee or assignees, and so as absolutely to transfer and vest the property thereof in each and every assignee or assignees, successively, and to enable such assignee or assignees to bring and maintain an action thereupon in his, her or their own name or names. And bills or notes which may be issued by order of the said corporation, signed by the president, and countersigned by the principal cashier or treasurer thereof, promising the payment of money to any person or persons, his, her or their order, or to bearer, though not under the seal of the said corporation, shall be binding and obligatory upon the same, in the like manner, and with the like force and effect, as upon any private person or persons, if issued by him, her or them, in his, her or their private or natural capacity or capacities, and shall be assignable and negotiable in like manner as if they were so issued by such private person or persons, that is to say: those which are or shall be payable to any person or persons, his, her or their order, shall be assignable by indorsement, in like manner and with the like effect as foreign bills of exchange now are; and those which are or shall be payable to bearer, shall be negotiable and assignable by delivery only.

VIII. And be it further enacted by the authority aforesaid, That if the said corporation, or any person or persons for or to the use of the same, shall deal or trade, in buying or selling any goods, wares, merchandise or commodities whatsoever, contrary to the provisions of this Act, all and every person and persons by whom any order or direction for so dealing or trading goods shall have been given, and all and every person and persons who shall have been concerned as parties or agents therein, shall forfeit and lose treble the value of the goods, wares, merchandise and commodities in which such dealing and trade shall have been; one half thereof to the use of the informer, and the other half thereof to the use of the State, to be recovered with costs of suit.

IX. And be it further enacted by the authority aforesaid, That no director, officer, clerk or servant of the said corporation, or of any other bank, or banks of discount or deposit within this State, shall be concerned, either directly or indirectly, in the practice of advancing or loaning out money at an illegal rate of interest, whether the same be done or effected under the form and color of a purchase or exchange of notes, acceptances, due-bills, checks on banks, acknowledgements, or in any other way or manner whatever. And all and every such director, officer, clerk or servant of this or any other bank, as aforesaid, who shall be concerned, as aforesaid, in
such practices, shall, in addition to the usual penalties imposed by law, forfeit and pay, for each offence, the sum of two thousand dollars, to be recovered by action of debt, in any court of record in this State; one half to the use of the informer, and the other half to the use of the State, and to be levied on the goods and chattels, and houses, lands, tenements, and other hereditaments and real estates, of the person or persons so offending, if any he or they shall have; and on failure of any property to answer the said penalty, by a return of nulla bona, the person or persons so offending shall and may be taken upon execution by a *capias ad satisfaciendum*, and being so taken, shall not be entitled to the benefit of any Act made for the relief of insolvent debtors, until he or they shall have remained and been confined in prison for the term of six months at least. And any such person, being convicted by the verdict of a jury of any of the practices aforesaid, whether he be a director or officer or servant of this or any other bank, as aforesaid, shall, on motion of any director, be dismissed from the service of the said corporations or banks.

X. *And be it further enacted* by the authority aforesaid, That the said corporation and stock thereof, shall be relieved from the payment of all taxes during the time for which it is hereby incorporated.

XI. *And be it further enacted* by the authority aforesaid, That it shall and may be lawful for the comptroller General of finances of this State, or in case of the abolition of his office, or of his death, resignation or absence from the State, for the person or persons who may be hereafter appointed by the Legislature for the purpose, and he or they are hereby authorized and required, to cause a subscription of three hundred thousand dollars to be made to the stock of the said corporation or bank, as part of its capital; and that the said sum of three hundred thousand dollars, so to be subscribed, be paid to the said Bank, under and by direction of the Comptroller or person or persons herebefore mentioned, as the case may be, in a certificate or certificates, as may be found most convenient, bearing an interest of six per cent per annum, payable quarter yearly from the first of January next; which certificate or certificates, the president and directors of the said corporation shall, if they think proper, sell and dispose of, in part or in whole for the use of the said corporation, whenever they see fit so to do; and the faith of the State is hereby pledged, together with the debt of the United States due thereto, for the redemption of the interest and principal of the certificate or certificates so to be issued.

XII. *And be it further enacted* by the authority aforesaid, That in case of the death, inability, resignation, or absence from the State, of the Comptroller-general, the Governor and Commander-in-chief for the time being, shall be, and he is hereby, authorized and required to appoint and commission some fit and proper person to perform the duties enjoined on or entrusted to the Comptroller-general, under and in pursuance of this Act, except as to the duties prescribed and provided for in the preceding clause.

XIII. *And be it further enacted* by the authority aforesaid, That the Legislature shall, annually, as their directors, appoint, by the joint ballot of both Houses, three persons, citizens of the United States, and not directors of any other Bank, or copartners of directors, and who shall continue in office until the next meeting of the Legislature, and until one month after a new appointment by the Legislature of directors as aforesaid, so long as the connection of the State with the said corporation shall continue to exist.

XIV. *And be it further enacted* by the authority aforesaid, That the
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks.

A. D. 1802.

Comptroller-general of the finances of this State, shall be furnished annually with statements, (signed by the cashier, and countersigned by the president,) of the amount of the capital stock of the said corporation, and the amount of debts due to the same, of the monies deposited therein, of the notes in circulation, and of the cash in hand. And that the said Comptroller-general, or person or persons who may be appointed as hereinbefore directed, shall have a right to inspect such general account in the books of the Bank, as shall relate to the said statements. Provided, that this shall not be construed to imply a right of inspecting the account of any private individual or individuals, or any body politic or corporate, with the Bank. And provided also, such communications be regarded as entirely confidential; and that the Comptroller-general for the time being, or the person or persons who may be appointed as hereinbefore directed in the cases of his death, inability, resignation or absence from the State, be not a stockholder in any other banking company in this State. And provided always, that nothing in this Act contained shall be construed to imply a restriction on the part of the Comptroller-general, or person or persons authorized to receive and inspect such statements, from reporting to the Legislature, from time to time, any violation of the fundamental rules of said corporation; but on the contrary, it shall, and it is hereby declared to be, his or their duty, faithfully to report all and every violation of said rules, or of this Act, on the part of the said directors or stockholders in said corporation, and also the amount of all debts due to the said corporation under protest.

XV. And be it enacted, by the authority aforesaid, That the said corporation shall receive and discount the warrants of the Comptroller-general for such sum or sums of money as the exigence of the commonwealth may from time to time require him to draw, in substitution of the paper medium now in circulation, and intended to be burnt, to any amount not exceeding the sum of one hundred and forty thousand dollars, and that the said corporation be authorized to charge and receive on such warrants respectively, a rate of interest not exceeding seven per cent per annum, from the time when such warrant shall be paid to the said corporation, until the same are redeemed by the funds of the State, together with interest accruing thereon, at the rate aforesaid. Provided always nevertheless, that nothing in this Act contained shall be construed to oblige said corporation to pay, within six months from the passing of this Act, on the warrants aforesaid, a greater sum than seventy thousand dollars.

XVI. And be it further enacted, That the bills or notes of the said corporation, originally made payable, or which shall become payable on demand, in gold or silver coin, shall be receivable at the treasury of this State, either at Charleston or Columbia; and by all tax collectors, and other public officers, in all payments for taxes, or other monies due to the State; and the public monies of the State, payable at the lower division of the treasury, shall be constantly deposited for safe keeping in the said Bank.

XVII. And be it further enacted, That not only the treasurers, but also the tax collectors of the parishes of St. Philip and St. Michael, the sheriff of Charleston district, the prothonotary of the court of common pleas and general sessions, and the master in equity, shall, weekly or monthly, deposit, for safe keeping, the public monies which they may respectively receive, in the said Bank only; and on failure thereof, or on such persons' depositing public monies in any other Bank, he or they shall respectively
STATUTES AT LARGE

Acts relating to Corporations.—Banks.

forfeit, for each offence, the sum of one thousand dollars, to be recovered as
other penalties by this Act are directed to be recovered.

XVIII. And be it further enacted, That no Bank or banking company,
or other persons, shall be permitted to issue or circulate in this State, bank
bills or notes of a smaller denomination than five dollars, under the pain
and penalty of one hundred dollars for every bill or note so issued or circu-
lated, to be recovered in manner hereinbefore directed.

XIX. And be it enacted by the authority aforesaid, That in case of the
failure of the Bank, each stockholder, copartnership or body politic, having
a share or shares therein at the time of such failure, or who may have been
interested therein at any time within twelve months previous to such failure
or bankruptcy, shall be liable and held bound for any sum not exceeding
twice the amount of his, her or their share or subscription; and that no
loan shall be made by the said corporation, to or for the use of any foreign
Prince, State or Government, unless previously authorized by a law of this
State.

XX. And be it further enacted, That from and after the first day of
January, one thousand eight hundred and twenty-three, the said corporation
shall be, and the same is hereby, dissolved; and that any monies or profits
which, on such or any other dissolution of the said corporation, may at the
time be owned or possessed by them, shall be held by the directors of the
said corporation, to and for the use and benefit of all persons holding shares
in the said corporation, in average and proportion to the number or amount
of said shares. Provided always nevertheless, that at the expiration of
every year, from and after the commencement of the operation of this Act,
the Legislature shall be free to declare, and may withdraw, by selling out
the whole of their stock, or any portion thereof then undisposed of, from
all further connection with said Bank, and may receive the dividend afores-
said, to which the State may be entitled. And provided also, that on the
State so withdrawing from said Bank, the Legislature shall not be entitled to
appoint three directors of said Bank, as hereinbefore directed.

XXI. And be it further enacted, That the said corporation shall not,
so long as the State is interested therein, give credit to any Bank or Banks,
established in any of our sister States, unless thereto authorized by a law
of this State.

In the Senate House, the eighteenth day of December, in the year of our Lord one thou-
sand eight hundred and two, and in the twenty-seventh year of the Independence
of the United States of America.

JOHN WARD, President of the Senate.
ROBERT STARK, Speaker of the House of Representatives.

No. 1964.

AN ACT TO INCORPORATE THE UNION BANK OF SOUTH CAROLINA.

WHEREAS, Charles B. Cochran, president, and the directors of the
said Bank, have petitioned the Legislature, that they, and the stock-
holders of said Bank, may be incorporated, under the name of "The Union
Bank of South Carolina." And whereas, it is deemed expedient and
proper that the said company be incorporated.

I. Be it therefore enacted by the Honorable the Senate and House of
Representatives, now met and sitting in General Assembly, and by the
authority of the same, That Charles B. Cochran, president, John J. Bulow, Langdon Cheves, Alexander Henry, John Williamson, Robert Maxwell, E. A. Steinmitze, Fidelé Boisgerard, William Boyd, William Broadfoot, John Geddes, Richard Cunningham, and William Wightman, directors, with all such persons as now are or may hereafter become stockholders in the said company, be, and they are hereby, incorporated, and made a corporation and body politic, by the name and style of the "Union Bank of South Carolina."

II. And be it further enacted by the authority aforesaid, That the said company is hereby made capable in law, to have, purchase, receive, possess, enjoy and retain, to them and their successors, real estates, rents, and tenements, hereditaments, goods, chattels, promissory notes, bills of exchange, and all other choses in action, monies and effects, of what kind, nature or quality soever, to an amount not exceeding three millions of dollars, inclusive of the amount of the original capital stock of said Bank, and the same to sell, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in courts of record, or any other place whatsoever; and also, to make, have and use a common seal, and the same to break, alter and renew at their pleasure. And also, to make, ordain, establish and put in execution such by-laws or ordinances and regulations, as shall seem necessary and convenient for the government of the said corporation, not being contrary to law, (for which purpose, general meetings of the stockholders shall and may be called by the directors, at such time or times as to them shall be deemed necessary or expedient;) and generally, to do and execute all and singular, such acts, matters and things, which to them may be thought necessary and proper for the good government and management thereof; subject, nevertheless, to such regulations, restrictions, limitations and provisions, as hereinafter shall be prescribed and declared.

III. Be it further enacted by the authority aforesaid, That there shall be an election by the said corporation, or thirteen directors, who shall be chosen annually, on the second Wednesday in March in each year, by the stockholders, from among themselves, and by plurality of votes actually given; and those who shall be duly chosen at any election shall be capable of serving as directors by virtue of such choice, until the end or expiration of the Wednesday next annually ensuing the time of such election, and no longer. And the said directors shall, at their first meeting after each election, if practicable, or as soon thereafter as may be convenient, choose one of their members as president; and in case of the death, resignation, or absence from the State, or removal of a director by the stockholders, his place may be filled up by a new choice for the remainder of the year. But should it so happen, that an election of directors should not be made on the day aforesaid, the said corporation shall not, for that cause, be deemed to be dissolved, but it shall be lawful, on any other day, to hold and make an election of directors, in such manner as shall have been or may be thereafter regulated by the laws and ordinances of the said corporation.

IV. And be it further enacted by the authority aforesaid, That the directors for the time being shall have power to appoint a president, cashier, treasurer, and such other officers, clerks and servants under them, as shall be necessary for executing the business of the said corporation, and to allow them such compensation for their services as shall be reasonable; and shall also have power to remove such officers, from time to time, at their will and pleasure; and be capable of exercising such other powers and authorities for the well governing and ordering of the affairs of the said corporation,
as shall be described, fixed and determined by the laws and regulations of the said company.

V. And be it further enacted by the authority aforesaid, That the number of votes to which each stockholder shall be entitled, shall be in such proportion as by the said company shall have been or may hereafter be established. Provided always, that no person, copartnership, or body politic, shall be entitled to a greater number than sixty votes; and no share or shares shall confer a right of suffrage, which shall not have been held three calendar months previous to the day of election. Stockholders actually resident within the United States, and without the limits of the parishes of St. Philip’s and St. Michael’s, and females, whether in or out of said parishes, and none other, may vote in elections, and on all questions on which the stockholders may be called to give their votes, by proxy, provided the person voting for them be a stockholder.

VI. And be it further enacted by the authority aforesaid, That not more than three-fourths of the directors in office, exclusively of the president, shall be eligible for the next succeeding year; but the director who shall be president at the time of an election, may always be re-elected. No director of any other Bank, or copartner of any such director, shall be eligible as a director of the corporation; and no person but a stockholder, being a citizen of the United States, shall be eligible as a director.

VII. And be it further enacted by the authority aforesaid, That the said Bank shall receive money on deposit, and pay away the same to order, discount promissory notes and bills of exchange, accepted and payable in the city of Charleston, with two or more good names thereon, or secured by a deposit of Bank or other public Stock. Provided, the said bills and notes have not more than ninety days to run; and provided also, that the said corporation shall not take more than the rate of six per centum per annum, for or upon such loans or discounts.

VIII. And be it further enacted by the authority aforesaid, That the Union Bank hereby intended to be incorporated, shall not be so incorporated, or derive any benefit or advantage from any of the clauses or provisions in this Act contained, until it shall have paid into the treasury of the lower division the sum of twenty thousand dollars, for the benefit of the State, on or before the first day of September next; and in case the said Bank shall, on or before the day aforesaid, pay, or cause to be paid, the aforesaid sum of twenty thousand dollars, the said bank shall be, and it is hereby declared to be, exempt from all taxes during the time for which it is hereby intended to be incorporated.

IX. And be it further enacted by the authority aforesaid, That no person hereafter to be appointed a director of said corporation, shall be authorized to continue and act as such, after he shall be entered up on the books of said Bank under protest, either as drawer or endorser on any paper which the said Bank may hold, either for discount or collection, unless he shall prove, to the satisfaction of a majority of the other directors, that he hath just reason and legal and sufficient cause for refusing payment of the demand on which such protest may be founded.

X. And be it further enacted by the authority aforesaid, That in case of the failure of the said Bank, each stockholder, copartnership, or body politic, except as hereinafter excepted, having a share or shares therein at the time of such failure, or who have been interested therein at any time within twelve months previous to such failure or bankruptcy, shall be liable and held bound for any sum not exceeding twice the amount of his, her or
their share or subscription; and that the stock of the said corporation shall be assignable and transferable, according to such rules as shall be instituted in that behalf, by the laws and regulations of the said corporation; and that no loan shall be made by the said corporation, to or for the use of any foreign Prince, State or Government, unless previously authorized by a law of this State. The bills obligatory and of credit under the seal of the said corporation, which shall be made to any person or persons, shall be assignable by endorsement thereupon, under the hand or hands of such person or persons, and of his, her or their assignee or assignees, and so as absolutely to transfer and vest the property thereof in each and every assignee or assignees successively, and to enable such assignee or assignees to bring and maintain an action thereupon, in his, her or their own name or names. And bills or notes which may be issued by order of the said corporation, signed by the president and countersigned by the cashier or treasurer thereof, promising the payment of money to any person or persons, his, her or their order, or to bearer, though not under the seal of the said corporation, shall be binding and obligatory upon the said corporation, on issuing the same, in like manner, and with the like force and effect, as upon any private person or persons, if issued by him, her or them, in his, her or their private or natural capacity or capacities; and shall be assignable and negotiable in like manner as if they were so issued by such private person or persons; that is to say—those which shall be payable to any person or persons, his, her or their order, shall be assignable by endorsement, in like manner and with like effect as foreign bills of exchange now are; and those which are payable to bearer, shall be negotiable and assignable by delivery only. Dividends shall be made at least once in each year by the said corporation, of so much of the profits of the Bank as shall appear to the directors advisable.

XI. And be it further enacted by the authority aforesaid, That any real estates, monies or profits, which may, on the dissolution of the said corporation, be owned or possessed by it, shall be held by the directors of the said bank, for the use and benefit of all persons holding shares in said corporation at the time of its dissolution, and their legal assignees and representatives, in average and proportion to the number or amount of said shares. Dividends to be made.

XII. And be it further enacted by the authority aforesaid, That the bills or notes of the said corporation originally made payable, or which shall have become payable, on demand in gold or silver coin, shall be receivable at the treasury of this State, either at Charleston or Columbia, and by all tax collectors and other public officers, in all payments for taxes or other monies due to the State, during the term for which said company is hereby incorporated. Property to be held by the directors for the stockholders, at the dissolution of the corporation.

XIII. And be it further enacted by the authority aforesaid, That the officers, president, cashier, and clerks employed in keeping the books of said Bank, exempted from militia duty, and from serving as jurors. Notes, how receivable. And the State and South Carolina Banks, shall, and are hereby declared to be exempted from the performance of ordinary militia duty, and from serving as jurors. Officers exempted.

XIV. And be it further enacted by the authority aforesaid, That this Act shall be in full force for twenty-one years, and no longer. Duration of this Act.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and ten, and in the thirty-fifth year of the Independence of the United States of America.

SAMUEL WARREN, President of the Senate.
JOHN GEDDES, Speaker of the House of Representatives.

VOL VIII.—8.
No. 1975. AN ACT TO INCORPORATE THE PLANTER'S AND MECHANIC'S BANK OF SOUTH CAROLINA.

IT is deemed beneficial to the citizens of this State, a Bank under the name of the Planter's and Mechanic's Bank, should be established in the city of Charleston, which shall also be authorized to establish branches in different parts of this State.

I. Be it therefore enacted by the honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That in order to enable the said citizens to form the said bank, twelve commissioners be appointed for Charleston, to wit: Samuel Warren, Lewis Groning, Andrew Charles, John Potter, John Gardener, Thomas Bennet, Myer Moses, Thomas Blackwood, George Gibbs, William Aiken, Thomas Lehre, and Joseph Otis. For Georgetown, five, to wit: Savage Smith, Anthony Toomer, John Shackelford, Thomas Chapman, and William Murray. For Beaufort, five, to wit: Stephen Elliot, John Rhodes, Milton Maxey, Charles J. Colcock, and Robert Means. For Columbia, five, to wit: Thomas Taylor, sen., John Hopkins, Thomas Taylor, jun., Benjamin Haile, and J. J. Chappel. For Camden, five, to wit: Duncan M'Ra, Lewis Ciples, John Doby, James K. Douglas, and F. S. Lee: a majority of whom shall, on the Monday and Tuesday before the fourth Wednesday in February next, open a subscription, from the hours of ten to two o'clock, in each day, in the above places, respectively, for the purpose of raising the sum of one million of dollars, and that four weeks notice of the same shall be given in the gazettes of Charleston, Georgetown, and Columbia. And the above named commissioners for Georgetown, Beaufort, Columbia, and Camden, shall, on the first Monday in March next, forward to the above named commissioners in Charleston, a correct list of the shares subscribed, with the money paid on such shares at the time of subscribing, for the purpose of apportioning the same. The said commissioners in Charleston shall then forward to the aforesaid commissioners in Georgetown, Beaufort, Columbia, and Camden, a scale of the said apportionment, and shall then give at least one month's notice of their intention to proceed to the election of thirteen directors, from among the stockholders. And that the directors so first chosen, and all persons then being, or who hereafter may become, stockholders in the said company, be, and they are hereby, incorporated, and held, deemed and taken as a body politic and incorporate, by the name and style of "The Planter's and Mechanic's Bank of South Carolina."

II. And be it further enacted by the authority aforesaid, That the said company shall continue incorporated until the first day of January, one thousand eight hundred and thirty-two; and by its name aforesaid shall be, and is hereby made, capable in law to have, purchase, receive, possess, enjoy and retain, to it and its successors, lands, rents, tenements, hereditaments, goods, chattels and effects, of what kind, nature or quality soever, to an amount not exceeding, in the whole, three million of dollars, including the amount of the capital stock aforesaid, and the same to sell, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in courts of record, or any other place whatsoever; and also to make, have and use a common seal, and the same to break, alter and renew at their pleasure; and also to ordain, establish and put in execution, such by-laws, ordinances and regulations as shall seem necessary and convenient for the government of the said corporation,
not being contrary to the laws of this State, or to the constitution thereof; for which purpose general meetings of the stockholders shall and may be called by the directors, at such time or times as to them shall be deemed necessary; and, generally, to do and execute all and singular such acts, matters and things which to them it shall or may appertain to do; subject, nevertheless, to such regulations, restrictions, limitations and provisions, as hereinafter shall be prescribed and declared.

III. And be it further enacted by the authority aforesaid, That there shall be an election on the first Monday in May, in each year, by the said corporation, of thirteen directors, who shall be chosen by the stockholders, or their proxies, from among themselves, and by a plurality of votes actually given; and those who shall be duly chosen at any election, shall be capable of serving as directors, by virtue of such choice, until the end or expiration of the first Monday of May next ensuing the time of such election, and no longer; and the said directors, at their first meeting after each election, shall choose one of their number as president. And in case of the death, resignation, or absence from the State, or removal of a director by the stockholders, his place may be filled up by a new choice for the remainder of the year. But should it so happen that an election of directors should not be made on any day when, pursuant to the constitution of the said corporation, it ought to have been made, the said corporation shall not, for that cause, be deemed to be dissolved, but it shall be lawful, on any other day, to hold and make an election of directors, in such manner as shall have been regulated by the laws and ordinances of the said corporation.

IV. And be it further enacted by the authority aforesaid, That the directors for the time being shall have power to appoint such officers, clerks and servants under them, as shall be necessary for executing the business and care of the said corporation, and to allow them such compensation for their services as shall be reasonable; and shall be capable of exercising such other powers and authorities, for the well governing and ordering of the affairs of the said corporation, as shall be described, fixed and determined by the laws and regulations of the company hereby incorporated.

V. And be it further enacted by the authority aforesaid, That the following rules, restrictions, limitations and provisions, shall form and be fundamental articles of the constitution of the company hereby incorporated.

1. That the number of votes to which each stockholder shall be entitled, shall be in the following proportion, that is to say: for four shares, one vote; for every four shares above four, and not exceeding twenty, one vote; for every eight shares above twenty, and not exceeding sixty, one vote; for every twelve shares above sixty, and not exceeding one hundred and twenty, one vote; for every sixteen shares above one hundred and twenty, and not exceeding two hundred, one vote; and for every twenty shares above two hundred, one vote: Provided always, that no person, copartnership, or body politic, shall be entitled to a greater number than sixty votes, and no share or shares shall confer a right of suffrage which shall not have been held for three calendar months previous to the day of election. Stockholders actually resident within the United States, and none others, may vote in elections by proxy.

2. No person but a stockholder, being a citizen of the United States, shall be eligible as a director.

3. The lands, tenements and hereditaments which it shall be lawful for the said corporation to hold, shall be only such as shall be requisite for its
immediate accommodation, in relation to the convenient transacting of its business, and such as have been bona fide mortgaged to it by way of security for debts previously contracted in the course of its dealings, or purchased at sales upon judgments which shall have been obtained.

4. The total amount of the debts which the said corporation shall at any time owe, whether by bond, bill, note or contract, shall not exceed three times the amount of its capital, over and above the monies then actually deposited in the bank for safe keeping, unless the contracting of any greater shall have been previously authorized by a law of this State. In case of excess, the directors under whose administration it shall happen, shall be liable for the same in their private capacities, and an action of debt may, in such case, be brought against them, or any of them, their, or any of their heirs, executors or administrators, in any court in this State having jurisdiction, by any creditor or creditors of the said corporation, and may be prosecuted to judgment and execution; any condition, covenant and agreement to the contrary notwithstanding. But this shall not be construed to exempt the said corporation, or the lands, tenements, goods or chattels of the same, from being also liable for, and being chargeable with, the said excess. Such of the said directors as may have been absent when said excess was contracted or created, or who may have dissented from the resolution or act whereby the same was contracted or created, may, respectively, exonerate themselves from being individually liable, by entering, if present, their dissent on the books of the bank, at the time the debt may be so contracted, and forthwith giving notice of the fact to the stockholders, at a general meeting, which each of the said directors shall have power to call for that purpose.

VI. And be it further enacted by the authority aforesaid, That the said corporation shall not be permitted to purchase any public debt whatsoever, nor shall, directly or indirectly, deal or trade in any thing except bills of exchange, gold or silver bullion, or in the sale of goods really and truly pledged for money lent, and not redeemed in due time, or of goods which shall be the produce of its lands; neither shall the said corporation take more than at the rate of six per centum per annum, for or upon its loans or discounts.

VII. And be it further enacted by the authority aforesaid, That in case of the failure of the bank, each stockholder, co-partnership, or body politic, having a share or shares therein at the time of such failure, or who have been interested therein at any time within twelve months previous to such failure or bankruptcy, shall be liable and held bound for any sum not exceeding twice the amount of his, her or their share or subscription. And that the stock of the said corporation shall be assignable and transferable, according to such rules as shall be instituted in that behalf by the laws and regulations of the said corporation. And that no loan shall be made by the said corporation, to or for the use of any foreign prince, state or government, unless previously authorized by a law of this State.

The bills obligatory and of credit, under the seal of the said corporation, which shall be made to any person or persons, shall be assignable by indorsement thereupon, under the hand or hands of such person or persons, and of his, her or their assignee or assignees, and so as absolutely to transfer and vest the property thereof in each and every assignee or assignees successively, and to enable such assignee or assignees to bring and maintain an action thereupon, in his, her or their own name or names. And bills or notes which may be issued by order of the said corporation,
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks. A.D. 1810.

signed by the president, and countersigned by the principal cashier or treasurer thereof, promising the payment of money to any person or persons, his, her or their order, or to bearer, though not under the seal of the said corporation, shall be binding and obligatory upon the said corporation, in like manner, and with the like force and effect, as upon any private person or persons, if issued by him, her or them, in his, her or their private or natural capacity or capacities; and shall be assignable and negotiable in like manner as if they were so issued by such private person or persons; that is to say—those which shall be payable to any person or persons, his, her or their order, shall be assigned by indorsement, in like manner and with like effect as foreign bills of exchange now are; and those which are payable to bearer, shall be negotiable and assignable by delivery only.

Dividends shall be made at least once in each year, by the said corporation, of so much of the profits of the bank as shall appear to the directors advisable; and once in every three years, the directors shall lay before the stockholders, at a general meeting, for their information, the amount of surplus profits, if any, after deducting losses and dividends.

VIII. And be it enacted by the authority aforesaid, That if the said corporation, or any person or persons for or to the use of the said corporation, shall deal or trade in buying or selling any goods, wares, merchandize or commodities whatsoever, contrary to the provisions of this Act, or the provisions of the Act of the General Assembly of South Carolina, passed in the year of our Lord one thousand eight hundred and forty, for the better regulation of bankers, and for the protection of the public, all and every person and persons by whom any order or direction for so dealing or trading shall have been given, and all and every person and persons who shall have been concerned, after the passing of this Act, as parties or agents therein, shall forfeit and lose treble the value of the goods, wares, merchandizes and commodities, in which such dealing have been; one half thereof to the use of the informer, and the other half thereof to the use of this State; to be recovered with costs of suit.

IX. And be it further enacted by the authority aforesaid, That in case a greater sum than one million of dollars be subscribed, the commissioners shall apportion the shares, and shall not take from those who have subscribed only four shares, unless they cannot reduce the same sufficiently otherwise. And no share subscribed for shall be delivered to any person without an order, signed by the person in whose name it is subscribed, and witnessed by a justice of the quorum or of the peace.

X. And be it further enacted by the authority aforesaid, That the bank hereby intended to be incorporated, shall not be so incorporated, or derive any benefit or advantage from any of the clauses or provisions in this Act contained, unless it shall transfer, or cause to be transferred, to the treasurer of the lower division, for the benefit of the State, eight hundred shares of the stock of the said bank, on or before the first day of November next.

XI. And be it further enacted by the authority aforesaid, That in case of the failure or bankruptcy of the said bank, the State aforesaid shall not be liable to any person, (any clause or provision in this Act to the contrary notwithstanding,) by reason of the failure of the said bank, the State not to be liable or held bound to pay any portion or part of any sum or sums of money for which the said bank shall or may fail or become bankrupt.

XII. And be it further enacted by the authority aforesaid, That the capital of the said bank shall be divided into forty thousand shares, at the time of subscribing, and the remaining twenty dollars due on each share shall be paid in four equal installments, on the first Mondays of June, September, December and March following; and all shares on which the
A.D. 1811.

Acts relating to Corporations.—Banks.

offices of discount and deposit may be established in other parts of the State.

Branches.

Said corporation to be dissolved January 1, 1832.

Said bank exempted from tax.

No. 1986, AN ACT FOR AMENDING THE CHARTER OF THE PLANTERS’S AND MECHANICS’S BANK OF SOUTH CAROLINA; AND FOR OTHER PURPOSES THEREIN MENTIONED.

WHEREAS, at the time of incorporating the Planters’s and Mechanics’s Bank of South Carolina, several clauses and provisions embraced in the charters of other banks in this State, were omitted; for remedy whereof,

I. Be it enacted by the honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That no director of any other bank, or copartner of any director, shall, at the same time, be a director of the said Planters’s and Mechanics’s Bank. That no person hereafter elected a director of the said Planters’s and Mechanics’s Bank, shall continue so act as such after he shall have been entered up on the books of said bank, under protest, either as drawer or endorser, on any paper which the said bank may hold, either for discount or collection, unless he shall prove, to the satisfaction of a majority
of the other directors, that he hath just reason, and legal and sufficient cause, for refusing payment of the demand on which such protest may be founded.

II. And be it further enacted by the authority aforesaid, That to prevent a division of shares, in order to obtain to the person or persons so dividing them, undue influence, the managers of elections for directors of the said Planters's and Mechanics's Bank, shall administer to every stockholder offering to vote, the following oath.

"You, A B, do swear or affirm, (as the case may be,) that the stock you now represent, is bona fide, your property, and that no other person or persons is or are concerned therein."

And to any person voting by proxy, or for a minor, or in right of, or in trust for, any other person entitled to vote, the following oath.

"You, A B, do swear or affirm, (as the case may be,) that the stock of C D, whom you represent, is, to the best of your knowledge and belief, the property of said C D, and that no other person or persons is or are concerned therein."

And any stockholder refusing to take such oath or affirmation, shall not be allowed to vote at such election.

III. And be it further enacted by the authority aforesaid, That if any number of stockholders, not less than fifty, who shall be proprietors of not less than four thousand shares, may, for any purpose relative to the institution, at any time, apply to the president and directors of said Planters's and Mechanics's Bank, to call a general meeting of the stockholders, and if by them refused, the said number of stockholders, proprietors of not less than the number of shares aforesaid, shall have power to call a general meeting of the stockholders, giving at least three weeks notice, in two or more of the public newspapers in Charleston, specifying, in such notice, the object or objects of such call. Provided, that no meeting of the stockholders shall be deemed competent to do business, unless a majority of the stock of the bank is represented; and all questions on which the stockholders may be called upon, at general meetings, to give their votes, shall be decided according to the number of shares they hold, in same manner as at the election of directors.

IV. And be it further enacted by the authority aforesaid, That the bills or notes of said Planters's and Mechanics's Bank, originally made payable, Bills or notes or which shall have become payable, on demand in gold or silver coin, shall be receivable at the treasury of this State, either at Charleston or at Columbia, and by all tax collectors, and other public officers, in all payments for taxes, or other monies due to the State, during the term for which the said company is incorporated.

V. And be it further enacted by the authority aforesaid, That the officers exempted from militia duty, from the performance of ordinary militia duty, and from serving as jurors.

VI. Whereas, the Union Bank, of the City of Charleston, have, by their memorial, prayed that they might be permitted, for the purpose of facilitating the exchange between this and our sister States, to discount bills of exchange; and whereas, it appears just and reasonable, that the prayer of the said memorialists should be granted. Be it therefore enacted by the authority aforesaid, That the directors of the said Union Bank, and Planters's and Mechanics's Bank, of the city of Charleston, may, and they are hereby authorized, whenever they shall see fit so to do, discount all
inland bills of exchange, which may be offered them, at the ordinary rates of exchange among merchants; any law, custom or usage to the contrary notwithstanding.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand eight hundred and eleven, and in the thirty-sixth year of the Independence of the United States of America.

SAMUEL WARREN, President of the Senate.

JOHN GEDDES, Speaker of the House of Representatives.

No. 2021. AN ACT TO ESTABLISH A BANK, ON BEHALF OF AND FOR THE BENEFIT OF THE STATE.

WHEREAS, it is deemed expedient and beneficial, both to the State and to the citizens thereof, to establish a bank on the funds of the State, for the purpose of discounting paper, and making loans for longer periods than has heretofore been customary, and on security different from what has hitherto been required.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That a bank shall be established in the name and on behalf of the State of South Carolina, in the manner and on the conditions and limitations hereinafter expressed.

1st. All the Stock belonging to the State, of all descriptions whatsoever, whether six per cent stock of the United States, three per cent stock, loan office bonds, shares in the State Bank, and in the Planter's and Mechanics's Bank, and all bonds and notes due the State, shall constitute and form the capital of the said bank, and shall be vested in the President and Directors, to be appointed as hereinafter prescribed, and their successors. And the faith of the State is hereby pledged for the support of the said bank, and to supply any deficiency in the funds specially pledged, and to make good all losses arising from such deficiency.

2d. All the unexpended money in the treasuries of this State, and all the taxes to be hereafter collected on account of the State, shall be deposited in this bank, to aid and facilitate the operations of the same; subject, nevertheless, to all the drafts on the part of the State, authorized by legal appropriations.

3d. All the stock now in the possession of the State, which has been purchased to meet the claims of Strickhysen and Luxembourg against the State, shall be deposited in the said bank, and the interest be received by the bank, until the payment of the same to the creditors of the State be ordered by law.

4th. The president and directors for the time being, shall have power to elect and remove the cashier; and they shall also have power to appoint such officers, clerks, and servants under them, as shall be necessary for executing the business of the said corporation, and allow them such compensation for their services as may be reasonable. They shall receive money on deposit, and pay away the same to order, free of expense; discount bills of exchange, accepted and payable within the State of South
Carolina, and notes with two or more good names thereon, or secured by a deposit of bank or other public stock, at a rate of interest not exceeding one per cent discount for sixty days; and shall also have power to make loans to citizens of this State, in the nature of discount, on real or personal property, secured by mortgage and power of attorney to confess judgment on default of payment. Provided, that the sum so loaned shall never exceed the one third part of the real unincumbered value of the property so mortgaged; and provided further, that the loan shall never be for a longer term than one year, nor draw a greater interest than at the rate of seven per cent, which shall always be paid in advance, and shall always be payable in the months of February or March next succeeding such loan, unless an earlier day be fixed by the borrower; and provided further, that no loan be in any case whatever renewed, unless the interest for the ensuing year be paid in advance; and provided further, that no individual be permitted to borrow on his own account, on the security of real property, a greater sum than two thousand dollars.

5th. The directors for the time being shall call in one tenth of each loan in each year, and shall have it in their power to call in, in each year, one fourth part of the loans made on real and personal security, giving a notice of not less than sixty days in some of the gazettes of the State; and all persons who shall fail to make such payment, shall be deprived, in future, of credit in the said bank, and judgment shall be immediately entered up on the power of attorney given as above required, and execution shall immediately be issued in the name and on behalf of the bank, against such person or persons, for the whole amount of the debt which may be due the said bank.

6th. The total amount of the debts which the said corporation shall at any time owe, whether by bond, bill, note or contract, shall not exceed twice the amount of its capital, over and above the monies then actually deposited in the bank for safe keeping, unless the contracting of any greater debt shall have been previously authorized by a law of this State. In case of excess, the directors under whose administration it shall happen, shall be liable for the same in their private capacities, and an action of debt may, in such case, be brought against them, or any of them, their or any of their heirs, executors or administrators, in any court of this State having jurisdiction, by any creditor or creditors of the said corporation, and may be prosecuted to judgment and execution; any condition, covenant and agreement to the contrary notwithstanding. But this shall not be construed to exempt the said bank, or the lands, tenements, goods or chattels, of the same, and, on their insufficiency, the State of South Carolina, from being also liable for, and being chargeable with, the said excess. Such of the said directors who may have been absent when said excess was contracted or created, or who may have dissent ed from the resolution or act by which the same was contracted or created, may, respectively, exonerate themselves from being individually liable, by entering, if present, their dissent on the books of the bank, at the time the debt may be so contracted, and forthwith giving notice of the same to the Comptroller-general of the State.

7th. Immediately after the passing of this Act, the Legislature shall proceed to elect, by joint ballot, a president and twelve directors, to manage and conduct the business of the said bank; and all future elections of a president and directors shall be by joint ballot of the Legislature.

8th. The president shall be elected for one year, and at the expiration VOL. VIII.—4.
Acts relating to Corporations.—Banks.

of that term shall be re-eligible, and shall be allowed for his services the sum of two thousand five hundred dollars per annum.

9th. In case of a vacancy occasioned by death, resignation, or removal out of the State, of any director, a majority of the directors shall fill up such vacancy, and the director so appointed shall hold his office during the remainder of the term which the director so dying, resigning, or removing out of the State, had to serve.

10th. In case of the death, resignation, or removal out of the State, of the president, (unless such removal be temporary, and by permission of the board of directors,) the directors shall appoint one of their own body as president, who shall serve until the next session of the Legislature, when such vacancy shall be filled by joint ballot.

11th. No person who is not a citizen of this State, or who is a director of any other bank, or copartner of any such director, shall be eligible as president or director of this bank.

12th. Not less than five directors shall constitute a board for the transaction of business, of whom the president shall always be one; except in case of sickness or necessary absence, in which case, his place may be supplied by any other director, whom he, by writing under his hand, shall nominate for the purpose; and in default of such nomination by the president, or in case of the sickness or necessary absence of the person so appointed, in either event the board of directors may, by ballot, appoint a temporary president.

13th. The directors shall keep fair and regular entries, in a book to be provided for the purpose, of their proceedings; and on any question where two directors shall require it, the yeas and nays of the directors voting shall be duly inserted on their minutes, and those minutes be, at all times, on demand, produced to the Legislature, or any committee thereof who may be legally authorized to require the same.

14th. Every president and cashier, before he enters on the execution of his duty, shall give bond, with two or more securities, to the satisfaction of the directors, in a sum not less than twenty thousand dollars, conditioned for his good behavior; and the tellers and clerks shall give security in a sum not less than five thousand dollars nor more than fifteen thousand dollars.

15th. The president, directors, cashier, and all other officers and servants, shall take the following oath, on entering on the duties of their respective offices.

"I, A B, do solemnly swear, that I will faithfully discharge the trust reposed in me as —— of the Bank of the State of South Carolina."

16th. This bank is hereby incorporated and made a corporation and body politic, by the name and style of "The President and Directors of the Bank of the State of South Carolina," and so shall continue until the first day of May, one thousand eight hundred and thirty-five; and by that name shall be, and are hereby made, able and capable in law, to have, purchase, receive, possess, enjoy, and retain, to them and their successors, lands, rents, tenements, hereditaments, goods, chattels, and effects, of what kind, nature or quality soever, and the same to sell, grant, demise, alien or dispose of; to sue and be sued; plead and be impleaded; answer and be answered; defend and be defended, in courts of record, or any other place whatsoever; and also, to make, have and use a common seal, and the same to break, alter and renew at their pleasure. And also, to ordain, establish and put in execution such by-laws, ordinances and regulations, as shall seem necessary and convenient for the government of the said corporation, not being contrary to law or the constitution thereof; and generally,
Acts relating to Corporations.—Banks.

A. D. 1812.

17th. The president and directors shall have power to issue notes, signed by the president and countersigned by the cashier, not under the denomination of one dollar, on behalf of the said corporation, for such sums, and with such devices, as they may deem most expedient and safe. They shall also be capable of exercising such other powers and authorities as may be necessary for the well governing and ordering the affairs of the said corporation, and of promoting its interest and its credit; any law, usage or custom to the contrary notwithstanding.

II. And be it further enacted by the authority aforesaid, That the value of the property mortgaged under this Act, shall be ascertained, to the satisfaction of the president and directors, who shall be answerable to the State in an action at law, or a suit in equity, wherein the damages incurred by taking insufficient security, shall be assessed by the jury, or by the decree of the court; unless the judges of law or equity, as the case may be, shall be of opinion, and certify, that every necessary precaution was used, and no manner of neglect on the part of the president and directors. Provided nevertheless, that in order to secure the president and directors more effectually from imposition, any person or persons who shall apply to them for monies on loan, shall produce a just and true account of the property proposed to be mortgaged; which said property shall be valued, on oath, by commissioners hereafter to be appointed.

III. And be it further enacted by the authority aforesaid, That all and every person or persons who may apply to the president and directors of the Bank of the State of South Carolina, for any sum or sums upon loan, which is to be secured by any mortgage or mortgages, he, she or they shall submit their titles to the lands intended to be mortgaged, to the inspection of the said board of directors, before the obtaining of such loan.

IV. And be it further enacted by the authority aforesaid, That the mortgage shall be taken in the following form.

"I, A B, do assign over to the president and directors of the Bank of the State of South Carolina, my, (here describe the estate particularly;) gage, which estate I declare to be in mortgage for the repayment of —— with the legal interest of seven per cent per annum, from the date hereof; and I do agree that the same may be exposed to sale according to an Act entitled "An Act to establish a Bank, in behalf of and for the benefit of the State," if I do not repay the principal and interest, at the several and respective times on which they shall be lawfully due and payable. Witness my hand and seal, this —— day of —— one thousand eight hundred and ——."}

Which mortgage shall be accompanied with a bond for the sum so borrowed, and shall be valid to all intents and purposes.

V. And be it further enacted by the authority aforesaid, That all mortgages taken for loans of money under this Act, shall be considered as being recorded from the date thereof, and shall have priority of any mortgages of the same property not previously recorded in the proper offices.

VI. And be it further enacted by the authority aforesaid, That the principal Bank established by this Act shall be fixed and established at Charleston and Columbia; and the president and directors shall establish a Bank at Columbia, for the purposes of discount and deposit, and to appoint the directors and officers of such branch, and to fix their salaries, and prescribe their
Acts relating to Corporations.—Banks.

VII. And be it further enacted by the authority aforesaid, That the sums of money loaned out on mortgage of real property, shall be apportioned among the election districts throughout the State, in proportions to the number of representatives of the State Legislature in each election district; and wherever the sum allotted for any district cannot be loaned on good terms to the inhabitants of such district, in a reasonable time, it shall then be loaned to the inhabitants of any other district who may apply for the same.

VIII. And be it further enacted by the authority aforesaid, That the bills obligatory and of credit, under the seal of the said corporation, which shall be made to any person or persons, shall be assignable by endorsement thereupon, under the hand or hands of such person or persons, and of his, her or their assignee or assignees, and so as absolutely to transfer and vest the property thereof in each and every assignee or assignees successively, and to enable such assignee or assignees to bring and maintain an action thereupon, in his, her or their own name or names; and bills or notes which may be issued by order of the said corporation, signed by the president and countersigned by the principal cashier or treasurer thereof, promising the payment of money to any person or persons, his, her or their order, or to bearer, though not under the seal of the said corporation, shall be binding and obligatory upon the same, in the like manner and with the like force and effect as upon any private person or persons, if issued by him, her or them, in his, her or their private or natural capacity or capacities; and shall be assignable and negotiable in like manner as if they were so issued by such private person or persons; that is to say—those which are or shall be payable to any person or persons, his, her or their order, shall be assignable by endorsement, in like manner and with the like effect as foreign bills of exchange now are; and those which are or shall be payable to bearer, shall be negotiable and assignable by delivery only.

IX. And be it further enacted by the authority aforesaid, That no director, officer, clerk or servant of the said corporation, shall be concerned, either directly or indirectly, in the practice of advancing or loaning out monies at an illegal rate of interest, whether the same be done or effected under the form and color of a purchase or exchange of notes, acceptances, due bills, check on banks, acknowledgments, or in any other way or manner whatsoever; and all and every such director, officer, clerk or servant of this bank, who shall be concerned, as aforesaid, in any such practices, shall, in addition to the usual penalties imposed by law, forfeit and pay, for each offence, the sum of two thousand dollars, to be recovered by action of debt, in any court of record in this State; one half to the use of the informer, the other half to the use of the State; and to be levied of the goods and chattels, and houses, lands, tenements, and other hereditaments and real estates, of the person or persons so offending, if any he or they shall have; and on failure of any property to answer the said penalty, by a return of nulla bona, the person or persons so offending shall and may be taken on execution, upon a capias ad satisfaciendum, and being so taken, shall not be entitled to the benefit of any Act made for the relief of insolvent debtors, until he or they shall have remained and been confined in prison for the term of six months, at least. And any such person being
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks. A.D. 1812.

convicted, by the verdict of a jury, of any of the practices aforesaid, whether he be a director or officer or servant of this bank, shall, on motion of any director, be dismissed from the service of the said bank.

X. And be it further enacted by the authority aforesaid, That the Legislature of the State shall be furnished with a general statement of the transactions of the bank, signed by the cashier and countersigned by the president, as often as they may require the same; and it shall also be the duty of the comptroller-general to inspect such general account in the books of the bank, as often as he may please; and it shall, and it is hereby declared to be, his duty, faithfully to report all and every violation of the fundamental rules of this corporation to the Legislature: Provided, however, that nothing in this clause shall imply a right of inspecting the account of any private individual or individuals, or any body politic or corporate, with the bank.

XI. And be it further enacted by the authority aforesaid, That all the interest which may be paid on the stock due this State by the United States, Revenue of and now becoming a part of the capital of this bank, and all the dividend on the bank shares of the State bank, and Planters's and Mechanics's bank, which this bank may hold, and all the interest arising from the loans and discounts which may be made by this bank, after its necessary expenses shall have been paid, shall constitute and be considered as a part of the annual revenue of this State, subject to the pleasure of the Legislature. But whatever part of this sum shall at any time remain unexpended by the Legislature, and all the principal which shall be paid on the stock of the United States, and all sums arising from the sale of bank stock, shall be considered and become a part of the capital stock of this bank.

XII. Be it further enacted by the authority aforesaid, That the president and directors of the corporation hereby intended to be incorporated, shall apply to the United States for stock of a transferable nature, in lieu of transfer of that which the State now holds, which is not of a transferable nature.

XIII. And be it further enacted by the authority aforesaid, That the president and directors shall have full power and authority to sell out, at their discretion, any share or shares which the State now holds, or may hereafter hold, in any bank within this State, or to negotiate foreign bills of exchange.

XIV. And be it enacted by the authority aforesaid, That the treasurer of the lower division, under the direction of the comptroller-general, shall, and is hereby authorized, at the instance of the president and directors of the said bank, to issue six per cent. stock on the credit of this State, and on the faith and credit of the stock of the United States, vested in them by this Act, to an amount not exceeding three hundred thousand dollars, redeemable at the pleasure of the State. And it shall be their duty, from the quarterly and annual payments received on the aforesaid stock of the United States, to pay the holders of the present State debt, and the holders of the stock to be issued under the authority of this Act, the quarterly interest due on the said stock; and shall, from the aforesaid quarterly and annual receipts on the said stock of the United States, apply such a sum annually towards the redemption of the present outstanding State debt, as shall, on or before the last day of December, one thousand eight hundred and twenty-four, finally redeem and extinguish the same; and the said president and directors are hereby authorized and empowered to sell and dispose of
the said three hundred thousand dollars of six per cent. stock, created under the authority of this Act, from time to time, for the purpose of increasing the capital of the bank hereby established; provided the same is not at any time sold under par.

XV. And be it enacted by the authority aforesaid, That the three per cent. stock of the State now outstanding shall not be redeemed or paid off at a higher rate than fifty-five per cent.; and the president and directors shall report annually, on the first day of October, to the comptroller, to be by him submitted to the Legislature, the amount of the stock issued under the authority of this Act, and of the sums annually redeemed.

XVI. And be it further enacted by the authority aforesaid, That the bills or notes of the said corporation, originally made payable, or which shall have become payable on demand, in gold or silver coin, shall be receivable at the treasury of this State, either at Charleston or Columbia, and by all tax-collectors and other public officers, in all payments for taxes or other monies due to the State.

XVII. And be it further enacted by the authority aforesaid, That not only the treasurers, but also the tax-collectors of the parishes of St. Philip and St. Michael, the sheriff of Charleston district, the prothonotary of the court of common pleas and general sessions, and the master in equity, shall, weekly or monthly, deposit, for safe keeping, the public monies which they may respectively receive, in the said bank only; and on failure thereof, or on such persons depositing public monies in any other bank, be or they shall, respectively, forfeit, for each offence, the sum of one thousand dollars, to be recovered as other penalties by this Act are directed to be recovered; and all Acts and clauses of Acts repugnant to this Act, be, and the same are hereby, repealed.

XVIII. And be it further enacted by the authority aforesaid, That for the purpose of erecting suitable buildings for the accommodation of the bank, any lot or square in the town of Columbia, belonging to the State, and not heretofore appropriated, which the president and directors may deem suitable for this purpose, is hereby granted to and vested in the said corporation; and until such building shall be erected, the president and directors are hereby authorized to use any part of the State-house at Columbia, which may not be wanted for or applied to the immediate use of the State.

XIX. And be it further enacted by the authority aforesaid, That the persons who shall be approved of and joined as securities in the bonds prescribed by this Act, shall severally be held and deemed liable, each one for his equal part of the whole sum in which the bond is given, the said sum to be divided into as many equal parts as there shall be securities in the bond, and no more than such equal part shall be in any court recoverable of or from any one of the said securities, his heirs, executors or administrators; but nothing in this Act contained shall operate to prevent the securities from having and obtaining, amongst one another, just and equitable aid and contribution, as in other cases of securityship where there are several securities.

XX. And be it enacted by the authority aforesaid, That the president and directors shall have power to appoint five commissioners in each election district, to value and appraise the lands which may be offered in mortgage to the bank; and every valuation of land in any election district shall be certified by three or more of the said commissioners; and the president and directors shall have the power to fill up all vacancies, or to remove any such commissioners at pleasure.
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks.

XXI. And be it further enacted by the authority aforesaid, That the directors, or a majority of them, be, and they are hereby, authorized, should they at any time deem it proper, to borrow, on the credit of the State, from any of the banks, or individuals, a sum not exceeding three hundred thousand dollars, for a period not exceeding, at any time, ninety days. Provided, that an interest not exceeding the rate of six per cent. per annum shall be allowed for the same.

XXII. And be it enacted by the authority aforesaid, That in all cases where the interest to become due under the provisions of this Act, and the loans to be made in pursuance thereof, and in all cases where the principal to be loaned under this Act, or any part thereof, shall be in arrear or due, the directors of the said bank shall be, and they are hereby, authorized and empowered, (if they shall so think fit,) to advertize the mortgaged property, for three weeks, in one or more of the gazettes in Columbia and Charleston, and in the different districts where the mortgaged premises lie, and on the first Monday in March, in each and every year, shall expose or cause the same to be exposed to sale, by the sheriff, at the court-houses of the respective districts in which the mortgaged premises may be, and sold to the highest bidder for cash; and the president and directors are hereby fully authorized and empowered to make conveyances for the same, to the purchasers thereof, or to buy the same in, if they shall think fit, for the benefit of the institution.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and twelve, and in the thirty-seventh year of the Sovereignty and Independence of the United States of America.

SAMUEL WARREN, President of the Senate.

JOHN GEDDES, Speaker of the House of Representatives.

AN ACT TO EXPLAIN AND AMEND AN ACT ENTITLED "AN ACT TO NO. 2027.
ESTABLISH A BANK, ON BEHALF OF AND FOR THE BENEFIT OF THE STATE."

WHEREAS, the Act entitled "An Act to establish a bank, on behalf of and for the benefit of the State," requires sundry alterations and amendments.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the money from United authority of the same, That the comptroller be, and he is hereby, authorized and directed to transfer to the bank, on account of capital, all sums which may be received from the United States on account of the principal of their debt, and all sums which, though received nominally as interest, may operate to extinguish the principal of their debt.

II. And be it further enacted by the authority aforesaid, That the comptroller be, and he is hereby, authorized and directed to transfer to the other money bank, on account of capital, on the second day of April, 1814, all monies received in the course of the preceding year, and remaining in the treasury on the second of April in each and every year.
III. And be it further enacted by the authority aforesaid, That all officers directed by the Act establishing the bank of the State of South Carolina, to deposit in the said bank the public monies which they may respectively receive, shall in like manner deposit in the bank of the State of South Carolina, each and every sum of money which may be received by them, in virtue of their office, either in suits actually depending, or in consequence of the decrees of the courts of law and equity in this State, or until the actual investment of such funds, in cases where the courts of law and equity shall order sums of money to be invested in funds of a particular description. And all such officers are, moreover, enjoined and directed to deposit each and every sum deposited by them under the provisions of this Act, or the Act to which this is an amendment, in their names as public officers, distinctly from any deposit made by them in their own names and on their own account as private individuals, and to specify the amount of each sum so deposited, and on what account such deposit is made.

IV. And be it further enacted by the authority aforesaid, That no bank or banks, other than the bank of the State of South Carolina, shall issue or put into circulation bills of a lower denomination than five dollars; any act, or clause of any Act, to the contrary notwithstanding.

V. And be it further enacted by the authority aforesaid, That a majority of the members present at any regular meeting of the directors of the bank of the State of South Carolina, may suspend any director with a view to his expulsion; and any member may be expelled at a meeting of the board of directors specially convened by the president for that purpose, as soon after such suspension takes place as may be practicable; but such expulsion shall not be made by a majority of less than two-thirds of the whole number of directors.

VI. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, the Legislature shall annually elect, by joint ballot of both branches, a president and twelve directors, whose services shall commence on the first day of February next ensuing such election, and continue for one year.

VII. And be it further enacted by the authority aforesaid, That the comptroller-general shall be furnished, as often as he may require, not exceeding once a month, with statements of the amount of the capital stock of the bank, and of the debts due to the same, of the monies deposited therein, of the notes in circulation, and of the cash in hand; and he shall, under the injunction of secrecy, have a right to inspect all the accounts and books of the bank. Provided, that this right shall not be construed to imply a right of inspecting the account of any private individual or individuals with the bank. And it shall be the duty of the said comptroller-general to make an annual report to the Legislature, on the subject of the bank; and if, in his opinion, the transactions of the bank, or any particular circumstance relating thereto, shall require it, he shall apply to the house for a select committee of three members to be appointed, who shall, under a like injunction of secrecy, take into consideration any matters relating to the said bank, submitted to them by the comptroller-general, and report thereon at their discretion to the Legislature.

VIII. And be it further enacted by the authority aforesaid, That the comptroller-general for the time being shall not be a director, nor hold any office of trust or profit in or under any bank whatsoever.

IX. And be it further enacted, That the president and directors of the Bank of the State of South Carolina are hereby immediately authorized
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks.

and required to make loans at Columbia, to the citizens of this State, on Loans to be mortgage, in the same manner, on the, same principles, terms and condi- tions, and under the same rules and restrictions, as money is loaned from the said bank in Charleston on mortgage.

X. And be it further enacted, That the assessors appointed by the presi- dent and directors of the said bank to value lands and other property to be assessed, be mortgaged to the said bank, shall receive, each, for their services, not exceeding one dollar per diem, to be paid by those who may borrow money from the said bank.

XI. And be it further enacted by the authority aforesaid, That the Officers exempted from president, cashier, and all other officers of the bank of the State of South Carolina, and the branch thereof, shall be exempted from the performance of ordinary militia duty.

In the Senate House, the eighteenth day of December, in the year of our Lord one thousand eight hundred and thirteen, and in the thirty-eighth year of the American Independence.

SAVAGE SMITH, President of the Senate.
JOHN GEDDES, Speaker of the House of Representatives.

AN ACT TO ALTER AND AMEND THE CHARTER OF THE BANK OF NO. 2047.

THE STATE OF SOUTH CAROLINA, SO FAR AS RELATES TO THE ISSUING OF BILLS OF A LESS DENOMINATION THAN ONE DOLLAR; AND FOR OTHER PURPOSES THEREIN MENTIONED.

I. Be it enacted by the honorable the Senate and House of Representa- tives, now met and sitting in General Assembly, and by the authority of the same, That the president and directors of the Bank of the State of South Carolina shall be, and they are hereby, authorized and required to issue bills of a less denomination than one dollar, to be signed by a deputy cashier, to be appointed as hereinafter mentioned, and to be countersigned by either of the directors, or by some person appointed by them for that purpose.

II. And be it further enacted by the authority aforesaid, That immediately after the passing of this Act, the president and directors shall elect a deputy cashier, whose duty it shall be, under their direction, to sign all bills of a less denomination than one dollar, to enter the same in the manner and in conformity to the existing rules of the bank relative to its issues, and to note the mutilated bills when cancelled by the president and directors; in addition to which, he shall perform all such other services as may be required, and shall receive such compensation as the president and directors may deem proper; and shall, before he enters on the duties of his office, give bond with security, to be approved by them, in the sum of ten thousand dollars.

III. And be it enacted by the authority aforesaid, That no body politic or corporate, within this State, shall be allowed to issue any bills of credit in the nature of a circulating medium, or other than such as answer the
purposes of contracts, under the penalty of ten dollars for each and every
dollar issued: Provided, nevertheless, that this clause shall not be so con-
strued as to effect the chartered rights of any banking institution within
this State, heretofore incorporated by an Act of the Legislature.

IV. And be it enacted by the authority aforesaid, That the city council
of Charleston shall be, and they are hereby, allowed the time of twelve
months after the first day of January, one thousand eight hundred and fif-
teen, to call in all bills of credit issued by them in the nature of a circula-
ting medium.

In the Senate House, the twenty-first day of December, in the year of our Lord one thou-
sand eight hundred and fourteen, and in the thirty-ninth year of the Independence of
the United States of America.

JAMES R. PRINGLE, President of the Senate.

THOMAS BENNETT, Speaker of the House of Representatives.

No. 2092. AN ACT TO AMEND THE CHARTER OF THE BANK OF SOUTH CAROLINA.

WHEREAS, at the time of incorporating the bank of South Carolina,
sundry clauses and provisions were omitted to be then inserted, which have
since become requisite for the prosperity of the said bank:

I. Be it therefore enacted by the Honorable the Senate and House of Repre-
sentatives, now met and sitting in General Assembly, and by the
authority of the same, That the board of directors of the said bank of South
Carolina may, and they are hereby authorized, whenever they shall see
fit, to discount all inland bills of exchange which may be offered, at the
ordinary rates of exchange among merchants; any law, usage or custom
to the contrary notwithstanding.

In the Senate House, the fifteenth day of December, in the year of our Lord one thou-
sand eight hundred and fifteen, and in the fortieth year of the Independence
of the United States of America.

JAMES R. PRINGLE, President of the Senate.

THOS. BENNETT, Speaker of the House of Representatives.

No. 2083. AN ACT TO ALTER AND AMEND THE CHARTER OF THE STATE BANK.

I. Be it enacted by the honorable the Senate and House of Repre-
sentatives, now met and sitting in General Assembly, and by the authority of
the same, that the last clause of the Act entitled "An Act to incorporate
the State Bank, and imposing certain restrictions on the directors, officers
and servants of banks of this State," passed the eighteenth day of Decem-
ber, one thousand eight hundred and two, be, and the same is hereby,
repealed.

II. And be it enacted by the authority aforesaid, That all and every
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks.

part of the aforesaid Act which relates to the union of the State with the
said bank, shall be, and the same are hereby, repealed, except so far as re-
lates to the liability of the said bank for the shares still held by the State
therein.

In the Senate House, the thirteenth day of December, in the year of our Lord one thou-
sand eight hundred and fifteen, and in the fortieth year of the Independence of the
United States of America.

JAMES R. PRINGLE, President of the Senate.

THOS. BENNETT, Speaker of the House of Representatives.

AN ACT TO AUTHORIZE THE PRESIDENT AND DIRECTORS OF THE
Bank of the State of South Carolina to call in the paper
Medium Loan Office Bonds; and to establish a Branch Bank in
Georgetown.*

I. Be it enacted by the Senate and House of Representatives, now met
and sitting in General Assembly, and it is hereby enacted by the authority of the
same, That the president and directors of the Bank of the State of
South Carolina be, and they are hereby, authorized and empowered to re-
quire the treasurer of the lower division to call in and demand payment of
the bonds due to the paper medium loan office, or such part thereof as
they, the said president and directors, shall think proper; and the said
treasurer is hereby authorized and directed, whenever so required, to give
at least three months notice in one or more of the newspapers of this State,
of the part or portion required to be paid; and in case of non-compliance
with the requisitions in such notice contained, the treasurer aforesaid is
hereby required to sell, or cause to be sold, the land mortgaged for the
payment of such bonds as shall not be paid according to the provision of
the Act in such case made and provided: Provided nevertheless, the said
president and directors do not require the treasurer to call in and demand
payment of more than one third-annually, of the amount of any bond so
due to the paper medium loan office.

II. And be it further enacted by the authority aforesaid, That the presi-
dent and directors of the Bank of the State of South Carolina shall, when-
ever they may deem it expedient, establish a branch of the said Bank at
Georgetown, with like powers and authorities, and in like manner, as the
branch now established at Columbia.

In the Senate House, the seventeenth day of December, in the year of our Lord one thou-
sand eight hundred and sixteen, and in the forty-first year of the Independence of the
United States of America.

JAMES R. PRINGLE, President of the Senate.

THOMAS BENNETT, Speaker of the House of Representatives.

*This Act, and also Nos. 2202 and 2229, have been already given, by the preceding editor, in
vol. 6; but as they are very short, they are here repeated, in order that all the Acts concern-
ing Banks may be found together.
AN ACT TO ALTER AND AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH A BANK, ON BEHALF OF AND FOR THE BENEFIT OF THE STATE."

I. Be it enacted by the Honorable the Senate and House of Representa-
tives, now met and sitting in General Assembly, and by the authority of
the same, That it shall be the duty of the prothonotary or clerks of the
courts of common pleas and general sessions, the master and commission-
ers in equity, and the sheriffs of Charleston, Georgetown and Richland
districts, on the first Monday in every month, to furnish, or cause to be fur-
nished, to the board of directors of the Bank of the State, or the directors
of the branch where either of the aforesaid officers shall exercise his office,
a statement, in writing, of all the monies which they have received in their
official capacity, with the names of the persons on whose account it has
been received, for the preceding month; and on failure thereof, he or they
shall, respectively, for each offence, forfeit the sum of one thousand dollars;
to be recovered as other penalties are directed to be recovered by the Act
to establish the Bank of the State.

II. And be it further enacted by the authority aforesaid, That the Comptroller for the time being shall be, and he is hereby, authorized, whenever he may think proper, to have access to, for examination, all the books and accounts of the Bank of the State, excepting the personal ledger,
or book in which the deposits of individuals are entered.

In the Senate House, the eighteenth day of December, in the year of our Lord one thou-
sand eight hundred and seventeen, and in the forty-second year of the Independence
of the United States of America.

JAMES R. PRINGLE, President of the Senate.
THOS. BENNETT, Speaker of the House of Representatives.

AN ACT TO AMEND THE SEVERAL ACTS INCORPORATING THE BANKS
OF THE STATE OF SOUTH CAROLINA.

I. Be it enacted by the Honorable the Senate and House of Representa-
tives, now met and sitting in General Assembly, and by the authority of
the same, That the president, directors and company of any incorporated
bank in this State, shall be, and they are hereby, authorized to make loans
on negotiable paper, for any period not exceeding twelve months; and also
to open an account and give a credit to any other bank or banks, in any of
the sister States.

II. And be it further enacted by the authority aforesaid, That the
said corporation shall have power to vest, from time to time, such part of
their capital, not exceeding, (with the amount of stock any such bank may
hold,) one half of the amount originally subscribed to such bank, in the
stock of this State, or of the United States, as they, in their judgment
and discretion, shall see fit and proper; and that all parts of the Acts of in-
corporation heretofore granted to them, repugnant to this Act and its pro-
visions, be repealed. Provided, that this Act, or any thing herein contained,
shall not be construed so as to prevent the Legislature of this State from
prohibiting the purchase of such stock, whenever it may be deemed expedi-ent.

III. And be it further enacted by the authority aforesaid, That so much of a clause of an Act incorporating the Union Bank of South Carolina, which declares that not more than three fourths of the directors in office, exclusively of the president, shall be annually eligible to be elected, be, and the same is hereby, repealed. And that from and immediately after the pas-sing of this Act, the directors in office at the time of an election of direc-tors in said bank, may always be re-elected; any thing in the said Act of incorporation to the contrary thereof notwithstanding.

In the Senate House, the seventeenth day of December, in the year of our Lord one thou-sand eight hundred and seventeen, and in the forty-second year of the Independe-nce of the United States of America.

JAMES R. PRINGLE, President of the Senate.
THOS. BENNETT, Speaker of the House of Representatives.

AN ACT TO ALTER AND AMEND THE CHARTER OF THE BANK OF THE STATE OF SOUTH CAROLINA.

I. Be it enacted by the honorable the Senate and House of Representa-tives, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of the president of the mother bank in Charleston, and of the presidents of its branches, to direct the Attorney-general or Solicitors to proceed, according to law, against any officer or officers, failing, refusing or neglecting to make the statements and de-posites which he or they are by law bound and ordered to make.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and eighteen, and in the forty-third year of the Independe-nce of the United States of America.

JAMES R. PRINGLE, President of the Senate.
ROBT. Y. HAYNE, Speaker of the House of Representatives.

AN ACT TO ALTER AND AMEND THE CHARTER OF THE BANK OF THE STATE OF SOUTH CAROLINA.

I. Be it enacted by the honorable the Senate and House of Representa-tives, 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 and may be lawful for the presidents and cashiers, respectively, of the branches of the Bank of the State of South Carolina, to sign all bills of credit payable on demand, of a lower denomination than five dollars; under such regulations as the president and directors of the Bank of the State of South Carolina may direct. And the president and cashier of the said Bank of the State
STATUTES AT LARGE

A.D. 1818.

Acts relating to Corporations.—Banks.

of South Carolina, are hereby exempted from signing the same; any law

to the contrary notwithstanding.

In the Senate House, the eighteenth day of December, in the year of our Lord one

thousand eight hundred and eighteen, and in the forty-third year of the Indepen-
dence of the United States of America.

JAMES R. PRINGLE, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

No. 1199. AN ACT TO EXCUSE THE OFFICERS OF THE SEVERAL BRANCHES OF THE

BANK OF THE STATE OF SOUTH CAROLINA, FROM THE PERFORMANCE

OF ORDINARY MILITIA DUTY, AND SERVING ON JURIES.

I. Be it enacted by the Honorable the Senate and House of Represen-
tatives, now met and sitting in General Assembly, and by the authority
of the same, That the presidents and cashiers of the several branches of
the Bank of the State of South Carolina, and the clerks employed in the
same, shall be, and they are hereby declared to be, exempted from the per-
formance of ordinary militia duty, and from serving on juries.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand

eight hundred and eighteen, and in the forty-third year of the Independence of the
United States of America.

JAMES R. PRINGLE, President of the Senate.

ROBERT Y. HAYNE, Speaker of the House of Representatives.

No. 2209. AN ACT TO AUTHORIZE THE PRESIDENT AND DIRECTORS OF THE BANK

OF THE STATE OF SOUTH CAROLINA, TO ESTABLISH A BRANCH OF THE

SAID BANK IN CAMDEN.

I. Be it enacted by the Honorable the Senate and House of Represen-
tatives, now met and sitting in General Assembly, and by the author-
ity of the same, That the president and directors of the Bank of the
State of South Carolina, shall, whenever they may deem it expedient, estab-
lish a branch of the said Bank at Camden, with like powers and authority,
and in like manner, as the branch now established at Columbia.

In the Senate House, the sixteenth day of December, in the year of our Lord one thou-
sand eight hundred and eighteen, and in the forty-third year of the Independence
of the United States of America.

JAMES R. PRINGLE, President of the Senate.

ROBERT Y. HAYNE, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks. 

AN ACT TO PROTECT BANKS, AND THE HOLDERS OF BILLS AND NOTES, FROM FRAUD.  

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 immediately after the passing of this Act, no bank now or hereafter to be incorporated in this State, shall be compelled, by law, to pay any of their bills which have been, or may be hereafter, cut in half or divided, unless both halves of said bill or bills is presented, or unless the person producing one half, and demanding payment as of the whole, shall first give bond and sufficient security to the said bank, as an indemnity against any loss or damage that may be sustained by the said bank, by paying the whole of said half bills to said person.

II. And be it further enacted by the authority aforesaid, That whenever a notary public, who may have made protest for non-payment of any inland bill or promissory note, shall be dead, or shall reside out of the district in which said bill or note is sued, his protest of said bill or note shall be received as sufficient evidence of notice in any action by any person whatsoever, against any of the parties to such bill or note.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand eight hundred and twenty-two, and in the forty-seventh year of the Independence of the United States of America.

JACOB BOND I'ON, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.

---

AN ACT TO RENEW THE CHARTER OF THE STATE BANK, AND THE BANK OF SOUTH CAROLINA; AND FOR OTHER PURPOSES THEREIN MENTIONED.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the charters of the State Bank, and Bank of South Carolina, be, and the same are hereby, renewed, for and during the term of twelve years, from the thirty-first day of December, instant.

II. And be it enacted by the authority aforesaid, That the State Bank, and Bank of South Carolina, shall be, and they are hereby, permitted to enjoy all the privileges, powers, immunities, and benefits, which they now enjoy under their charters; and be subject to all the restrictions imposed by the said charters.

III. And be it enacted by the authority aforesaid, That the said State Bank, and Bank of South Carolina, for the charters renewed and extended, shall, on the first day of February next, pay into the treasury of the lower division of this State, a bonus, each, of twenty thousand dollars, for the charters hereby renewed and extended.

III. And be it further enacted by the authority aforesaid, That immediately after the passing of this Act, the commissioners of the Dorchester free school shall be permitted to pay over to the president and directors of the Bank of the State of South Carolina, all the funds of the said school. And
the profits arising from the same shall be paid over by the president and
directors of the said bank, to the commissioners of the free schools for the
parish of St. George’s Dorchester; to be applied by them in such manner
as is directed by the laws now in force in this State for the regulation and
government of free schools.

IV. And be it further enacted by the authority aforesaid, That when
information shall be given to the presidents of the Banks hereby incorpora-
ted, the Attorney-general, or either of the Solicitors of this State, that any
person has been apprehended and is to be tried, in any district in this State,
for counterfeiting any of the notes of the said banks, or for passing such
forged and counterfeited note, knowing it to be false, or for stealing any
note of the said bank, it shall be the duty of the said bank, cashier of the
said bank, to attend in person, and give evidence on such trial, or to fur-
nish some competent witness to give evidence on such trial, on pain of the
forfeiture of one thousand dollars, for the use of the State; to be recovered
by indictment.

V. And be it further enacted, That the president and directors of the
Bank of the State of South Carolina, shall, whenever they may deem it
expedient, establish a branch of the said bank in the town of Cheraw, with
like powers and authority, and in like manner, as the branches now estab-
ished at Columbia and Camden.

In the Senate House, the twenty-first day of December, in the year of our Lord one thou-
sand eight hundred and twenty-two, and in the forty-seventh year of the Independ-
dence of the United States of America.

JACOB BOND I’ON, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.

No. 2296. AN ACT TO ESTABLISH A BANK IN THE TOWN OF HAMBURG, AND TO
INCORPORATE THE SAME.

WHEREAS, it is deemed expedient and beneficial to the citizens of
this State, that a Bank should be established in the town of Hamburg:
therefore,

I. Be it enacted by the Honorable the Senate and House of Representa-
tives, now met and sitting in General Assembly, and by the authority of
the same, That in order to enable the said bank to be formed, the follow-
ing persons be, and they are hereby, appointed commissioners to receive
subscriptions, at the several places herein abovementioned, that is to say:
at Hamburg, Henry Shultz, Benjamin F. Whitner, Robert Hamilton, Wil-
liam Pinchback, John M’Kennny, Benjamin F. Perry, B. M. Rogers, and
James Cobb; at Charleston, William Clarkson, William E. Snowden, John
Robertson, and Ker Boyce; at Columbia, William Purvis, Daniel Morgan,
David Ewart, and John M. Creyon; at Camden, James K. Douglas,
Charles Shannon, and Benjamin Bineham; at Georgetown, W. W. Tra-
pier, Moses Fort, and Aaron Marvin; at Cheraw, Peter Vannorden, Joshua
Lazarus, Joseph Pritchard, and Robert M’Queen; at Cambridge, John
M’Bride, Joseph N. Whitner, Elihu Cresswell, and James Moore; at Abbe-
ville court-house, Patrick Noble, Alexander Bowie, A. C. Hamilton, and
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks.

William Lomax; at Pendleton court-house, Samuel Cherry, E. B. Benson, Joseph V. Shanklin, and Jesse P. Lewis; at Chester court-house, John McKee, G. W. George, George Kennedy, and Henry Bradley; at Spartanburg court-house, Simpson Foster, Jesse Cleveland, James Brannon, and Thomas Pool; at Beaufort, Myer Jacobs, John Milne, Thomas Tillard, and Peter Alrick; at Fairfield court-house, John Buchanan, jun., David M'Dowall, and Philip Edward Pearson; at Greenville court-house, William Toney, Samuel Crayton, Alexander Sloan, and Jeremiah Cleveland: And the said commissioners, or a majority of them, at each of the said places, shall, on the first Monday in February next, and the day after, open a subscription, from the hours of ten, A. M. till two o'clock, P. M., on each day, in the above places, respectively, for the purpose of raising the sum of five hundred thousand dollars; and that four weeks notice of the same shall be previously given in the gazettes of Charleston, Columbia, Georgetown, and Hamburg. And the above named commissioners for all the foregoing places, except Hamburg, shall, on the third Monday in February next, forward to the above named commissioners in Hamburg, a correct list of the shares subscribed, with the money paid on said shares at the time of subscribing, for the purpose of apportioning the same. The said commissioners in Hamburg shall then forward to the aforesaid commissioners in all the aforesaid places, a scale of the said apportionment, and shall then give at least one month’s public notice of their intention to proceed to the election of thirteen directors, from among the stockholders. And that the directors so first chosen, and all the persons then being, or who hereafter may become, stockholders in the said company, be, and they are hereby, incorporated, and shall thereafter be deemed and taken as a body politic and corporate in law, by the name and style of “The Bank of Hamburg, South Carolina.”

II. And be it further enacted by the authority aforesaid, That the said company shall continue incorporated until the first day of January, in the year one thousand eight hundred and thirty-seven; and, by its corporate name and style aforesaid, shall be capable in law to purchase, hold, possess, enjoy and retain, to itself and successors, lands, tenements and hereditaments, goods, chattels and effects, of what kind or nature soever, to the value not exceeding, in the whole, fifty thousand dollars, including the amount of the capital stock aforesaid, and the same to sell, alien and convey at pleasure; and shall have the power and right, by its name and style aforesaid, to sue and be sued, plead and be impleaded, in any court of record, or other place whatsoever; and to have and use a common seal, and the same to alter and renew at pleasure; also to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall be deemed necessary or expedient for the government of said corporation, not being contrary to the laws of this State, or to the constitution thereof; for which purpose general meetings of the stockholders shall be called by the directors, whenever it may be deemed necessary; and shall have power, generally, to do and execute all acts and things which to them it shall appertain to do; subject, nevertheless, to the regulations, restrictions and limitations hereinafter prescribed and provided.

III. And be it further enacted by the authority aforesaid, That there shall be an election on the first Monday in March next, and in each and every year thereafter, by the said corporation, of thirteen directors, who shall be chosen by the stockholders, or their proxies, from among themselves, and by a plurality of votes actually given; and those who shall be chosen shall
serve as directors, by virtue of such choice, for one year. And the said directors, at their first meeting after such election, shall choose one of their number as president. And if any director should die, resign, leave the State, or be removed by the stockholders, his place may be filled by a new election, for the remainder of the year, by the other directors. And if it should so happen that an election of directors should not be made on the day appointed for that purpose, the said corporation shall not, for that cause, be deemed dissolved; but it shall be lawful, on any other day, to hold and make an election of directors, in such manner as shall be prescribed and provided in the by-laws of the said corporation.

IV. And be it further enacted by the authority aforesaid, That the directors for the time being shall have power to appoint such officers, clerks and servants under them, as shall be necessary for the performing the business of the said corporation, and allow them such compensation for their services as shall be reasonable; and shall possess and exercise such other powers and authority for the government and administration of the affairs of the said corporation, as shall be prescribed by the laws and regulations of the company hereby incorporated.

V. And be it further enacted by the authority aforesaid, That the following rules, limitations and provisions, shall form and be fundamental articles of the constitution of the company hereby incorporated.

1. The number of votes to which each stockholder shall be entitled, shall be in the following proportion, that is to say: for four shares, one vote; for every four shares above four, and not exceeding twenty, one vote; for every eight shares above twenty, and not exceeding sixty, one vote; for every twelve shares above sixty, and not exceeding one hundred, one vote: Provided always, that no person, co-partnership, or body politic, shall be entitled to a greater number than thirteen votes, and no share or shares shall confer a right of suffrage which shall not have been held three calendar months previous to the day of election; and that stockholders actually resident in the United States, and none others, may vote in elections by proxy.

2. No person but a stockholder, being a citizen of the United States, shall be eligible as a director.

3. The lands, tenements and hereditaments which it shall be lawful for the said corporation to hold, shall be only such as shall be requisite for its immediate accommodation for the transacting of its business, and such as have been bona fide mortgaged to it by way of security of debts previously contracted in the course of its dealings, or such as shall be purchased at sales upon judgments which shall be obtained.

4. The total amount of debts which the said corporation shall at any time owe, shall not exceed three times the amount of its capital, over and above the amount of monies then actually deposited in the bank for safe keeping, unless the contracting a greater debt shall be previously authorized by a law of this State. In case of excess, the directors under whose administration it shall happen, shall be liable for the same in their private and individual character, and an action, in such case, may be brought against them, their heirs, executors and administrators, in any court having jurisdiction, as in other cases, and may be prosecuted to judgment and execution; any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt said corporation, in the corporate capacities, or their lands, tenements, goods or chattels, from being also liable for said excess. And such of the directors who may have
been absent when the said excess was contracted or created, or who may have dissented from the resolution or act whereby the same was contracted or created, may, respectively, exonerate themselves from being individually liable, by entering, if present, their dissent on the books of the bank, at the time the said resolution may be adopted, and forthwith giving notice of the fact to the stockholders, at a general meeting, which each of the directors shall have the power to call for that purpose.

5. No person whatsoever shall be permitted to owe to the said corporation, at any one time, either by bond or mortgage, bill of exchange, or promissory note, as drawer or indorser, or in any way whatsoever, more than the sum of twenty thousand dollars.

6. No officer of the said bank shall be permitted, either directly or indirectly, to carry on the trade of merchandize.

7. No director of any other bank, or co-partner of such director, or more than one person of a co-partnership firm, shall be a director of the said bank; nor shall any person be a director who is under protest in said bank.

VI. And be it further enacted by the authority aforesaid, That the said corporation shall not be permitted to purchase any public debt whatsoever; nor shall, directly or indirectly, deal or trade in any thing except bills of exchange, gold or silver bullion, or in the sale of goods really and truly pledged for money lent, and not redeemed in due time, or of goods which shall be the product of their lands; neither shall the said corporation take more than six per centum per annum, for or upon their loans and discounts.

VII. And be it further enacted by the authority aforesaid, That in case of the failure of the bank, each stockholder, co-partnership, or body politic, having a share or shares therein at the time of such failure, or having been interested therein at any time within twelve months previous to such failure or bankruptcy, shall be liable and held bound for any sum not exceeding twice the amount of his, her or their share or subscription. And that the stock of the said corporation shall be assignable and transferable, according to the rules which shall be established in that behalf by the laws thereof. And that no loan shall be made by the said corporation, or for the use of any foreign power, unless previously authorized by a law of this State.

The bills obligatory and of credit, under the seal of said corporation, which shall be made to any person or persons, shall be assignable by indorsement thereon, under the hands of such person or persons, or of the assignee or assignees of the same, so as absolutely to vest the property thereof in such assignee or assignees successively, and to enable such assignee or assignees to maintain actions thereon, in his or their own names.

VIII. And be it further enacted, That any bills or notes which may be issued by order of the said corporation, signed by the president and countersigned by the cashier, promising the payment of money to any persons, or to order, or bearer, though not under the seal of the said corporation, shall be binding and obligatory upon the said corporation, in like manner as upon any private person, if issued by him, in his private or individual capacity; and shall be transferable and negotiable in the same way, and according to the same rules, as bills or notes issued by private persons.

IX. And be it further enacted, That dividends shall be made at least once in each year, of so much of the profits of the said bank as to the directors shall seem advisable; and once in every year the directors shall
lay before the stockholders, at general meetings, for their information, the amount of surplus profits, if any, after deducting losses and dividends.

X. And be it further enacted, That if the said corporation, or any person on their account and behalf, shall deal or trade in buying or selling any goods, wares, or merchandise, whatsoever, contrary to the provisions of this Act, every person by whom any order for such dealing or trading shall be given, and every person who shall have been concerned as party or agents therein, shall forfeit and lose treble the value of the goods, wares and merchandizes in which such dealing or trading may be had; one half thereof to the use of the informer, and the other to the use of the State.

XI. And be it further enacted, That the capital of the said bank shall be divided into ten thousand shares, at fifty dollars each, and ten dollars shall be paid on each share at the time of subscribing, and the remainder due on each share shall be paid in four equal instalments, on the first Monday in April, June, August and October; and all shares on which the payments due shall not be punctually made on the days above mentioned, shall be forfeited, with whatever sums may have been paid on them.

XII. And be it further enacted, That the said corporation shall not issue any bills or notes for the payment of money, or do any other business usually done by a banking institution, until one fourth part of its capital, viz., one hundred and twenty-five thousand dollars, shall be subscribed, and actually paid into the hands of the directors, in specie.

XIII. And be it further enacted, That the said corporation shall at all times be bound to pay specie for their paper, when presented; and the said bank is hereby declared to be exempted from all taxes during the time for which it is by this Act incorporated.

XIV. And be it further enacted by the authority aforesaid, That from and after the first day of January, in the year one thousand eight hundred and thirty-seven, the said corporation shall be dissolved; and that any moneys or profits which then, or on any other dissolution of the said corporation, may be owned or possessed by it, shall be held by the directors for the use and benefit of the persons holding shares in the said bank, in average proportion to the number or amount of their shares.

XV. And be it enacted by the authority aforesaid, That before the said bank shall go into operation, they shall pay into the treasury of the State a bonus of ten thousand dollars.

XVI. And be it further enacted by the authority aforesaid, That the whole of the instalments on the shares of this bank, shall be paid in specie.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand eight hundred and twenty-two, and in the forty-seventh year of the American Independence.

JACOB BOND I'ON, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.
AN ACT TO ESTABLISH A BANK IN THE TOWN OF CHERAW, AND TO INCORPORATE THE SAME.

WHEREAS, it is deemed expedient to establish a bank in the town of Cheraw, for the purpose of affording to that place, and the adjacent country, a circulating medium, emanating from an institution within the limits of this State, and for the further purposes of encouraging the growth and prosperity of the town, and facilitating the mercantile transactions of its citizens. In order, therefore, to obtain the aforesaid objects—

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That in order to enable the said bank to be formed, the following persons be, and they are hereby, appointed to receive subscriptions at the several places hereinafter mentioned, that is to say:—at Cheraw, James Coit, Joseph H. Townes, and George T. Hearsy; at Georgetown, Moses Fort and Moses Tuttle; at Charleston, John Robinson, and John Frazier. And the said commissioners, at each of the said places respectively, shall, on the third Monday in January next, open a subscription, from the hours of ten, A. M., till two o’clock, P. M., for the purpose of raising the sum of two hundred thousand dollars; and that twenty days’ notice of the same shall be previously given, in the gazettes of Cheraw, Georgetown, and Charleston; and the above named commissioners, except those of Cheraw, shall, on the third Wednesday in January next, forward to the above named commissioners in Cheraw, a correct list of the shares subscribed, with the money paid on said shares at the time of subscribing, for the purpose of apportioning the same. The said commissioners in Cheraw shall then forward to the aforesaid commissioners in the aforesaid places, a scale of the said apportionment, and then shall give at least twenty days’ public notice of their intention to proceed to the election of seven directors from among the stockholders. And that the directors so first chosen, and all the persons then being, or who hereafter may become, stockholders in said company, be, and they are hereby, incorporated, and shall be thereafter deemed and taken as a body politic and corporate in law, by the name and style of “The Bank of Cheraw.”

II. And be it further enacted by the authority aforesaid, That the said company shall continue incorporated until the first day of January, in the year one thousand eight hundred and thirty-six; and, by its corporate name and style aforesaid, shall be capable in law, to purchase, hold, possess, enjoy, and retain, to itself and successors, lands, tenements and hereditaments, goods, chattels, and effects, of what kind or nature soever, to the value, not exceeding in the whole, six hundred thousand dollars, including the amount of the capital stock aforesaid; and the same to sell, alien, and convey at pleasure. And shall have the power and right, by its name and style aforesaid, to sue and be sued, plead and be impleaded, in any court of record, or other place wheresoever; and to have and use a common seal, and the same to alter and renew at pleasure; also, to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall be deemed necessary or expedient for the government of the said corporation, not being contrary to the laws of this State, nor to the constitution thereof; for which purpose, general meetings of the stockholders shall be called by the directors, whenever it may be deemed necessary; and shall have power, generally, to do and execute all acts and things which to them it shall
appertain to do; subject, nevertheless, to the regulations, restrictions, and limitations hereinafter prescribed and provided.

III. And be it further enacted by the authority aforesaid, That there shall be an election on the third Monday in February next, and in each and every year thereafter, by the said corporation, of seven directors, who shall be chosen by the stockholders, or their proxies, from among themselves, and by a plurality of votes actually given; and those who shall be chosen, shall serve, by virtue of said choice, for one year. And the said directors, at their first meeting after such election, shall choose one of their number as president. And if any director shall die, resign, leave the State, or be removed by the stockholders, his place may be filled by a new election for the remainder of the year, by the other directors; and if it should so happen that an election of directors should not be made on the day appointed for that purpose, the said corporation shall not for that cause be deemed dissolved, but it shall be lawful, on any other day, to hold and make an election of directors, in such manner as shall be prescribed and provided in the by-laws of the said corporation.

IV. And be it further enacted by the authority aforesaid, That the directors for the time being shall have power to appoint such officers, clerks, and servants under them, as shall be necessary for performing the business of the said corporation, and allow them such compensation for their services as shall be reasonable; and shall possess and exercise such other powers and authority, for the government and administration of the affairs of the said corporation, as shall be prescribed by the laws and regulations of the company hereby incorporated.

V. And be it further enacted by the authority aforesaid, That the following rules, limitations, and provisions, shall form and be fundamental articles of the constitution of the company hereby incorporated.

1st. The number of votes to which each stockholder shall be entitled, shall be in the following proportion, that is to say:—for every four shares, one vote; for every four shares above four, and not exceeding twenty, one vote; for every eight shares above twenty, and not exceeding sixty, one vote; for every twelve shares above sixty, and not exceeding one hundred, one vote; for every twenty shares above one hundred, one vote. Provided always, that no person, copartnership, nor body corporate, shall be entitled to a greater number than thirty votes, and no share or shares shall confer a right of suffrage, after the first election, which shall not have been held within three calendar months previous to the day of election; and that stockholders actually resident in the United States, and none others, may vote in elections by proxy.

2d. No person but a stockholder, being a citizen of the United States, shall be a director.

3d. The lands, tenements, and hereditaments, which it shall be lawful for the said corporation to hold, shall be only such as shall be requisite for its immediate accommodation for the transaction of its business, such as have been bona fide mortgaged to it, by way of security of debts previously contracted in the course of its dealings, or such as shall be purchased at sales upon judgments which shall be obtained.

4th. The total amount of debts which the said corporation shall at any time owe, shall not exceed three times the amount of its capital, over and above the amount of monies then actually deposited in the bank for safe keeping, unless the contracting a greater debt shall be previously authorized.
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks.

A.D. 1894.

by a law of this State. In case of excess, the directors under whose administra-
tion it shall happen, shall be liable for the same in their private and indivi-
dual character, and an action, in such case, may be brought against them, their
heirs, executors and administrators, in any court having jurisdiction, as in
other cases, and may be prosecuted to judgment and execution; any con-
dition, covenant or agreement to the contrary notwithstanding. But this
shall not be construed to exempt the said corporation, in its corporate
capacity, or their lands, tenements, goods or chattels, from being also liable
for said excess. And such of the directors who may have been absent
when the said excess was contracted or created, or who may have dissent-
ated from the resolution or act whereby the same was contracted or created,
may, respectively, exonerate themselves from being individually liable, by
entering, if present, their dissent on the books of the bank, at the time the
said resolution may be adopted, and forthwith giving notice of the fact to
the stockholders, at a general meeting, which each of the directors shall
have power to call for that purpose.

5th. No director of any other Bank, nor copartner of such director, nor
more than one person of a copartnership firm, shall be a director of the said
Bank; nor shall any person act as a director who is under protest in said
Bank.

VI. And be it further enacted by the authority aforesaid, That the said
Corporation shall not be permitted to purchase any public debt whatsoever,
nor shall, directly or indirectly, deal or trade in any thing, except bills of
exchange, gold or silver bullion, or in the sale of goods really and truly
pledged for money lent and not redeemed in due time, or in goods which
shall be the product of their lands; neither shall the said corporation take
more than six per centum per annum for or upon their loans and dis-
counts.

VII. And be it further enacted by the authority aforesaid, That in case
of the failure of the Bank, each stockholder, copartnership or body politic,
having a share or shares therein, at the time of such failure or bankruptcy,
shall be liable and held bound for any sum not exceeding twice the amount
of his, her or their shares; and that the stock of the said corporation shall
be assignable and transferable, according to the rules which shall be estab-
lished in that behalf by the laws thereof; and that no loan shall be made
by the said corporation, to or for the use of any foreign power, unless pre-
viously authorized by a law of this State.

The bills obligatory and of credit, under the seal of said corporation,
which shall be made to any person or persons, shall be assignable by
endorsement thereon, under the hand of such person or persons, or of the
assignee or assignees of the same, so as absolutely to vest the property
thereof in such assignee or assignees successively, and to enable such
assignee or assignees to maintain actions thereon, in his or their own
names.

VIII. And be it further enacted by the authority aforesaid, That any
bills or notes which may be issued by order of the said corporation, signed
by the president and countersigned by the cashier, promising the payment
of money to any persons, or to order, or bearer, though not under the seal
of the said corporation, shall be binding and obligatory upon the said cor-
poration, in like manner as upon any private person, if issued by him in his
private or individual capacity; and shall be transferable and negotiable in
the same way and manner, and according to the same rules, as bills or
notes issued by private persons.
STATUTES AT LARGE

Acts relating to Corporations.—Banks.

IX. And be it further enacted by the authority aforesaid, That dividends shall be made, at least once in each year, of so much of the profits of the said bank, as to the directors shall seem advisable; and once in every year, or oftener, if demanded by a majority of the stockholders, the directors shall lay before the said stockholders, for their information, a general statement of the affairs of the bank, together with the amount of surplus profits, if any, after deducting losses and dividends.

X. And be it further enacted by the authority aforesaid, That the capital of said bank shall be divided into two thousand shares of one hundred dollars each, which shall be paid in four equal instalments, on the first Mondays of March, June, September, and December; and all shares on which the payments due shall not be punctually made on the days above mentioned, shall be forfeited to the bank, with whatever sums may have been paid on them.

XI. And be it further enacted by the authority aforesaid, That one half of the capital of the said Bank shall be paid in specie, and the remainder in the notes of the Banks of this State.

XII. And be it further enacted by the authority aforesaid, That the said corporation shall be bound, at all times, to pay specie for their paper, if demanded. And if the said corporation shall fail so to redeem its notes, when presented, the stockholders shall be liable for the same in their private and individual character, and an action, in such case, may be brought against them, their heirs, executors, or administrators, in any court having jurisdiction, as in other cases, and may be prosecuted to judgment and execution.

XIII. And be it further enacted by the authority aforesaid, That from and after the first day of January, in the year one thousand eight hundred and thirty-six, the said corporation shall be dissolved; and that any monies or profits, which then, or on any other dissolution of the said corporation, may be owned or possessed by it, shall be held by the directors for the use and benefit of the persons holding shares in the said bank, in average proportion to the number or amount of their shares.

XIV. And be it further enacted, That before the said bank goes into operation, it shall pay into the treasury of the State a bonus of four thousand eight hundred dollars; and the said bank is hereby exempted from taxation, during the time for which it is by this Act incorporated.

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

JACOB BOND I'ON, President of the Senate.

JOHN B. O'NEALL, Speaker of the House of Representatives.

No. 2845. AN ACT TO AMEND 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 there shall be appointed, at the first session of every new Legislature,
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks.

by a joint resolution of both branches of the Legislature, a committee of inspection for the principal Bank of the State of South Carolina, in Charleston, and a committee for each of the said branches of the said Bank. The said committees shall respectively consist of five persons each.

II. And be it further enacted by the authority aforesaid, It shall be the duty of the several committees, with the comptroller-general, to examine minutely into the affairs and situation of the principal Bank and its branches, for which they are respectively appointed, and to report to the Legislature, at their next session, the result thereof, and particularly all mismanagement in the affairs of the said Bank or its branches, if any such have occurred.

III. And be it further enacted by the authority aforesaid, That in case the comptroller-general should not attend at any of the investigations authorized by this Act, the said committees, or a majority of each, shall be, and they are hereby, authorized to make such investigation in the absence of the comptroller-general.

IV. And be it further enacted by the authority aforesaid, That all clauses, or parts of clauses, in any Act of the General Assembly of this State, which may prohibit the said committee and the comptroller-general from investigating fully the books, accounts, and other documents of the said Bank or its branches, be, and the same are hereby, repealed.

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

JACOB BOND I'ON, President of the Senate.
JOHN B. O'NEALL, Speaker of the House of Representatives.

AN ACT TO AMEND THE ACTS FOR THE INCORPORATION OF THE STATE No. 2349.

BANK.

WHEREAS, it is frequently found inconvenient to obtain fit and proper persons to serve as directors of the various monied institutions in Charleston; and the Legislature have been induced to continue the eligibility of directors to their respective trusts.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting, in General Assembly, and by the authority of the same, That from and after the passing of this Act, the present, and all future, directors of the State Bank, shall be, and they are hereby declared, re-eligible to that trust.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and twenty-four, and in the forty-ninth year of the Independence of the United States of America.

JACOB BOND I'ON, President of the Senate.
JNO. B. O'NEALL, Speaker of the House of Representatives.
AN ACT TO ADMIT AND INCORPORATE PRIVATE STOCKHOLDERS IN THE BANK OF THE STATE OF SOUTH CAROLINA.

I. Be it enacted by the Senate and House of Representatives of the State of South Carolina, and by the authority of the same, that individuals, citizens of this State, or of the United States, shall be permitted to become stockholders in the Bank of the State of South Carolina, and partners in the same; and shall be entitled to share in all the privileges and emoluments granted to the said bank, by its charter, and by the several laws passed heretofore to explain and amend the said charter, upon the following conditions, which conditions shall be considered as the fundamental articles of agreement between the respective parties, and shall continue in force until the time hereinafter specified, and shall not be altered but with the mutual consent and concurrence of the State and of the private stockholders.

1st. The Bank of the State of South Carolina, with its debts, funds, claims and possessions, real and personal, of whatsoever nature and description, as they shall exist on the thirty-first day of March next, shall be received as a portion, on the part of the State, of the said joint stock company or bank. And if, upon a fair estimate of debts and credits by the commissioners hereinafter appointed, the balance in favor of the State shall not amount to one million two hundred thousand dollars, the State shall have the power of increasing it to that sum, whenever it shall think proper.

2d. The comptroller-general, president of the Bank, and William Stephens Smith, shall be commissioners on the part of the State, to adjust, with a committee appointed by the stockholders, the capital stock of the bank, on the said thirty-first day of March next.

3d. The State shall, at any time hereafter, when it may think proper, have the power of increasing its share of the capital to two millions of dollars, but shall not at any time be responsible beyond the amount of capital vested.

4th. Individuals shall be permitted to subscribe to the capital stock of the bank, any sums to an amount not exceeding one million six hundred thousand dollars, in shares of one hundred dollars each.

5th. And be it further enacted, That the said private stockholders shall be liable for the debts, losses and liabilities of said bank, in proportion to the capital owned by them.

6th. Books shall be opened on the first day of February next, at Charleston, Georgetown, Cheraw, Camden, Columbia, Hamburg and Beaufort—in Charleston, by John Fraser, Charles M. Furman, George Chisolm, James Ross, and Ker Boyce; at Georgetown, by W. W. Trapier, Moses Fort, and Peter Cuttino; at Cheraw, by John Taylor, jun., James Cott, and Augustin Averil; at Camden, by Thomas Salmon, James S. Murray, and James K. Douglas; at Columbia, by David Ewart, J. A. Crawford, William Law, and James A. Black; at Hamburg, by B. M. Rogers, Saml. L. Watt, and Paul Fitzsimons; at Beaufort, by Robert Means, William Bold, and Henry Stuart. And at the time of subscribing, ten per cent. shall be paid on each share subscribed; fifty per cent. shall be paid on each share on the first day of April; twenty per cent. on the first day of October next; and the remaining twenty per cent. on the first day of January, one thousand eight hundred and twenty-eight. All the said installments payable in gold or silver coin, in bills of the Bank of the United
States, or of the specie paying banks of this State. Provided, that all shares on which the payment due shall not be punctually made, on the days above mentioned, together with whatever sums may have been paid thereon, shall be forfeited to the said bank; and no new business shall be done, founded on this increase of capital, until the two first payments have been made.

7th. If one million six hundred thousand dollars shall not be subscribed when the books are first opened, the directors shall have the power of opening them again, at such times and places as they may deem expedient, until such amount be subscribed—giving, always, sixty days previous notice. And if more than one million six hundred thousand dollars be subscribed, the surplus shall be deducted from each subscriber who shall subscribe more than six shares, in average and proportion. Provided nevertheless, that the proportion of no subscriber shall be reduced below six shares; Provided, also, that this Act shall not go into operation, unless stock to the amount of one million of dollars shall be subscribed, and the two first instalments paid.

8th. As soon as the number and names of the subscribers shall be known, and the proportions of stock adjusted, the stockholders shall be called upon to elect, after twenty days notice, one director for every two hundred thousand dollars subscribed; and on the first Monday in each succeeding February, the private stockholders shall elect their directors, who shall serve for one year from such first Monday of February in each year; and after the first day of January, one thousand eight hundred and twenty-eight, the directors on the part of the State, and on the part of the stockholders, shall be apportioned according to the stock actually held by the respective parties, so that the number of directors shall not be less than eleven nor more than fifteen.

9th. The directors shall have the power of appointing all their officers, and of making all rules and by-laws necessary for the management and government of the institution, in the same manner, and with the same powers, as are now granted to the Bank of the State of South Carolina.

10th. The funds now in the bank, on account of the sinking fund, shall be vested in the stock of this State, or of the United States, or in bank stock of this or some other bank of this State, or of the United States, as the comptroller-general and the president of the bank may deem most advantageous, until it can be employed in the purchase or redemption of some part of the public debt of this State.

II. And be it further enacted by the authority aforesaid, That the dividends from the stock owned by the State, shall be applied to the payment of interest on the three per cent., five per cent. and six per cent. stock of the State; and that any surplus from such dividends, after paying the said interest, shall be invested as a sinking fund, under the direction of the comptroller-general, to pay off the principal of the debt of the State.

III. And be it further enacted, As soon as the sum of one million of dollars shall have been subscribed by individuals, and sixty per cent. of the same shall have been paid into the bank, branches of the said bank may be established in the towns of Hamburg, Cheraw and Beaufort, with a suitable apportionment of capital; and that no branch now authorized by law, shall be discontinued, unless by sanction of the Legislature.

IV. And be it further enacted by the authority aforesaid, That the individuals who shall become stockholders, in conjunction with the State, in
the Bank of the State of South Carolina, by virtue of this Act, shall pos-

sess and enjoy all the corporate rights and privileges granted by the first
section of this Act, until the first day of January, one thousand eight hun-
dred and forty-eight. Provided nevertheless, that from and after the first
day of December, one thousand eight hundred and forty, the Legislature
of this State shall have the right to withdraw from the said bank, all or any
portion of the capital stock owned by the State.

V. And be it further enacted by the authority aforesaid, That the num-
ber of votes to which the stockholders shall be entitled, in voting for direc-
tors, shall be according to the number of shares be, she or they, respective-
ly, shall hold, in the proportion following, that is to say: for one share,
and not more than two shares, one vote; for every two shares above two
and not exceeding ten, one vote; for every four shares above ten, and not
exceeding thirty, one vote; for every six shares above thirty, and not ex-
ceeding sixty, one vote; for every eight shares above sixty, and not ex-
ceeding one hundred, one vote; and for every ten shares above one hun-
dred, one vote; but no person, partnership, or body politic, shall be entitled
to a greater number than thirty votes. And after the first election, no
share or shares shall confer a right of voting, which shall not have been
held by three calendar months previous to the day of election; and stock-
holders actually resident within the United States, and none other, may
vote in elections by proxy.

VI. And be it further enacted by the authority aforesaid, That none but
a stockholder, a resident citizen of the United States, shall be appointed by
the private stockholders as a director.

VII. Be it enacted by the authority aforesaid, That the president and
directors for the time being shall have power and authority to locate
branches of this Bank in such parts of this State as they may deem proper
and advisable. And if the said direction shall refuse, upon the reasonable
request of a respectable portion of the citizens of this State, to establish a
branch of the same, at any place or places not before mentioned, the Le-
gislature shall have power and authority to pass a law requiring the said
bank to establish such branch or branches, as in their wisdom they may
deem proper.

VIII. Be it further enacted by the authority aforesaid, That the Legis-
lature shall have the power of examining, at any and all times, into the
concerns of the bank hereby established; and it shall be the duty of the
officers of the said bank and its branches, to facilitate such examination.
Provided nevertheless, there shall be no examination or scrutiny of individ-
ual accounts, saving and excepting the accounts of officers of the same.

IX. Be it further enacted by the authority aforesaid, That the charters
of all private banks in this State, which may hereafter expire, shall not
be renewed; nor shall the State grant any charter creating a new bank,
prior to the first day of January, one thousand eight hundred and forty-
eight; but upon the request of the bank hereby established, it shall be in
the power of the Legislature to extend the capital of this Bank.

X. And be it further enacted, That the private stockholders shall pay
to the State, as a bonus for the privileges here granted, at the rate of twen-
ty thousand dollars upon every million of stock subscribed and held by
them.

XI. And be it further enacted, That during the existence of the char-
ter hereby created, the said corporation shall not be liable to taxation; nor
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks.

shall individuals be liable to taxation on account of their interest in the institution.

XII. And be it further enacted, That the president and directors, in issuing bills or notes of the said bank, drawn in favor of any person or persons, or his or their order, or bearer, shall have power to make the same be payable, payable either at the principal bank, or at any one of its branches, as they may deem most advisable. Provided, that all such bills or notes shall, at all times, be taken and received in payment of any debt or demand due to the said bank, either in Charleston or at any of its branches.

XIII. Be it further enacted, That after the first day of January, eighteen hundred and twenty-eight, the bank shall be authorized to open an interest account with the State, charging it with interest on all advances made to the public treasury, and crediting it by interest on all surplus deposits made by the public treasury.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and twenty-six, and in the fifty-first year of the Independence of the United States of America.

JACOB BOND, President of the Senate.

JOHN B. O'NEALL, Speaker of the House of Representatives.

AN ACT TO ADMIT AND INCORPORATE PRIVATE STOCKHOLDERS IN THE BANK OF THE STATE OF SOUTH CAROLINA.

I. Be it enacted by the Senate and House of Representatives of the State of South Carolina, and by the authority of the same, That individuals or corporate bodies shall be permitted to become stockholders in the Bank of the State of South Carolina, and partners in the same, and shall be entitled to share in all the privileges and emoluments granted to the said bank by its charter, and by the several laws passed heretofore to explain and amend the said charter, upon the following conditions; which conditions shall be considered as the fundamental articles of agreement between the respective parties, and shall continue in force until the time hereinafter specified, and shall not be altered but with the mutual assent and concurrence of the State and of the private stockholders.

1. The Bank of the State of South Carolina, with its funds and debts, claims and possessions, real and personal, of whatsoever nature and description, as they shall exist on the thirtieth day of April next, shall be as stock. Funds received as a portion, on the part of the State, of the said joint stock company or Bank; and if, upon a fair estimate of debts and credits, by the commissioners hereinafter appointed, the balance in favor of the State shall not amount to one million two hundred thousand dollars, the State shall have the power of increasing it to that sum whenever it shall think proper.

2. The Comptroller-general of the State, the President of the Bank of the State of South Carolina, and William S. Smith, shall be commissioners on the part of the State, to adjust with a committee appointed by the stockholders, the capital stock of the Bank, on the said thirtieth day of April next.
3. The State shall, at any time hereafter when it may think proper, have the right of increasing its share of the capital stock of the Bank, to two millions of dollars, but shall not at any time be responsible beyond the amount of capital vested.

4. Individuals or corporate bodies shall be permitted to subscribe to the capital stock of the Bank, any sums to an amount not exceeding one million six hundred thousand dollars, in shares of one hundred dollars each.

5. The private stockholders shall be liable for the debts, losses, and liabilities of said Bank, in proportion to the capital owned by them; but no stockholder shall be responsible beyond the amount of capital actually invested and owned by him.

6. The private stockholders shall have the right of extending the amount of stock held by private stockholders, to three millions of dollars, whenever they shall deem it advantageous to the institution—and such addition shall be made, either by opening books for new subscriptions, or by a public sale of new stock, as the president and directors of the bank for the time being shall think proper.

7. The number of directors to be appointed shall be apportioned between the State and the private stockholders, in proportion to the stock they shall respectively hold, and shall be in the ratio of one director for every sum of two hundred thousand dollars actually held, until the joint capital of the Bank shall amount to three millions six hundred thousand dollars; after that time, there shall be one director for each sum of two hundred and fifty thousand dollars.

8. Books shall be opened on the fourth Monday in February next, at Charleston, Georgetown, Cheraw, Camden, Columbia, Hamburg and Beaufort,—in Charleston, by John Frazer, Charles M. Furman, George Chisholm, James Ross and Ker Boyce; in Georgetown, by W. W. Trapier, Moses Fort, Peter Cuttino; in Cheraw, by John Taylor, jr. Samuel W. Gillespie, and William Chapman; in Camden, by Thomas Salmon, James S. Murray, and John D. Winn; in Columbia, by David Ewart, J. A. Crawford, William Law, and James A. Black; in Hamburg, by B. M. Rogers, Samuel L. Watts, and Paul Pitsimons; in Beaufort, by Robert Meaux, William Bold, and Henry Stewart; and they shall be kept open for three or four days, if necessary. And at the time of subscribing, ten per cent shall be paid on each share subscribed—thirty per cent shall be paid on each share on the first day of May—twenty per cent on the first day of October next; and the remaining forty per cent, on the first day of January, one thousand eight hundred and twenty-nine. All the said instalments, payable in gold or silver coin, in bills of the Bank of the United States, or of the specie paying Banks of this State. Provided, that all shares on which the payment due shall not be punctually made on the days above mentioned, together with whatever sums may have been paid thereon, shall be forfeited to the said bank; and no new business shall be done, founded on this increase of capital, until the two first payments have been made.

9. If the sum of one million six hundred thousand dollars shall not be subscribed when the books are first opened, the directors shall have the power of opening them again, at such times and places as they may deem expedient, until such amount be subscribed, giving always sixty days previous notice; and if more than one million six hundred thousand dollars be subscribed, the surplus shall be deducted from each subscriber who shall
subscribe more than six shares, shares in average and proportion. Provided nevertheless, that the proportion of no subscriber shall be reduced below six shares, unless the same be necessary to reduce the sum subscribed within the limits fixed in the charter.

10. As soon as the number and names of the subscribers shall be known, and the proportions of stock adjusted, the stockholders shall be called upon to elect, after twenty days notice, one director for every two hundred thousand dollars subscribed; and on the first Monday in each succeeding February, the private stockholders shall elect their directors, who shall serve for one year, from such first Monday in February in each year; and after the first of January, one thousand eight hundred and twenty-nine, the directors on the part of the State, and on the part of the stockholders, shall be appointed according to the stock actually held by the respective parties, according to the provisions of the seventh article.

11. The directors shall have the power of appointing all their officers, and of making all rules and by-laws necessary for the management and officers' government of the institution.

II. And be it further enacted, That the funds now in the bank, on account of the sinking fund, shall be vested either in the new stock created by this Act, or in the funded debt of this State or of the United States, or in stock in bank stock of some other bank of this State or of the United States, as the Comptroller general and the President of the bank may deem most advantageous, until it can be employed in the purchase or redemption of some part of the public debt of this State.

III. And be it further enacted, That the dividends from the stock owned by the State, shall be applied to the payment of the interest on the three per cent, five per cent, and six per cent stock of the State; and that any surplus from such dividends, after paying the said interest, shall be invested as a sinking fund, under the direction of the Comptroller-general, to pay off the principal of the debt of the State.

IV. And be it further enacted, That as soon as the sum of one million dollars shall have been subscribed and paid into the Bank, branches of the said bank may be established in the towns of Hamburgh, Cheraw, and Beaufort, with a suitable apportionment of capital; and that no branch now authorized by law shall be discontinued, unless by sanction of the Legislature.

V. And be it further enacted, That the individuals or corporate bodies who shall become stockholders in conjunction with the State, in the Bank individual prior of the State of South Carolina, by virtue of this Act, shall possess and enjoy all the corporate rights and privileges granted by this Act, until the first day of January, one thousand eight hundred and fifty. Provided nevertheless, that from and after the first day of December, one thousand eight hundred and forty, the Legislature of the State shall have the right to sell out all or any portion of the stock held by them in this bank.

VI. And be it further enacted, That the number of votes to which stockholders shall be entitled in voting for directors, shall be according to the voting number of shares, he, she or they respectively shall hold, in the proportion following, that is to say:—for one share, and not more than two shares, one vote; for every two shares above two, and not exceeding ten, one vote; for every four shares above ten, and not exceeding thirty, one vote; for every six shares above thirty, and not exceeding sixty, one vote; for every eight shares above sixty, and not exceeding one hundred, one vote; and for every ten shares above one hundred, one vote; but no person, partnership,
or body politic, shall be entitled to a greater number than thirty votes; and after the first election, no share or shares shall confer a right of voting, which shall not have been holden three calendar months previous to the day of election; and stockholders, actually resident within the United States, and none other, may vote in elections by proxy.

VII. And be it further enacted, That none but a stockholder, a resident citizen of the United States, shall be appointed by the stockholders as a director.

VIII. And be it further enacted, That the president and directors for the time being shall have power and authority to locate branches of this bank in such parts of the State as they may deem proper and advisable.

IX. And be it further enacted, That the Legislature shall have the power of examining, at any and all times, into the concerns of the Bank hereby established, and it shall be the duty of the officers of the Bank to facilitate such examination. Provided nevertheless, that there shall be no examination or scrutiny of individual accounts, saving and excepting the accounts of officers of the same.

X. And be it further enacted, That the private stockholders shall pay to the State, as a bonus for the privileges hereby granted, at the rate of twenty thousand dollars upon every million of stock subscribed and held by them, which sum shall be added to the capital held by the State.

XI. And be it further enacted, That during the existence of the charter hereby created, the said corporation shall not be liable to taxation on account of their interest in the institution.

XII. And be it further enacted, That the president and directors, in issuing bills or notes of the said Bank, drawn in favor of any person or persons, or his or their order, or bearer, shall have the power to make the same payable either at the principal Bank or at any one of its branches, as they may deem most advisable. Provided nevertheless, that all such bills or notes shall, at all times, be taken and received in payment of any debt or demand due to the said bank, either in Charleston or at any of its branches.

XIII. And be it further enacted, That after the first day of January, eighteen hundred and twenty nine, the bank shall be authorized to open an interest account with the State, charging it with interest on all advances made to the public treasury, and crediting it by interest on all surplus deposits made by the public treasury.

XIV. And be it further enacted, That an Act passed in December, one thousand eight hundred and twenty-six, entitled "An Act to admit and incorporate private stockholders in the Bank of the State of South Carolina," be, and the same is hereby, repealed.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and twenty-seven, and in the fifty-second year of the Independence of the United States of America.

JACOB BOND I' ON, President of the Senate.

JOHN B. O'NEALL, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks.

A.D. 1838.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO ADMIT AND INCORPORATE PRIVATE STOCKHOLDERS IN 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 an Act of Assembly, passed on the nineteenth day of December, one thousand eight hundred and twenty-seven, entitled "An Act to admit and incorporate private stockholders in the Bank of the State of South Carolina," be, and the same is hereby, repealed.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and twenty-eight, and in the fifty-third year of the Independence of the United States of America.

H. DEAS, President of the Senate.
WILLIAM HARPER, Speaker of the House of Representatives.

---

AN ACT TO RENEW THE CHARTER OF THE PLANTERS'S AND MECHANICS'S BANK, AND OF THE UNION BANK OF SOUTH CAROLINA.

I. Be it enacted by the the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the charters of the Planter's and Mechanic's Bank of South Carolina, and of the Union Bank of South Carolina, be, and the same are hereby, renewed, for and during the term of twenty-one years, from the day on which the original charters of the said banks, respectively, will expire.

II. And be it further enacted by the authority aforesaid, That the said Planter's and Mechanic's Bank, and Union Bank of South Carolina, during the said term of twenty-one years, be, and they are hereby, permitted and authorized to exercise and enjoy all the privileges, rights, powers, immunities and benefits which they now exercise and enjoy under their respective charters, or with which they are or have been invested, respectively, by any Act of the General Assembly of this State now in force; and shall also be subject, respectively, to all the restrictions imposed by any such Act of Assembly.

III. And be it further enacted by the authority aforesaid, That the said Planter's and Mechanic's Bank, and the said Union Bank, respectively, for the charters so renewed and extended, shall, on the first day of February next after the expiration of their present charters, respectively, pay into the treasury of the lower division of this State, a bonus, each, of twenty-five thousand dollars.

IV. And be it further enacted by the authority aforesaid, That when information shall be given to the presidents of the banks hereby incorporated, or to either of them, by the attorney-general, or by any of the solicitors of this State, that any person has been apprehended, and is to be tried in any district of this State, for counterfeiting any of the notes of either

VOL. VIII.—8.
of said banks, or for passing such counterfeited note, knowing it to be false, or for stealing any note of the said bank, it shall be the duty of the said bank, respectively, whose notes are charged to be counterfeited, passed or stolen, as aforesaid, to cause its cashier, or some competent witness, to attend in person and give evidence on such trial, on pain of the forfeiture of one thousand dollars for the use of the State, to be recovered by indictment.

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

HENRY DEAS, President of the Senate.
HENRY L. PINCKNEY, Speaker of the House of Representatives.

No. 2520. AN ACT TO AUTHORISE THE PRESIDENT AND DIRECTORS OF THE BANK OF THE STATE OF SOUTH CAROLINA, TO ESTABLISH A BRANCH OF THE SAID BANK AT HAMBURG.

I. Be it enacted by the Senate and House of Representatives, That the president and directors of the Bank of the State of South Carolina, shall, whenever they may deem it expedient, establish a branch of the said bank, or an agency, at the town of Hamburg, with like powers and authority, and in like manner, as the branch now established at Columbia.

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

HENRY DEAS, President of the Senate.
HENRY L. PINCKNEY, Speaker of the House of Representatives.

No. 2536. AN ACT TO ESTABLISH AND INCORPORATE A BANK IN THE TOWN OF COLUMBIA.

WHEREAS, it is beneficial to the citizens of this State, that a bank should be established in the town of Columbia: therefore,

Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same—

1st. That in order to establish the said bank, the following persons be, and they are hereby, appointed commissioners to receive subscriptions at the several places hereinafter mentioned. Columbia, William Law, H. Hutkinson, J. J. Gracey, Richard O'Neale, and Alexander Kirk; Charleston, James Adger, Ker Boyce, Thomas Flemming, John Fraser, and John Robinson; Coosawhatchie, Hugh Archer, A. Huguenen, and
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks.

Aaron P. Smith; Walterborough, M. Ford, and Richard B. Beden; Hamburg, Robert Anderson, B. M. Rogers, and James Hubbard; Georgetown, W. W. Trapier, William Chapman, and Henry Cuttino; Marion courthouse, Edward B. Wheeler, A. M'Intire, and R. L. Scarborough; Kings- tree, Joseph R. Fulmore, and Robert G. Hunt; Darlington courthouse, William R. Cannon, George W. McColl, and R. E. M. Iver; Cheraw, James Wright, John S. Punch, and R. M'Queen; Camden, John J. Blair, Wm. E. Johnson, and J. W. Cantey; Lancaster courthouse, R. W. Gee, William Royal, John M'Kinzie; Fairfield courthouse, R. Cathcart, A. Crawford, R. T. Nott, David Aiken; Chester courthouse, John Dunivant, Robert Mills, Thomas M. Clure; York courthouse, William R. Hill, A. S. Hutchinson, William C. Beatty; Union courthouse, John Pratt, George K. Clowney, John Rogers; Spartanburg courthouse, Thomas Poole, J. S. Roland, J. Cleveland; Greenville courthouse, Jeremiah Cleveland, M. Lewis, Wm. Choice; Pendleton courthouse, E. B. Benson, Samuel Cherry, J. V. Shanklin; Abbeville courthouse, Langdon Bowie, James Alston, Thomas C. Perrin; Laurens courthouse, H. C. Young, T. F. Jones, Hugh Saxon; Newberry courthouse, Thomas Pratt, R. Stewart, S. Plessly; Edgefield courthouse, Whit. Brooks, F. W. Pickens, F. H. Wardlaw; Barnwell courthouse, B. H. Brown, J. T. Obannon, S. H. Butler; Orangeburg courthouse, S. Glover, T. W. Glover, C. B. Lesterjette; Beaufort, Wm. I. Grayson, Myer Jacobs, R. D. Treville. And the said commissioners, or a majority of them, at each of the said places, shall, on the first Monday in June next, and the day following, open subscriptions, from the hours of ten, A. M., until two o'clock, P. M., on each day, in the above places, respectively, for the purpose of raising the sum of five hundred thousand dollars, whereof four weeks public notice shall be previously given in the Gazettes of Columbia, Charleston, Georgetown, Hamburg, Cheraw, Camden, York, Edgefield and Pendleton; and the above named commissioners, at all the above mentioned places, except Columbia, shall, on the third Monday in June next, respectively, forward correct lists of the shares subscribed, together with the monies paid on such shares at the time of subscribing, for the purpose of apportioning the same, to the above named commissioners at Columbia, who shall make out and forward to all the other above named commissioners, respectively, a schedule of the said apportionments; and such said subscribers, paying their subscription monies, respectively, as hereinafter mentioned, then being stockholders, and all persons who may thereafter become stockholders in the said company, shall be, and they are hereby, incorporated, and made a corporation and body politic, by the name and style of "The Commercial Bank of Columbia, South Carolina," and so shall continue until the first day of January, one thousand eight hundred and fifty-three.

2d. That the said corporation, by its said name and style, shall be, and is hereby made, capable in law, to have, purchase, receive, possess, enjoy and retain, to it and its successors, lands, rents, tenements, hereditaments, goods, chattels, promissory notes, bills of exchange, and all other choses in action, monies and effects, of what kind, nature or quality soever, to an amount not exceeding, in the whole, three times the amount of the capital stock of the said corporation, and the same to sell, alien or dispose of; and also to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in courts of record, or any other place whatsoever; and also to make, have and use a common seal, and the same to break, alter and renew at pleasure; and also to discount bills of exchange and
promissory notes, at a rate of interest not exceeding one per cent. for sixty
days; and also to ordain, establish and put in execution, such by-laws, or-
dinances and regulations, as shall seem necessary and convenient for the
government of the said corporation, not being contrary to the laws of this
State, or of the United States, or to the constitution thereof; and general-
ly, to do and execute all and singular such acts, matters and things which
may be deemed necessary and proper for the good government and man-
agement of said corporation; subject, nevertheless, to such regulations,
restrictions, limitations and provisions, as shall hereafter be prescribed and
declared.

3d. That in case a greater sum than five hundred thousand dollars be
subscribed, the commissioners above named at Columbia, shall not, in ap-
portioning said shares, take from the subscribers for only five shares,
unless they cannot otherwise sufficiently reduce the amount subscribed.
That the capital stock of the said bank shall be divided into twenty thou-
sand shares of twenty-five dollars each share; that five dollars shall be paid
on each share at the time of subscribing, and the balance of forty dollars
on each share, shall be paid in four equal instalments, quarterly, on the
first Monday in October, January, April and July following; and all shares
on which the payment due shall not be punctually made on the days above
mentioned, shall be forfeited, with whatever monies may have been paid
thereupon.

4th. That the number of votes to which each stockholder shall be enti-
tled, shall be in the following proportion, that is to say; for four shares,
one vote; for every four shares above four, and not exceeding twenty, one
vote; for every eight shares above twenty, and not exceeding sixty, one
vote: for every twelve shares above sixty, and not exceeding one hundred
and twenty, one vote; for every sixteen shares above one hundred and
twenty, and not exceeding two hundred, one vote; and for every twenty
shares above two hundred, one vote: Provided, always, that no person,
copartnership, or body politic, shall be entitled to a greater number than
sixty votes. That after the first Monday in June next, no share or shares
shall confer a right of suffrage, which shall not have been held three calen-
dar months previous to the day of election; that no other stockholders
than those who are citizens of the United States, shall be allowed to vote;
and that stockholders, being citizens of the United States, and actually re-
sident therein, and none other, may vote by proxy, provided such proxy be
a stockholder and a citizen of the United States.

5th. That there shall be an election in the said corporation, on the first
Monday in May, in each year, and in default thereof, on such other day
as shall be fixed by said corporation, of thirteen directors, who shall be
chosen by the stockholders, or their proxies, from among themselves, and
by a plurality of votes actually given; and those who shall be actually
chosen at any election, shall be capable of serving as directors, by virtue
of such election, until the end of the first Monday in May next ensuing the
time of such election, and no longer; and the said directors, at their first
meeting after such election, shall choose one of their number as president;
and in case of the death, resignation, absence from the State, or removal
from office by the stockholders, of a director, his place may be filled by
the other directors, for the remainder of the year; and that a fair and cor-
rect list of the stockholders shall be made out by the directors, at least one
month previous to any election of directors, subsequent to the first election,
to be submitted to the inspection of any stockholders. And that to prevent
a dividend of shares for the purpose of obtaining undue influence, the managers of elections for directors of said bank, shall administer to every stockholder offering to vote, the following oath, that is to say: "You, A B, do swear (or affirm, as the case may be,) that the stock you now represent, is bona fide your property, and that no other person or persons is or are concerned therein." And to any stockholder offering to vote by proxy, or for a minor, or in right of or in trust for any other stockholder entitled to vote, the following oath: "You, A B, do swear, (or affirm, as the case may be,) that the stock of C D, whom you represent, is, to the best of your knowledge and belief, the property of said C D, and that no other person or persons is or are, to the best of your knowledge or belief, concerned therein." And any stockholder refusing to make such oath or affirmation, shall not be allowed to vote at such election.

6th. That no stockholder who is not a citizen of the United States, shall, nor shall any director of any other bank, nor co-partner of such director, who may be nor more than one person of a co-partnership firm, be a director of this bank; nor shall any person act as a director who may be under protest in the said bank, as drawer or indorser of any bill of exchange held by the said bank, either for discount or collection, unless he shall prove, to the satisfaction of a majority of the other directors, that he has just reason and legal and sufficient cause for refusing payment of the demand on which such protest may be founded.

7th. That no less than five directors shall constitute a board for the transaction of business, of whom the president shall always be one, except in the case of sickness or necessary absence, when his place may be supplied by any other director whom he, by writing, shall nominate for the purpose; and in default of such nomination by the president, or in case of sickness or necessary absence of the person so nominated, the board of directors may, by ballot, appoint a temporary president.

8th. That the directors for the time being shall have power to appoint such officers, clerks and servants under them, as shall be necessary for executing the business of said corporation, in such manner and upon such terms as they shall deem necessary and proper; and shall also have power to remove such officers, from time to time, at their will and pleasure; and shall be capable of exercising such other powers and authorities for the well government and ordering of the officers of the said corporation, as shall be prescribed, fixed and determined by the laws and regulations thereof.

9th. That the president, cashier, and clerks employed in keeping the books of said bank, shall be, and they are hereby declared to be, exempt from militia duty.

10th. That no officer of said bank, other than a director, not being president, shall be permitted, either directly or indirectly, to carry on the business or trade of merchandize, factorage, brokerage, vendue, or the exchange of money or bills for profit; and every such officer so trading shall be removed from office by the directors, and shall not be re-eligible to any office in said bank.

11th. That no director or other officer of said bank, shall, directly or indirectly, receive any compensation for any agency in negotiating any business with the bank in procuring discounts, renewing notes, or receiving monies for individuals on notes discounted; and every such director, or other officer, thus receiving compensation, shall be removed from office, and disqualified from thereafter holding any office in said bank.

12th. That a meeting of the stockholders may be called at any time
by the president and directors, or a majority of them, or by any director who may protest against the proceedings of the board, and who may wish the propriety of his dissent to be considered by the stockholders, or whenever the holders of one thousand shares, or upwards, shall require the same. Provided, that no such meeting of the stockholders shall be competent to transact business, unless one month's notice thereof be given, in at least two public gazettes, and unless a majority of the stock in the said bank be represented.

13th. That the lands, tenements and hereditaments which it shall be lawful for the said corporation to hold, shall be only such as may be requisite for its immediate accommodation for the transacting of its business, to an amount not exceeding twenty thousand dollars, such as shall have been bona fide mortgaged or assigned to it by way of security or payment for debts previously contracted in the course of its dealings, and such as shall have been purchased at sales upon judgments previously obtained.

14th. That the said bank shall not issue any bills or notes for the payment of money, nor commence discounting, until one third part of its capital stock in specie shall be deposited in its vaults, nor until a bonus of ten thousand dollars be paid in the treasury of the State, whereupon the said bank shall be, and the same is hereby declared to be, exempted from the payment of all taxes during the term that it is hereby incorporated.

15th. That the stock of said bank shall be assignable and transferable according to such regulations and upon such terms as may be prescribed and fixed by the said corporation.

16th. That the bills or notes which may be issued by order of the said corporation, signed by the president and countersigned by the principal cashier or treasurer thereof, promising the payment of money to any person or persons, his or her or their order, or to the bearer, though not under the seal of the said corporation, shall be binding and obligatory upon the said corporation, in like manner, and with the like force and effects, as upon any private person or persons, if issued by him, her or them, in his, her or their private capacity, and shall be assignable and negotiable in like manner as if they were so issued by such private person or persons, that is to say: those which shall be payable to any person or persons, his, her or their orders, shall be assigned by indorsement, in like manner and with like effect as foreign bills of exchange or promissory notes now are; and those which are payable to any person or persons, or bearer, shall be negotiable and assignable by delivery only.

17th. That the total amount of debts which the said corporation shall at any time owe, shall not exceed three times the amount of its capital stock, exclusive of the amount of money then actually deposited in the bank for safe keeping. And in case of excess, the directors under whose administration such excess shall happen, shall be liable for the same in their private and individual capacities, and an action may, in such case, be brought against them, or any of them, their, or any of their heirs, executors or administrators, in any court having jurisdiction, by any creditor or creditors of the said corporation, and may be prosecuted to judgment and execution; any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt said corporation, or the lands, tenements, goods or chattels of the same, from being also liable for said excess. And such of the said directors as may have been absent when such excess was contracted or created, or such as may have dissented from the resolution or
act whereby the same was so contracted or created, may, respectively, exonerate themselves from being thus liable, by forthwith giving notice of the fact, and of their absence or dissent, to the stockholders, at a general meeting, to be called for that purpose.

18th. That the said corporation shall not be permitted to purchase any public debt whatsoever, except stock of the State, or United States; nor shall, directly or indirectly, deal or trade in any thing, except notes, bills of exchange, gold or silver bullion, or in the sale of goods really and truly pledged for money lent, and not redeemed in due time, or of goods which shall be the produce of its lands; neither shall the said corporation take more than at the rate of one per centum discount for sixty days for or upon its loans or discounts. That if the said corporation, or any person or persons for or to the use of the said corporation, shall purchase, trade, discount, or loan, contrary to the provisions of this Act, all and every person and persons thus purchasing, trading, discounting or loaning contrary to the provisions of this Act, shall forfeit and lose treble the value of such purchases, goods, wares and merchandise, notes, bills or loans thus illegally purchased, traded for, discounted for, or loaned; one half thereof to the use of the informant, and the other half thereof to the use of the State.

19th. That the bills or notes of the said corporation, originally made payable on demand, or which shall have become payable, in gold or silver, current coin, or receivable by tax collectors, and other public officers, in all payments for taxes, or other monies due to the State, so long as the said bank shall pay gold and silver, current coin, for their notes; but whenever there shall be a protest on any of the bills or notes of the said bank for non-payment of specie, the comptroller-general shall be authorized, and he is hereby required, to countermand the receipt of the bills and notes of the said bank in payment of taxes or debts due to the State, unless good and satisfactory cause be shewn him by the said corporation, for protesting in a court of justice the payment thereof.

20th. That dividends shall be made at least twice in each year, by the said corporation, of so much of the profits of the said bank as shall appear to the directors advisable; and once in every year the directors shall lay before the stockholders, at a general meeting, for their information, the amount of surplus profits, if any, after deducting losses and dividends.

21st. That in case of the failure of said bank, each stockholder, co-partnership, or body politic, having a share or shares therein, at the time of such failure, or who shall have been interested therein at any time within six 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.

22d. And the said corporation are hereby authorized to increase their capital to a sum not exceeding eight hundred thousand dollars, should a majority of the stockholders at a general meeting at any time during the continuance of their charter, deem the same necessary or advisable, by disposing of any number of additional shares not exceeding twelve thousand; and for every hundred dollars of additional stock so disposed of by the said corporation, the bank shall pay into the treasury the sum of two dollars.

23d. That any real estates, bills, notes, monies, profits, or other property whatever, which may, on the dissolution of said corporation, be owned or possessed by it, shall be held by the directors of said bank for the use and benefit of all persons holding shares in said corporation at the time of its dissolution, and their legal assigns and representatives, in average and proportion to the number or amount of said shares.
II. And be it further enacted, That if the stock be not taken by the first Monday in June, and the day following, the books shall, in that case, be kept open in Columbia until the first day in November next following.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty-one, and in the fifty sixth year of the Sovereignty and Independence of the United States of America.

HENRY DEAS, President of the Senate.

H. L. PINCKNEY, Speaker of the House of Representatives.

No 2549. AN ACT CONCERNING THE BANK OF THE STATE OF SOUTH CAROLINA.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, that from and immediately after the passing of this Act, all directors who may be chosen by the Legislature to serve in the parent bank, shall take their seats and become members of the said board as soon after the rising of the Legislature as they shall be notified of their appointment; and that it shall be the duty of the president to give the information by the earliest mode of conveyance.

II. Be it further enacted, That the following oath shall, in future, be administered to each and every member of all the different boards of directors, and to each president of the said boards, before they take their seats.

"I, A B, do solemnly swear, (or affirm,) that I will not, either directly or indirectly, reveal or disclose any transaction or circumstance which may occur at the board or elsewhere, in any discharge of my official duties, either while I am a member of this board, or after I shall cease to be such, which can in any degree affect the credit of an individual or the interest of the Bank, except it be to the legislature or any examining committee appointed by them; and that I will not retain in my possession any paper, document or statement, or copy thereof, which may relate to the concerns of the bank, longer than may be necessary to discharge any duty which may be imposed on me, (rendering the possession of the said paper, document or statement necessary,) and that while in my possession, they shall be kept safely and secretly, and when the duty is performed, returned to the proper officer. So help me God."

III. Be it further enacted, That the following oath be administered to all the other officers of the Bank and its branches now in office, or who may be hereafter elected.

"I, A B, solemnly swear, (or affirm,) that I will not, either directly or indirectly, disclose or reveal any of the transactions of the bank, or any fact connected with them, intended by the directors to be kept secret, while I remain in office, nor after I may leave the same, except to the Legislature, or to any examining committee thereof, or in a court of justice as a witness."

IV. Be it further enacted, That it shall be the duty of the presidents of the branches of the Bank, to keep regular minutes of the proceedings of
their respective boards, entering, in the book kept for that purpose, not only
the weekly discounts, but all matters of importance which may be trans-
acted, particularly all matters which may relate to any unusual or extraor-
dinary loan, or money paid by the board, and of all property bought in or
sold by them, and of all resolutions passed by the parent bank, regulating
their course of conduct.

V. Be it further enacted, That it shall be the duty of the president
to lay before the Legislature, at every sitting, the account of every sala-
ried officer belonging to the parent bank or its branches, shewing the
amount which they owe, and how long the same has been due.

VI. Be it further enacted, That the office of deputy cashier be, and
the same is hereby, abolished, and that in future all change bills which may
be issued, be signed by the president, or such other officer as he may direct abolished.

to perform the duty.

VII. Be it further enacted, That the president and directors of the
parent bank be, and they are hereby, authorized to appoint, and at their
pleasure to retain in office, one officer of the bank, to whom such duties
shall be assigned as they may think proper, and who shall receive the same
salary as is now paid to the deputy cashier.

VIII. Be it further enacted, That the stock books now kept at the trea-
sury office, be transferred to the bank, and there kept by the officer afore-
said, so to be appointed.

IX. And be it further enacted, That the president of the parent bank,
the presidents of the Branches, the agents of the bank, and all other sala-
ried officers of the Bank and its Branches, are hereby forbidden and prohi-
bited from buying, either directly or indirectly, for themselves or any
others, (if they are to have any interest therein,) any stock of the State
of South Carolina.

X. Be it further enacted, That the president and directors of the parent
bank be, and they are hereby, authorized to sell the stock which they Certain stock
now hold of the State Bank, on the most advantageous terms, and that to be sold, and
they be authorized to buy any other stock which they may think safe, to
any amount not exceeding that appropriated to the sinking fund.

XI. Be it further enacted, That the president and directors of the Bank May establish
be, and they are hereby, authorized to establish a branch or agency at a branch in
Cheraw, whenever in their judgment it shall be deemed advantageous to
the interests of the said bank.

XII. Whereas, it is deemed expedient, in aid of the operations of the
May appoint an agent in New York.
bank, and for the purpose of accommodating the great and growing mer-
cantile interest of the upper country, to vest a fund in the city of New York, at the disposal of the Bank, to furnish the merchants who deal
with the Bank, drafts on that place; and whereas, it is doubted whether
such an operation would come strictly within the power delegated by
the Act of incorporation. Be it therefore enacted, That the president
and directors of the bank are hereby authorized and empowered, to place
in any bank of the city of New York, or in the hands of any safe agent
for that purpose, any such sum as they may be able so to dispose of, with-
out injury to the home operation of the bank, or, if it should be thought
more advisable and more safe, to open an account for that purpose with
any bank or safe agent.

VOL. VIII.—9.
XIII. Be it further enacted, That all Acts or parts of Acts, in any wise repugnant to this Act, be, and the same are hereby, repealed.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty-one, and in the fifty-sixth year of the Sovereignty and Independence of the United States of America.

HENRY DEAS, President of the Senate.
H. L. PINCKNEY, Speaker of the House of Representatives.

No. 2562. AN ACT TO RENEW THE CHARTER OF THE BANK OF SOUTH CAROLINA.

I. Be it enacted by the Senate and House of Representatives, That the charter of the Bank of South Carolina be, and the same is hereby, renewed, for and during the term of twenty-one years, from the day on which the original charter of the said bank will expire.

II. And be it further enacted, That the said Bank of South Carolina, during the term of twenty one years, be, and it is hereby, permitted and authorized to exercise and enjoy all the privileges, rights, powers, immunities and benefits, which it now exercises and enjoys under its charter, or which the Planters’s and Mechanics’s Bank and the Union Bank of South Carolina, or either of them, now exercise, possess, or enjoy, by any Act of the general Assembly of this State, now in force; and shall also be subject to all the restrictions imposed by any such Act of Assembly.

III. And be it further enacted, That the said Bank of South Carolina, for the charter so renewed and extended, shall, on the second day of January next after the expiration of its present charter, pay into the treasury of the lower division of this State a bonus of sixteen thousand eight hundred and seventy-five dollars.

IV. And be it further enacted, That when information shall be given to the president of the said Bank of South Carolina, by the Attorney general or by any of the Solicitors of this State, that any person has been apprehended and is to be tried in any district in this State for counterfeiting any of the notes of the said bank, or for passing such counterfeit note, knowing it to be false, or for stealing any note of the said bank, it shall be the duty of the said bank to cause its cashier, or some competent witness, to attend in person and give evidence on such trial, on pain of the forfeiture of one thousand dollars, for the use of the State; to be recovered by indictment.

V. And be it further enacted, That it shall and may be lawful to and for the said Bank of South Carolina, at any time after the passing of this Act, to extend its capital to any amount not exceeding one million of dollars; the said bank paying an additional bonus in proportion to such increase of capital.

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

H. DEAS, President of the Senate.
H. L. PINCKNEY, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks.

AN ACT TO RE-CHARTER THE BANK OF THE STATE OF SOUTH CAROLINA.

WHEREAS, it is deemed expedient and beneficial, both to its citizens and the State, to recharter the Bank of the State of South Carolina.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to establish a bank, on behalf of and for the benefit of the State," passed on the nineteenth day of December, in the year of our Lord one thousand eight hundred and twelve, and all other Acts now of force relating to the conduct and operations of the said bank, be, and they are hereby, re-enacted and continued of force until the first day of May, in the year of our Lord one thousand eight hundred and fifty-six.

II. And be it further enacted, That the said corporation shall neither issue nor put into circulation any note for less than one dollar; and shall call in and withdraw from circulation all bills heretofore issued by it, of a lesser denomination than one dollar, as soon as the same can be conveniently done.

III. And be it further enacted, That the Act of the General Assembly, passed on the seventeenth day of December, one thousand eight hundred and sixteen, establishing a branch of the Bank of the State of South Carolina at Georgetown, be, and the same is hereby, repealed; and that the said branch be discontinued, and that an agency be established at that place, in lieu of said branch.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-three, and in the fifty-eighth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.

AN ACT TO RENEW THE CHARTER OF THE STATE BANK.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the charter of the State Bank be, and the same is hereby, renewed, for the term of twenty-one years, from the expiration of its present charter; and the said corporation is hereby permitted and authorized to enjoy and to exercise all the privileges, rights, powers, immunities and benefits which it now exercises and enjoys, under its present charter, or any Act of the General Assembly of this State; and be subject, also, to every restriction imposed on the same by law. Provided, the said corporation do, on or before the first day of the February next after the expiration of its present charter, pay into the treasury of the lower division, the sum of twenty thousand dollars as a bonus; and provided also, that the stockholders do, on or before the said first day of February, make up the deficiency in the capital stock of said company, and produce satisfactory proof thereof to the Comptroller-general, the president of the Bank of the State, and the treasurer of the lower division, who are hereby directed to report the same to the Legislature at its next sitting thereafter.
II. And be it further enacted, That in case of the failure of the said State Bank, each person, body corporate, or copartnership, who, at the time of its failure, holds, or for six months previous thereto has held, any share or shares therein, shall be held liable and bound, both as individuals and corporate bodies, respectively, to make good the debts of said bank, to an amount not exceeding double the share or shares so owned by such person, body corporate, or copartnership, respectively.

III. And be it further enacted, That if information be at any time given to the president or directors of said Bank, by the Attorney-general or any one of the solicitors of this State, that any person has been apprehended and is to be tried in any district of this State, for counterfeiting or passing any counterfeit note of said bank, or for stealing any note of said bank, and that the presence of a bank officer is required at the trial, it shall be the duty of the said corporation to cause its cashier, or some competent witness, to attend in person and give evidence on such trial, on pain of forfeiting one thousand dollars, to be recovered by indictment, for the use of the State.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-three, and in the fifty-eighth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

No. 2610. AN ACT TO INCORPORATE A BANK IN THE TOWN OF CHERAW.

WHEREAS, it is beneficial to the citizens of this State, that a Bank should be established in the town of Cheraw, therefore—

I. Be it enacted by the Honorable the Senate and House of Representa-
tives, now met and sitting in General Assembly, and by the authority of the same, That in order to establish the said Bank, the following persons be, and they are hereby, appointed commissioners to receive subscriptions at the several places hereinafter named:—at Cheraw, J. C. Coit, James Wright, Alexander Muirhead, David S. Harlee, John G. McKenzie; at Camden, Charles J. Shannon, William E. Johnson, John J. Blair; at Columbia, Richard O'Neale, Benjamin L. McLauchlin, David Ewart; at Charleston, John Robinson, Mordecai Cohen, John Fraser; at Sumter C. H., William Haynsworth, F. I. Moses, John B. Miller; at Marion C. H., Thomas Evans, Robert Harlee, John H. Cherry; at Darlington C. H., E R. McIver, John B. Bruce, George W. Dargan; at Chester C. H., James F. Woods, Samuel M'Allily, John McCready. And the said commissioners, or a majority of them, at each of the said places, shall, on the first Monday in May next, and the day following, open subscriptions, from the hours of 10 A. M., until 2 P. M., on each day, at the above places respectively, for the purpose of raising the sum of two hundred thousand dollars, whereof four weeks public notice shall be given, in the gazettes of Cheraw, Camden, Columbia, Charleston, Georgetown, and Sumter; and the above named commissioners, at all the above named places, except Cheraw, shall, on the second Monday in may next, respectively, forward correct lists of
OF SOUTH CAROLINA

Acts relating to Corporations.—Banks.

A.D. 1833.

the shares subscribed, together with the monies paid on said shares at the
time of subscribing, for the purpose of apportioning the same, to the above
named commissioners at Cheraw, who shall make out and forward to all the
above named commissioners, respectively, a schedule of said apportion-
ments; and such said subscribers paying their subscription monies, re-
spectively, as hereinafter mentioned, then being stockholders, and all per-
sons who may hereafter become stockholders in the said company, shall
be, and are hereby, incorporated, and made a corporation and body Bank incorpo-
political, by the name and style of "The Merchants's Bank of South Caroli-
na, at Cheraw," and so shall continue until the first day of January, one
thousand eight hundred and fifty-five. (1855.)

II. It is further provided, that in case the amount of two hundred thou-
sand dollars should not have been subscribed on the days and at the places
above mentioned, then, the books of subscription shall be again opened at
the town of Cheraw, on the first Monday in July next, by the above named
commissioners, to remain open for thirty days, unless the full amount of
stock shall be sooner subscribed.

III. An election shall be held at Cheraw, on the first Monday in June
next, by the stockholders, for seven directors from among themselves, who
shall hold their office until the first Monday in May ensuing. There shall
be an election in said corporation, on the first Monday in May in each year,
and in default thereof, on such other day as shall be fixed by the said cor-
poration, of seven directors, who shall be chosen by the stockholders, or
their proxies, from among themselves, and by a plurality of votes actually
given; and those who shall be actually chosen at any election, shall be cap-
able of serving as directors, by virtue of such choice, until the end of the
first Monday in May next ensuing the time of such election. And the
said directors, at their first meeting after such election, shall choose one of
their number as president, who shall receive a majority of the votes actual-
ly given. And in case any director shall die, resign, remove from the
State, or be removed from office by the stockholders, his place may be
filled by the other directors for the remainder of the year. And a fair and
correct list of the stockholders shall be made out by the directors, at least
one month previous to any election for directors, subsequent to the first
election, to be submitted to the inspection of any of the stockholders.
Provided nevertheless, that in case the whole amount of the capital stock
shall not have been subscribed for on the first opening of the books of
subscription, then this election shall take place at such time thereafter as
the commissioners at Cheraw shall name, whereof twenty (20) days public
notice shall be given. And to prevent a division of shares, for the pur-
purpose of obtaining undue influence, the managers of elections for directors
declined bank, shall administer to every stockholder offering to vote, the
following oath, viz:—

"You, A B, do swear or affirm, (as the case may be,) that the stock you
now represent, is bona fide your property; and that no other person or per-
son is or are concerned therein."

And to any stockholder offering to vote as proxy, or for a minor, or in
right of or in trust for any other stockholder entitled to vote, the following
oath, viz:—

"You, A B, do swear or affirm, (as the case may be,) that the stock of
C D, whom you represent, is, to the best of your knowledge and belief,
the property of said C D, and that no other person or persons is or are, to
the best of your knowledge and belief, concerned therein."
And any stockholder refusing to make such oath or affirmation, shall not be allowed to vote at such election.

IV. That the said corporation, by its said name and style, shall be, and is hereby made, capable in law, to have, purchase, receive, possess, enjoy and retain, to it and its successors, lands, rents, tenements, hereditaments, goods, chattels, promissory notes, bills of exchange, and all other choses in action, monies and effects, of what kind, nature or quality soever, to an amount not exceeding, in the whole, three times the amount of the capital stock of the said corporation; and the same to sell, alien or dispose of; and also, to sue and be sued; plead and be impleaded; answer and be answered; defend and be defended, in courts of record, or in any other place whatsoever; and also to make, have, and use a common seal, and the same to break, alter and renew at pleasure; and also to discount bills of exchange and promissory notes, at a rate of interest not exceeding one per cent. for sixty days; and also to ordain, establish, and put in execution such by-laws, ordinances and regulations, as shall seem necessary and convenient for the government of the said corporation, not being contrary to the laws of this State or of the United States, or to the constitution thereof; and generally, to do and execute all and singular such acts, matters and things which may be deemed necessary and proper for the good government and management of said corporation; subject, nevertheless, to such regulations, restrictions, limitations and provisos, as shall hereafter be prescribed and declared.

V. That in case a greater sum than two hundred thousand dollars be subscribed, the commissioners above named at Chews, shall not, in apportioning said shares, take from subscribers for only five shares, unless they cannot otherwise sufficiently reduce the amount subscribed. That the capital stock of the bank shall be divided into two thousand shares, of one hundred dollars each share. That one fifth of each share shall be paid at the time of subscribing, and one other fifth on the third Monday in August next ensuing, and the balance of the stock at such times as the directors shall deem most conducive to the interest of the stockholders, they not requiring more than one fifth of each share every sixty days, of which thirty days public notice shall be given; and all shares on which the payments due shall not be finally made on the days above mentioned, and at such other times as the directors may require, shall be forfeited, with whatever monies may have been paid thereon.

VI. That the number of votes to which each stockholder shall be entitled, shall be in the following proportion, viz:—for every four shares, one vote; for every four shares above four, and not exceeding twenty, one vote; for every eight shares above twenty, and not exceeding sixty, one vote; for every twelve shares above sixty, and not exceeding one hundred and twenty, one vote; for every sixteen shares above one hundred and twenty, and not exceeding two hundred, one vote; for every twenty shares above two hundred, one vote. Provided always, that no person, copartnership, or body politic, shall be entitled to a greater number than forty votes. That after the first election, no share or shares shall confer a right of suffrage, which shall not have been held three calendar months previous to the day of election. That no other stockholders than those who are citizens of the United States shall be allowed to vote; and that stockholders, being citizens of the United States, and actually residents therein, and none other, may vote by proxy—provided, that such proxy be a stockholder and a citizen of the United States.
VII. That no stockholder who is not a citizen of the United States, shall, nor shall any director of any other bank, nor copartner of such direct-
or, nor more than one person of a copartnership firm, be a director of this bank; nor shall any person act as a director who may be under protest in the said bank, as drawer or endorser of any bill of exchange, or maker or endorser of any promissory note, held by the said bank, either for discount or collection, unless he shall prove, to the satisfaction of a majority of the other directors, that he has just reason, and legal and sufficient cause, for refusing payment of the demand on which such protest may be founded.

VIII. That no less than three directors shall constitute a board for the transaction of business, of whom the president shall always be one, except in the case of sickness or necessary absence, when his place may be supplied by any other director whom he, by writing, shall nominate for the purpose. And in default of such nomination by the president, or in case of sickness or necessary absence of the person so nominated, the board of directors may, by ballot, appoint a temporary president.

IX. That the directors for the time being shall have power to appoint such officers, clerks and servants under them, as shall be necessary for executing the business of said corporation, in such manner and upon such terms as they shall deem necessary and proper, and shall also have power to remove such officers, from time to time, at their will and pleasure; and shall be capable of exercising such other powers and authorities for the well government and ordering of the officers of said corporation, as shall be prescribed, fixed and determined by the laws and regulations thereof.

X. That the president, cashier and clerks employed in keeping the books of said bank, shall be, and they are hereby declared, exempted from the performance of ordinary militia duty, and from serving as jurors.

XI. That no director or other officer of said bank shall, directly or indirectly, receive any compensation for any agency in negotiating any business with the bank, in procuring discounts, renewing notes, or receiving money for individuals on notes discounted; and every such director or other officer, thus receiving compensation, shall be removed from office, and disqualified from thereafter holding any office in said bank.

XII. That a meeting of the stockholders may be called at any time by the president and directors, or a majority of them, or by any director who called. Meetings, how may protest against the proceedings of the board, and who may wish the propriety of his dissent to be considered by the stockholders, or whenever the holders of two hundred shares, or upwards, shall require the same; Provided, that no such meeting of the stockholders shall be competent to transact business, unless one month’s notice thereof be given, in at least two public gazettes, and unless a majority of the stock in said bank be represented.

XIII. That the lands, tenements and hereditaments which it shall be lawful for the said corporation to hold, shall be only such as may be required for its immediate accommodation for the transaction of its business, to hold an amount not exceeding twenty thousand dollars, such as shall have been bona fide mortgaged or assigned to it by way of security or payment for debts previously contracted in the course of its dealings, and such as shall have been purchased at sales upon judgements previously obtained.

XIV. That the said bank shall not issue any bill or note for the payment of money, nor commence discounting, until one third part of its capital stock in specie shall be deposited in its vaults, nor until a bonus of four into business.
thousand dollars be paid into the treasury of the State, whereupon the said bank shall be, and the same is hereby declared to be, exempted from the payment of all taxes during the time that it is hereby incorporated.

XV. That the stock of said bank shall be assignable and transferable according to such regulations and upon such terms as may be prescribed and fixed by the corporation.

XVI. That the bills or notes which may be issued by the order of said corporation, signed by the president and countersigned by the cashier thereof, promising the payment of money to any person or persons, his, her or their order, or to the bearer, though not under the seal of said corporation, shall be binding and obligatory upon the said corporation, in like manner, and with the like force and effect, as upon any private person or persons, if issued by him, her or them, in his, her or their private capacity, and shall be assignable and negotiable in like manner as if they were so issued by such private person or persons, that is to say: those which shall be payable to any person or persons, his, her or their order, shall be assigned by indorsement, in like manner, and with like effect, as foreign bills of exchange or promissory notes now are; and those which are payable to any person or persons, or bearer, shall be negotiable and assignable by delivery only.

XVII. That the total amount of debts which the said corporation shall at any time owe, shall not exceed three times the amount of its capital stock, exclusive of the amount of money then actually deposited in the bank for safe keeping. And in case of excess, the directors under whose administration such excess shall happen, shall be liable for the same in their private and individual capacity, and an action may, in such case, be brought against them, or any of them, their or any of their heirs, executors or administrators, in any court having jurisdiction, by any creditor or creditors of the said corporation, and may be prosecuted to judgment and execution; any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt said corporation, or the lands, tenements, goods or chattels of the same, from being also liable for said excess. And such of the said directors as may have been absent when such excess was contracted or created, or such as may have dissentied from the resolution or act whereby the same was so contracted or created, may, respectively, exonerate themselves from being thus liable, by forthwith giving notice of the fact, and of their absence or dissent, to the stockholders, at a general meeting of the stockholders, to be called for said purpose.

XVIII. That the said corporation shall not be permitted to purchase any public debt whatsoever, except stock of the State, or of the United States, nor shall, directly or indirectly, trade in any thing except notes, bills of exchange, gold and silver bullion, or in the sale of goods really and truly pledged for money lent, and not redeemed in due time, or of goods which shall be the produce of its lands; neither shall the said corporation take more than at the rate of one per centum discount for sixty days, for or upon its loans or discounts. That if the said corporation, or any person or persons for the use of said corporation, shall purchase, trade, discount or loan, contrary to the provisions of this Act, all and every person and persons thus purchasing, trading, discounting or loaning, contrary to the provisions of this Act, shall forfeit and lose treble the value of the goods, wares and merchandise, notes, bills or loans, thus illegally purchased, traded for, discounted for, or loaned; one half thereof to the use of the informer, and the other half to the use of the State.
XIX. That the bills or notes of said corporation, originally made payable, on demand, or which shall have become payable, in gold or silver, current coin, shall be receivable by the treasurers, tax collectors, solicitors, and other public officers, in all payments for taxes or other monies due to the State, so long as said bank shall pay gold and silver current coin for their notes. But whenever there shall be a protest on any of the bills or notes of said bank, for non-payment in specie, the comptroller-general shall be authorized, and he is hereby required, to countermand the receipt of the bills and notes of the bank, in payment of taxes and debts due to the State, unless good and satisfactory cause shall be shown him by the said corporation, for contesting, in a court of justice, the payment thereof.

XX. That dividends shall be made at least twice in each year, by the said corporation, of so much of the profits of said bank as shall appear to the directors advisable; and once in every year, the directors shall lay before the stockholders, at a general meeting, for their information, the amount of surplus profits, if any, after deducting losses and dividends.

XXI. That in the case of the failure of said bank, each stockholder, of partnership, or body politic, having a share or shares therein at the time of such failure, or who shall have been interested therein at any time within six 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.

XXII. And the said corporation are hereby authorized to increase their capital to a sum not exceeding five hundred thousand dollars, should a majority of the stockholders, at a general meeting, at any time during the continuance of their charter, deem the same necessary or advisable, by disposing of any number of additional shares, not exceeding three thousand; and for every hundred dollars of additional stock so disposed of by the said corporation, the bank shall pay into the treasury the sum of two dollars.

XXIII. That any real estate, bills, notes, monies, profits, or other property whatever, which may, on the dissolution of said corporation, be owned or possessed by it, shall be held by the directors of said bank, for the use and benefit of all persons holding shares in said corporation, to be distributed at the time of its dissolution, and their legal assignees and representatives, in average and proportion to the amount of said shares.

XXIV. That the said bank shall not be authorized to issue bills under the denomination of five dollars.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-three, and in the fifty-eighth year of the Sovereignty and Independence of the United States of America.

HENRY DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.
AN ACT TO ESTABLISH AND INCORPORATE ANOTHER BANK IN THE CITY OF CHARLESTON.

WHEREAS, it is beneficial to the citizens of this State, that another bank should be established in the city of Charleston; therefore,

BE IT ENACTED by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same—

I. That in order to establish the said bank, the following persons be, and they are hereby, appointed commissioners to receive subscriptions at the several places hereinafter mentioned. At Charleston, John Haslett, David Alexander, and Ker Boyce; at Columbia, B. L. M’Lauchlin, Robert Waddell, and Alfred North; at Camden, Alexander Young, John Cantey, and Charles J. Shannon; at Cheraw, James Wright, Joshua Lazarus, and John C. Coit; at Hamburg, B. M. Rogers, J. D. Moore, and A. Lati- mer. And the said commissioners, or a majority of them, at each of the said places, shall, on the first Monday and Tuesday in June next, open subscriptions, from the hour of ten, A.M., until two, P.M., on each day, in the above places, respectively, for the purpose of raising the sum of two millions of dollars, whereof six weeks' public notice shall be previously given, in all the public gazettes in this State; and the above named commissioners shall, on the first Wednesday in June next, respectively, forward correct lists of the shares subscribed, together with the monies paid on such shares at the time of subscribing, for the purpose of apportioning the same, to the above named commissioners at Charleston, who shall make out and forward to all the other above named commissioners, respectively, a schedule of the said apportionments; and such said subscribers, paying their subscription monies, respectively, and all persons who may thereafter become stockholders in the said company, shall, upon the payment of a bonus of two and one half per cent. on every hundred dollars of the stock so subscribed, be, and they are hereby, incorporated, and made a corporation and body politic, by the name and style of “The Bank of Charleston, South Carolina,” and so shall continue until the first day of June, in the year of our Lord one thousand eight hundred and fifty-six.

II. The said corporation, by its said name and style, shall be, and is hereby made, capable in law, to have, purchase, receive, possess, enjoy and retain, to it and its successors, lands, rents, tenements, hereditaments, goods, chattels, promissory notes, bills of exchange, and all other choses in action, monies and effects, of what kind, nature or quality soever, to an amount not exceeding, in the whole, three times the amount of the capital stock of the said corporation, and the same to sell, alien or dispose of; and also to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in courts of record, or any other place whatsoever; and also to make, have and use a common seal, and the same to break, alter and renew at pleasure; and to discount promissory notes, at a rate of interest not exceeding one per cent. for every sixty days, and to deal and trade in bills of exchange; and also to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall seem necessary and convenient for the government of the said corporation, not being contrary to the laws of this State or of the United States; and, generally, to do and execute all and singular such acts, matters and things which may be deemed necessary and proper for the good government and management of said corporation; subject, nevertheless, to such regulations,
restrictions, limitations and provisions, as shall hereafter be prescribed and declared.

III. No bill or promissory note for the payment of money, shall be issued by said corporation, of a less denomination or of a less amount than the sum of five dollars.

IV. In case a greater sum than two millions of dollars be subscribed on the days and at the places before mentioned, the commissioners above named at Charleston, shall reduce the subscriptions in proportion to the amount subscribed. The capital stock of the said bank shall be divided into twenty thousand shares, of one hundred dollars each share, and twenty-five per cent., or twenty-five dollars on each share, shall be paid at the time of subscribing, and the balance, of seventy-five per cent., or seventy-five dollars on each share, shall be paid as follows, viz.: on the first Monday in November, one thousand eight hundred and thirty-five, twenty-five dollars on each share; and the remainder, being fifty dollars on each share, shall be paid within six months thereafter, at the discretion of the directors, they giving one month's notice in the public gazettes of the State, before said instalments shall be required to be paid into this institution; the directors of which shall not be elected until the second instalment, or fifty dollars on each share, shall have been paid in; and all shares on which the payment due shall not be punctually made on the days above mentioned, shall be forfeited, with whatever monies may have been paid thereupon.

V. At any time before the expiration of their charter, the said company may, by paying a bonus of two and one half per cent., and by advertising Privilege to increase, and the increase, and the increase, to be paid in the manner and subject to the same conditions, with that herein already provided for.

VI. The number of votes to which each stockholder shall be entitled, shall be in the following proportion, that is to say: one vote for every five shares, and for every number of shares above five, and not exceeding each stockholder twenty-five; one vote for every ten shares above twenty-five, and not exceeding seventy-five; one vote for every twenty shares over seventy-five. Provided always, that no person, co-partnership, or body politic, shall be entitled to a greater number than fifty votes. After the first Monday in November next, no share or shares shall confer a right of suffrage, which shall not have been held three calendar months previous to the day of election. No stockholder shall be allowed to vote, unless he be actually a resident in the United States, or by a proxy, who is a citizen of the United States, a stockholder, and a resident in the State of South Carolina.

VII. There shall be an election in the said corporation, on the second Monday in November, in each year, and in default thereof, on such other election day as shall be fixed by said corporation, of thirteen directors, who shall be elected by the stockholders, or their proxies, from amongst themselves, being citizens of the United States, and by a plurality of votes actually given; and those who shall be chosen at any election, shall be capable of serving as directors, by virtue of such choice, until the end of the second Monday in November next ensuing the time of such election; and the said directors, at their first meeting after such election, shall choose one of their number as president; and in case of death, resignation, absence from the State, or removal from office by the stockholders, of a director, his place may be filled by the other directors, for the remainder of the year.
STATUTES AT LARGE

Acts relating to Corporations.—Banks.

A fair and correct list of the stockholders shall be made out by the directors, at least one month previous to any election of directors, subsequent to the first election, to be submitted to the inspection of any stockholders. And to prevent a dividend of shares, for the purpose of obtaining undue influence, the managers of elections for directors of said bank shall administer to every stockholder offering to vote, the following oath, that is to say:

"You, A B, do solemnly swear (or affirm, as the case may be,) that the stock you now represent is bona fide your property, and that no other person or persons is or are concerned therein."

And to any stockholder offering to vote by proxy for a minor, or in right of or in trust for any other stockholder entitled to vote, the following oath:

"You, A B, do solemnly swear (or affirm, as the case may be,) that the stock of C D, whom you represent, is, to the best of your knowledge and belief, the property of the said C D, and that no other person or persons is or are, to the best of your knowledge or belief, concerned therein."

And any stockholder refusing to make such oath or affirmation, shall not be allowed to vote at such election.

VIII. No stockholder who is not a citizen of the United States shall, nor shall any director of any other bank, nor co-partner of such director, nor more than one person of a co-partnership firm, be a director of this bank; nor shall any person act as a director who may be under protest in the said bank, as drawer or indorser of any bill of exchange or promissory note held by the said bank, either for discount or collection, unless he shall prove, to the satisfaction of a majority of the other directors, that he has just reason and legal and sufficient cause for refusing payment of the demand on which such protest may be founded.

IX. No less than five directors shall constitute a board for the transaction of business, of whom the president shall always be one, except in case of sickness or necessary absence, when his place may be supplied by another director, whom he, by writing, may nominate for the purpose; and in default of such nomination by the president, or in case of sickness or necessary absence of the person so nominated, the board of directors may, by ballot, appoint a temporary president.

X. The directors shall have power to appoint, for the time being, such officers, clerks and servants under them, as shall be necessary for executing the business of the said corporation, in such manner, and upon such terms, as they shall deem necessary and proper, and shall have power to remove such officers, from time to time, at their pleasure; and shall be capable of exercising such other powers and authorities for the well government and ordering of the officers of the said corporation, as shall be prescribed, fixed and determined by the laws and regulations thereof.

XI. The president, cashier and clerks employed in keeping the books of said bank, shall be, and they are hereby declared to be, exempted from the performance of ordinary militia duty, and from serving as jurors.

XII. No officer of said bank, other than a director, shall be permitted, either directly or indirectly, to carry on the business or trade of merchandise, factorage, brokerage, vendue, or the exchange of money or bills for profit; and every such officer so trading, shall be removed from office by the directors, and disqualified from thereafter holding any office in said bank.

XIII. No director or other officer of said bank shall, either directly or indirectly, receive any compensation for any agency in negotiating any
business with the bank, in procuring any discounts, or receiving money from individuals on notes discounted; and every such director, or other officer, thus receiving compensation, shall be removed from office, and disqualified from thereafter holding any office in said bank.

XIV. A meeting of the stockholders may be called at any time, by the president and directors, or a majority of them, or by any director who may meet against the proceedings of the board, or who may wish the propriety of his dissent to be considered by the stockholders, or whenever the holders of one thousand shares, or upwards, shall require the same. Provided, that no such meeting of the stockholders shall be competent to transact the business, unless one month's notice thereof be given in at least three gazettes in this State, and unless a majority of the stock of said bank be represented.

XV. The lands, tenements and hereditaments which it shall be lawful for the said corporation to hold, shall be only such as may be requisite for its immediate accommodation for the transaction of its business, to the amount not exceeding fifty thousand dollars, such as shall have been bona fide mortgaged or assigned to it by way of security or payment for debts previously contracted in the course of its dealings, and such as shall have been purchased at sales upon judgments previously obtained.

XVI. The said bank shall not issue any bills or notes for the payment of money, nor commence discounting, until one third of its capital stock shall be paid in specie, or deposited in its vaults, nor until a bonus of two and one half per cent. upon every hundred dollars of the capital stock subscribed, shall be paid into the treasury of the State, whereupon the said bank shall be, and the same is hereby declared to be, exempted from the payment of all taxes during the time that it is hereby incorporated. Provided, that nothing herein contained shall be construed to exempt from taxation any real estate of the said bank, other than such as may be requisite for its immediate occupation for the transaction of business.

XVII. The stock of said bank shall be assignable and transferable according to such regulations and upon such terms as may be prescribed by law and fixed by the said corporation.

XVIII. The bills or notes which may be issued by order of the corporation, signed by the president and countersigned by the principal cashier or treasurer thereof, promising the payment of money to any person, or persons, his or her or their order, or to the bearer, though not under the seal of the said corporation, shall be binding and obligatory upon the said corporation, in like manner, and with like force and effect, as upon any private person or persons, if issued by him, her or them, in his, her or their private capacity, and shall be assignable and negotiable in like manner as if they were so issued by such private person or persons, that is to say: those which shall be payable to any person or persons, his, her or their order, shall be assignable by indorsement, in like manner and with like effect as bills of exchange or promissory notes now are; and those which are payable to any person or persons, or bearer, shall be negotiable by delivery only.

XIX. The total amount of debts which the said corporation shall at any time owe, shall not exceed three times the amount of its capital stock, exclusive of the amount of money then actually deposited in the bank for safe keeping; and in case of excess, the directors under whose administration such excess shall happen, shall be liable for the same, in their private and individual capacities; and an action may in such case be brought
against them, or any of them, their, or any of their heirs, executors or administrators, in any court having jurisdiction, by any creditor or creditors of the said corporation, and may be prosecuted to judgment and execution; any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt said corporation, or the lands, tenements, goods, or chattels of the same, from being also liable for said excess. And such of the said directors as may have been absent when said excess was created or contracted, or such as may have dissentied from the resolution or act whereby the same was created or contracted, may, respectively, exonerate themselves from being thus liable, by forthwith giving notice of the fact, and of their absence or dissent, to the stockholders, at a general meeting to be called for that purpose.

XX. The said corporation shall not be permitted to purchase any public debt whatever, except stock of the State or of the United States; nor shall, directly or indirectly, trade or deal in any thing except notes, bills of exchange, gold or silver bullion, or in the sale of goods really and truly pledged for money lent, and not redeemed in due time, or for bills of exchange, or goods which shall be the produce of its lands. And if the said corporation, or any person or persons for or to the use of the said corporation, shall purchase, trade, discount or loan contrary to the provisions of this Act, all and every person and persons thus purchasing, trading, discounting or loaning, contrary to the provisions of this Act, shall forfeit and lose treble the value of the goods, wares and merchandize, notes, bills or loans, thus illegally purchased, traded for, discounted, or loaned; one half to the informer, and the other half to the use of the State.

XXI. The bills or notes of the said corporation, originally made payable, on demand, or which shall become payable, in gold or silver, current coin, shall be received by the treasurers, tax collectors, solicitors, and other public officers, in all payments for taxes, or other monies due to the State, so long as the said bank shall pay gold and silver, current coin, for their notes; but whenever there shall be a protest on any of the bills or notes of the said bank, for non-payment in specie, the Comptroller-general shall be authorized, and he is hereby required, to countermand the receipt of the bills and notes of the said bank, in payment of taxes or debts due to the State, unless good and satisfactory cause be shewn him by the said corporation, for protesting, in a court of Justice, the payment thereof.

XXII. Dividends shall be made twice a year by the said corporation, of so much of the profits of the said bank as shall appear to the directors advisable; and once in every year the directors shall lay before the stockholders, at a general meeting, for their information, a statement of the affairs of the bank.

XXIII.-In case of failure of the said bank, each stockholder, copartner, or body politic, having a share or shares therein at the time of such failure, or who shall have been interested therein at any time within six months previous to such failure, shall be liable, and held bound individually, for any sum not exceeding the amount of his, her or their share or shares.

XXIV. Any real estate, bills, notes, monies, profits, or other property whatever, which may, on the dissolution of said corporation, be owned or possessed by it, shall be held by the directors of said bank for the use and benefit of all persons holding shares in said corporation at the time of its dissolution, and their legal assigns and representatives, in average proportion to the number and amount of said shares.
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks.

XXV. If the stock be not taken up on the first Monday and Tuesday in June next, the books shall be opened in Charleston, on the first Monday in October next, and kept open until the first Monday in November next, unless the whole amount is previously taken or subscribed.

XXVI. No money shall be loaned on a pledge of stock of this institution, until twelve months after the whole capital shall have been paid in.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty-four, and in the fifty-ninth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.

AN ACT TO INCORPORATE A BANK IN THE TOWN OF CAMDEN.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That in order to establish the said bank, the following persons be, and they are hereby, appointed commissioners to receive subscriptions, at the several places hereinafter named, to wit:—at Camden, Christopher Matheson, William E. Johnson, and John J. Blair; at Sumterville, William Haynsworth, F. I. Moses, and John B. Miller; at Lancasterville, J. H. Witherspoon, sen., M. Clinton, and Benjamin Massey; at Cheraw, James Wright, Alexander Muirhead, and David S. Harlee; at Winnsborough, Robert Cathcart, David Aiken, and Hugh Barckley; at Charleston, John Robinson, M. Cohen, and John Frazer; at Columbia, Richard O'Neal, B. L. M'Lachlin, and David Ewart; at Marion C. H., Thomas Evans, Robert Harlee, and John H. Cherry; at Darlington C. H., E. R. M'tver, George W. Dargan, and Samuel Wilkins; at Chester C. H., Samuel McAlilley, Greenbury Colvin, and John McKee; at Union C. H., John J. Pratt, Col. William K. Clowney, and John Rogers. And the said commissioners, or a majority of them, at each of the said places, shall, on the first Monday in May next, and the day following, open subscriptions from 10 A. M., until 2 P. M., on each day, at each of the above places, respectively, for the purpose of raising the sum of two hundred thousand dollars, whereof four weeks public notice shall be given, in the public gazettes of Camden, Columbia, Cheraw, Charleston and Sumter; and the above named commissioners, at all the above named places except Camden, shall, on the second Monday in May next, forward, respectively, correct lists of the shares subscribed, together with the monies paid on said shares at the time of subscribing, for the purpose of apportioning the same, to the above named commissioners at Camden, who shall make out and forward to all the above named commissioners, respectively, a schedule of said apportionments; and such said subscribers, paying their subscription monies, respectively, as hereinafter mentioned, then being stockholders, and all persons who may become stockholders in the said company, shall be, and they are hereby, incorporated, and made a corporation and body politic, by the name and style of "The Bank of Camden, South Carolina," and so shall continue until the first day of January, one thousand eight hundred and fifty-six.
Provided, that no subscription shall be allowed, on either day appointed for opening books, for a greater number of shares than two hundred; and provided also, that each subscriber shall declare, on oath, that the stock for which he has subscribed is his own bona fide property; or where subscriptions are made by an agent or guardian, such agent or guardian shall declare, on oath, that such stock is, to the best of his knowledge and belief, actually the property of such person, in whose name or for whose benefit such stock is subscribed.

II. And be it further enacted by the authority aforesaid, That in case the amount of two hundred thousand dollars shall not be subscribed on the days and at the places above mentioned, then the books of subscription shall be again opened in the town of Camden, on the first Monday in July next, by the above named commissioners, to remain open for thirty days, unless the full amount of stock shall be sooner subscribed.

III. An election shall be held at Camden on the first Monday in June next, by the stockholders, for seven directors, from among themselves, who shall hold their office until the first Monday in May ensuing. There shall be an election in the said corporation on the first Monday in May in each year, and in default thereof, on such other day as shall be fixed by the said corporation, of seven directors, who shall be chosen by the stockholders, or their proxies, from among themselves, and by a plurality of votes actually given; and those who shall be actually chosen at any election, shall be capable of serving as directors, by virtue of such choice, until the end of the first Monday in May next ensuing the time of such election; and the said directors, at their first meeting after such election, shall choose one of their number as president, who shall receive a majority of votes actually given; and in case any director shall die, resign, remove from the State, or be removed from office by the stockholders, his place shall be filled by the other directors, for the remainder of the year. And a fair and correct list of the stockholders shall be made out by the directors, at least one month previous to any election for directors, subsequent to the first election, to be submitted to the inspection of any of the stockholders. Provided, nevertheless, that in case the whole amount of capital stock shall not have been subscribed for on the first opening of the books of subscription, then this election shall take place at such time thereafter as the commissioners at Camden shall name, whereof twenty days notice shall be given. And to prevent a division of shares for the purpose of obtaining an undue influence, the managers of elections for directors of said bank, shall administer to every stockholder offering to vote, the following oath, to wit:

"You, A B, do swear (or affirm, as the case may be,) that the stock you Oaths administered now represent, is bona fide your property, and that no other person or persons is or are concerned therein."

And to any stockholder offering to vote as proxy, or for a minor, or in right of or in trust for any other stockholder entitled to vote, the following oath, to wit:

"You, A B, do swear, (or affirm, as the case may be,) that the stock of C D, whom you represent, is, to the best of your knowledge and belief, the property of the said C D, and that no other person or persons is or are, to the best of your knowledge and belief, concerned therein."

And any stockholder refusing to make such oath or affirmation, shall not be allowed to vote at such election.
IV. That the said corporation, by its said name and style, shall be, and is hereby made, capable in law, to have, purchase, receive, possess, enjoy and retain, to it and its successors, lands, rents, tenements, hereditaments, goods, chattels, promissory notes, bills of exchange, and all other choses in action, monies and effects, of what kind, nature or quality soever, to an amount not exceeding, in the whole, three times the amount of the capital stock of the said corporation, and the same to sell, alien or dispose of; and also, to sue and be sued; plead and be impleaded; answer and be answered; defend and be defended, in courts of record, or in any other place whatsoever; and also to make, have, and use a common seal, and the same to break, alter and renew at pleasure; and also to discount bills of exchange and promissory notes, at a rate of interest not exceeding one per cent. for sixty days; and also to order, establish, and put in execution such by-laws, ordinances and regulations, as shall seem necessary and convenient for the government of the said corporation, not being contrary to the laws of this State nor of the United States, or to the constitutions thereof; and generally, to do and execute all and singular such acts, matters and things which may be deemed necessary and proper for the good government and management of said corporation; subject, nevertheless, to such regulations, restrictions, limitations and provisions, as shall hereafter be prescribed and declared.

V. That in case a greater sum than two hundred thousand dollars be subscribed, the commissioners above named at Camden, shall not, in apportioning said shares, take from subscribers for only five shares, unless they cannot otherwise sufficiently reduce the amount subscribed. That the capital stock of the said bank shall be divided into four thousand shares, of fifty dollars each share. That one fifth of each share shall be paid at the time of subscribing, and one other fifth on the third Monday of August next ensuing, and the balance of the stock at such times as the directors shall deem most conducive to the interest of the stockholders, they not requiring more than one fifth of each share every sixty days, of which thirty days public notice shall be given; and all shares on which the payments due shall not be finally made on the days above mentioned, and at such other times as the directors may require, shall be forfeited, with whatever monies may be paid thereon; and all payments shall be made in the bills of specie paying banks of this State.

VI. That the number of votes to which each stockholder shall be entitled, shall be in the following proportion, to wit:—for every four shares, one vote; for every four shares above four, and not exceeding twenty, one vote; for every eight shares above twenty, not exceeding sixty, one vote; for every twelve shares above sixty, not exceeding one hundred and twenty, one vote; for every sixteen shares above one hundred and twenty, not exceeding two hundred, one vote; for every twenty shares above two hundred, one vote. Provided always, that no person, copartnership, or body politic, shall be entitled to a greater number than forty votes. That after the first election, no share or shares shall confer a right of suffrage, which shall not have been held three calendar months previous to the day of election. That no other stockholders than those who are citizens of the United States shall be allowed to vote: and that stockholders, being citizens of the United States, and actually resident therein, and none other, may vote by proxy—provided, that such proxy be a stockholder and citizen of the United States.
VII. That no stockholder who is not a citizen of the United States, shall, nor shall any director of any other bank, nor copartner of such director, nor more than one person of a copartnership firm, be a director of said bank; nor shall any person act as a director who may be under protest in said bank, as drawer or endorser of any bill of exchange, or maker or endorser of any promissory note, held by the said bank, either for discount or collection, unless he shall prove, to the satisfaction of a majority of the other directors, that he has just reason, and legal and sufficient cause, for refusing payment of the demand on which such protest may be founded.

VIII. That no less than four directors shall constitute a board for the transaction of business, of whom the president shall always be one, except in the case of sickness or necessary absence, when his place may be supplied by any other director whom he, by writing, shall nominate for the purpose. And in default of such nomination by the president, or in case of sickness or necessary absence of the person so nominated, the board of directors may, by ballot, appoint a temporary president.

IX. That the directors for the time being shall have power to appoint such officers, clerks and servants under them, as shall be necessary for executing the business of said corporation, in such manner and upon such terms as they shall deem necessary and proper, and shall also have power to remove such officers, from time to time, at their will and pleasure; and shall be capable of exercising such other powers and authorities for the well government and ordering of the officers of said corporation, as shall be prescribed, fixed and determined by the laws and regulations thereof.

X. That the president, cashier and clerks employed in keeping the books of said bank, shall be, and are hereby declared, exempted from the performance of ordinary militia duty, and from serving as jurors.

XI. That no director or officer of said bank shall, directly or indirectly, receive any compensation for any agency for negotiating any business in the bank, in procuring discounts, renewing notes, or receiving money for individuals on notes discounted; and every such director or officer, thus receiving compensation, shall be removed from office, and disqualified from thereafter holding any office in said bank.

XII. That a meeting of the stockholders may be called at any time by the president and directors, or a majority of them, or by any director who may protest against the proceedings of the board, and who may wish the propriety of his dissent to be considered by the stockholders, or whenever the holders of two hundred shares, or upwards, shall require the same; Provided, that no such meeting of the stockholders shall be competent to transact business, unless one month's notice thereof be given, in at least two public gazettes, and unless a majority of stock in said bank be represented.

XIII. That the lands, tenements and hereditaments which it shall be lawful for said corporation to hold, shall be only such as may be requisite for its immediate accommodation for the transaction of its business, to an amount not exceeding twenty thousand dollars, such as shall have been bona fide mortgaged or assigned to it by way of security or payment of debts previously contracted in the course of its dealings, and such as shall have been purchased at sales upon judgments previously obtained.

XIV. That the said bank shall not issue any bill or note for the payment of money, nor commence discounting, till one third part of its capital stock in specie shall be deposited in its vaults, nor until a bonus of five
Acts relating to Corporations.—Banks.

thousand dollars be paid into the treasury of the State, whereupon the said bank shall be, and the same is hereby declared to be, exempted from the payment of all taxes during the time it is hereby incorporated.

XV. That the stock of said bank shall be assignable and transferable according to such regulations and upon such terms as may be provided and fixed by the corporation.

XVI. That the bills or notes which may be issued by the order of said corporation, signed by the president and countersigned by the cashier there—Bills, how of, promising the payment of money to any person or persons, his, her or payable, their order, or to the bearer, though not under the seal of said corporation, shall be binding and obligatory on the said corporation, in like manner, and with the like force and effect, as upon any private person or persons, if issued by him, her or them, in his, her or their private capacity, and shall be assignable and negotiable in like manner as if they were so issued by such private person or persons, that is to say: those which shall be payable to any person or persons, his, her or their order, shall be assigned by indorsement, in like manner, and with like effect, as foreign bills of exchange or promissory notes now are; and those which are payable to any person or persons, or bearer, shall be negotiable and assignable by delivery only.

XVII. That the total amount of debts which the said corporation shall at any time owe, shall not exceed three times the amount of its capital stock, exclusive of the amount of money then actually deposited in the bank for safe keeping. And in case of excess, the directors under whose administration such excess may happen, shall be liable for the same in their private and individual capacity, and an action may, in such case, be brought against them, or any of them, their or any of their heirs, executors or administrators, in any court having jurisdiction, by any creditor or creditors of said corporation, and may be prosecuted to judgment and execution; any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt said corporation, or the lands, tenements, goods or chattels of the same, from being also liable for the said excess. And such of the said directors as may have been absent when such excess was contracted or created, or such as may have dissented from the resolution or act whereby the same was so contracted or created, may, respectively, exonerate themselves from being thus liable, by forthwith giving notice of the fact, and of their absence or dissent, to the stockholders, at a general meeting of the stockholders, to be called for said purpose.

XVIII. That the said corporation shall not be permitted to purchase any public debt whatsoever, except stock of this State, or of the United States, nor shall, directly or indirectly, trade in any thing except notes, bills of exchange, gold and silver bullion, or in the sale of goods really and truly pledged for money lent, and not redeemed in due time, or of goods which shall be the produce of its lands; neither shall the said corporation take more than at the rate of one per centum discount for sixty days, for or upon its loans or discounts. That if the said corporation, or any person or persons for the use of said corporation, shall purchase, trade, discount or loan, contrary to the provisions of this Act, all and every person and persons thus purchasing, trading, discounting or loaning, contrary to the provisions of this Act, shall forfeit and lose treble the value of the goods, wares and merchandise, notes, bills or loans, thus illegally purchased, traded for, discounted for, or loaned; one half thereof to the use of the informer, and the other half to the use of the State.
XIX. That the bills or notes of the said corporation, originally made payable, on demand, or which shall become payable, in gold or silver, current coin, shall be receivable by the treasurers, tax collectors, and solicitors, and other public officers, in all payments for taxes or other monies due to the State, so long as said bank shall pay gold and silver, current coin, for their notes. But whenever there shall be a protest on any of the bills or notes of said bank, for non-payment in specie, the comptroller-general shall be authorized, and he is hereby required, to countermand the receipt of the bills or notes of the bank, in payment of taxes or debts due to the State, unless good and satisfactory cause shall be shown him by the said corporation, for contesting, in a court of justice, the payment thereof.

XX. That dividends shall be made, at least twice in each year, by the said corporation, of so much of the profits of said bank as shall appear to the directors advisable; and once in every year the directors shall lay before the stockholders, at a general meeting, for their information, the amount of surplus profits, if any, after deducting losses and dividends.

XXI. That in case of the failure of the said bank, each stockholder, copartnership, or body politic, having a share or shares therein at the time of such failure, or who shall have been interested therein at any time within six 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.

XXII. And the said corporation is hereby authorized to increase their capital to a sum not exceeding five hundred thousand dollars, should a majority of the stockholders, at a general meeting, at any time during the continuance of their charter, deem the same necessary and advisable, by disposing of any number of additional shares, not exceeding six thousand; and for every hundred dollars of additional stock so disposed of by the said corporation, the bank shall pay into the treasury the sum of two dollars and fifty cents.

XXIII. That any real estate, bills, notes, profits, or other property whatever, which may, on the dissolution of said corporation, be owned or possessed by it, shall be held by the directors of the said bank for the use and benefit of all persons holding shares in the said corporation at the time of its dissolution, and their legal assigns and representatives, in average and proportion to the amount of said shares.

XXIV. That the said bank shall not be authorized to issue bills under the denomination of five dollars.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five, and in the sixtieth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks.

AN ACT TO ESTABLISH AND INCORPORATE A BANK IN THE TOWN OF HAMBURG.

I. Be it enacted by the Honorable the Senate and House of Representa-
tives, now met and sitting in General Assembly, and by the authority of the
same, That in order to establish a bank in the town of Hamburg, the follow-
ing persons be, and they are hereby, appointed commissioners to receive
subscriptions at the several places hereafter mentioned:—at Hamburg, Hen-
ry Shultz, W. W. Stark, Oliver Simpson; at Charleston, Chas. T. Lowndes,
Robert Martin, John C. Holcombe; at Columbia, G. T. Snowden, John
Bryce, and J. J. Gracey; at Edgefield, Whitfield Brooks, James Jones,
Nathan L. Griffin; at Barnwell, Barnett H. Brown, M. D. Maher, and
James E. Robertson; at Abbeville, David L. Wardlaw, Wm. C. Black,
and Armstead Burt; at Anderson, J. B. Benson, C. Orr, and E. Webb;
at Pickens, Wm. L. Keith, Silas Kirksey, and John Burdein; at Green-
ville, W. Choice, R. Thurston, F. F. Beattie; at Laurens, T. F. Jones,
John Garlington, and W. Hill; at Newberry, Y. J. Harrington, Robert
Stewart, and M. W. Gracey. And the said commissioners, or a majority
of them, at each of the said places, shall, on the first Monday in February
next, and the day following, open subscriptions, from the hours of ten, A.
M., until two o'clock, P. M., on each day, in the above places, respectively,
for the purpose of raising the sum of three hundred thousand dollars, where-
of four weeks public notice shall be previously given in the Gazette of Co-
lumbia, Charleston, Georgetown, Cheraw, Camden, York, Greenville,
and Pendleton; and the above named commissioners, at all the above men-
tioned places, shall, on the third Monday in February next, respectively,
forward correct lists of the shares subscribed, together with the monies paid
on such shares at the time of subscribing, for the purpose of apportioning
the same, to the abovenamed commissioners at Hamburg, who shall make
out and forward to all the other above named commissioners, respectively,
a schedule of the said apportionments. And such said subscribers, paying
their subscription monies, respectively, as hereinafter mentioned, being
stockholders, and all persons who may thereafter become stockholders
in the said company, shall be, and they are hereby, incorporated, and made
a corporation and body politic, by the name and style of "The Bank of
Hamburg, South Carolina," and so shall continue until the first day of
January, one thousand eight hundred and fifty-six. Provided, that no
subscription shall be allowed, on the first day appointed for opening the
books, for a greater number of shares than two hundred; and provided also,
that each subscriber shall declare, on oath, that the stock for which he has
subscribed is his own bona fide property; or where subscriptions are made
by an agent or guardian, such agent or guardian shall declare, on oath,
that such stock is, to the best of his knowledge and belief, actually the
property of such person in whose name or for whose benefit such stock is
subscribed.

II. That the said corporation, by its name and style, shall be, and is
hereby made, capable in law, to have, purchase, receive, possess, enjoy
and retain, to it and its successors, lands, rents, tenements, hereditaments,
goods, chattels, promissory notes, bills of exchange, and all other choses
in action, monies and effects, of what kind, nature or quality soever,
to an amount not exceeding, in the whole, three times the amount
of the capital stock of the said corporation, and the same to sell, alien or
dispose of; and also to sue and be sued, plead and be impounded, answer and
Powers of the corporation.
be answered, defend and be defended, in the courts of record, or any other place whatsoever; and also to make, have and use a common seal, and the same to break, alter and renew at pleasure; and also to discount bills of exchange and promissory notes, at a rate of interest not exceeding one per cent. for sixty days; and also to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall seem necessary and convenient for the government of the said corporation, not being contrary to the laws of the State or of the United States, or to the constitutions thereof; and, generally, to do and execute all and singular such acts, matters and things which may be deemed proper for the good government and management of said corporation; subject, nevertheless, to such regulations, restrictions, limitations and provisions, as shall hereafter be prescribed and declared.

III. That in case a greater sum than three hundred thousand dollars be subscribed, the commissioners above named at Hamburg, shall, in apportioning said shares, give preference to the subscriptions of the first day, and in no instance reduce any subscription below five shares, unless they cannot otherwise sufficiently reduce the amount subscribed. That the capital stock of said bank shall be divided into six thousand shares, of fifty dollars each share; that twelve dollars and fifty cents, in specie, shall be paid on each share at the time of subscribing; and that twelve dollars and fifty cents, also in specie, being the second instalment, be paid on the first Monday in March next; and that twelve dollars and fifty cents, also in specie, being the third instalment, be paid on the first Monday in November next; and that twelve dollars and fifty cents, also in specie, being the fourth and last instalment, be paid on the first Monday in December next; and all shares on which the payment due shall not be punctually made on the days above mentioned, shall be forfeited, with whatever monies may have been paid thereupon.

IV. That the number of votes to which each stockholder shall be entitled, shall be in the following proportion, that is to say: for four shares, one vote; for every four shares above four, and not exceeding twenty, one vote; for every eight shares above twenty, and not exceeding sixty, one vote; for every twelve shares above sixty, and not exceeding one hundred and twenty, one vote; for every sixteen shares above one hundred and twenty, and not exceeding two hundred, one vote; and for every twenty shares above two hundred, one vote. Provided always, that no person, co-partnership, or body politic, shall be entitled to a greater number than sixty votes. That after the first Monday in February next, no share or shares shall confer a right of suffrage, which shall not have been held three calendar months previous to the day of election. That no other stockholders than those who are citizens of the United States shall be allowed to vote; and that stockholders being citizens of the United States, and actually residents therein, and none other, may vote by proxy. Provided, such proxy be a stockholder, and a citizen of the United States.

V. That there shall be an election in the said corporation, on the second Monday in March in each year, and in default thereof, on such other day as shall be fixed by said corporation, of thirteen directors, who shall be chosen by the stockholders, or their proxies, from among themselves, and by a plurality of votes actually given; and those who shall be actually chosen at any election, shall be capable of serving as directors, by virtue of such choice, until the end of the second Monday in March next ensuing the time of such election, and no longer; and the said directors, at their
first meeting after such election, shall choose one of their number as president; and in case of death, the resignation, absence from the State, or removal from office by the stockholders, of a director, his place may be filled by the other directors, for the remainder of the year. And that a fair and correct list of the stockholders shall be made out by the directors, at least one month previous to any election of directors, subsequent to the first election, to be submitted to the inspection of any stockholders. And to prevent a dividend of shares, for the purpose of obtaining undue influence, the managers of elections for directors of said bank shall administer to every stockholder offering to vote, the following oath, that is to say:

"You, A B, do swear (or affirm, as the case may be,) that the stock you now represent is bona fide your property, and that no other person or persons is or are concerned therein."

And to any stockholder offering to vote by proxy, or for a minor, or in right of or in trust for any other stockholder entitled to vote, the following oath:

"You, A B, do swear (or affirm, as the case may be,) that the stock of C D, whom you represent, is, to the best of your knowledge and belief, the property of said C D, and that no other person or persons is or are, to the best of your knowledge and belief, concerned therein."

And any stockholder refusing to make such oath or affirmation, shall not be allowed to vote at such election.

VI. That no stockholder who is not a citizen of the United States shall, nor shall any director of any other bank, nor co-partner of such director, nor more than one person of a co-partnership firm, be a director of this bank; nor shall any person act as a director who may be under protest in the said bank, as drawer or indorser of any bill of exchange held by the said bank, either for discount or collection, unless he shall prove, to the satisfaction of a majority of the other directors, that he has just reason and legal and sufficient cause for the refusing payment of the demand on which such protest may be founded.

VII. That no less than five directors shall constitute a board for the trans- action of business, of whom the president shall always be one, except in the case of sickness or necessary absence, when his place may be supplied by any other director, whom he, by writing, shall nominate for the purpose; and in default of such nomination by the president, or in case of sickness or necessary absence of the person so nominated, the board of directors may, by ballot, appoint a temporary president.

VIII. That the directors for the time being shall have power to appoint such officers, clerks and servants under them, as shall be necessary for executing the business of said corporation, in such manner, and upon such terms, as they shall deem necessary and proper; and shall also have power to remove such officers, from time to time, at their will and pleasure; and shall be capable of exercising such other powers and authorities, for the well government and ordering of the officers of the said corporation, as shall be prescribed, fixed and determined by the laws and regulations thereof.

IX. That the president, cashier and clerks employed in keeping the books of said bank, shall be, and they are hereby declared to be, exempted from the performance of ordinary militia duty, and from serving as jurors.ii.

X. That no officer of said bank, other than a director, not being president, shall be permitted, either directly or indirectly, to carry on the business or trade of merchandize, factorage, brokerage, vendue, or the exchange of money or bills for profit; and every such officer so trading, shall be removed from office by the directors, and shall not be re-eligible to any office in said bank.
XI. That no director or other officer of said bank shall, directly or indirectly, receive any compensation for any agency in negotiating any business with the bank, in procuring discounts, renewing notes, or receiving monies for individuals on notes discounted; and every such director, or other officer, thus receiving compensation, shall be removed from office, and disqualified from thereafter holding any office in said bank.

XII. That a meeting of the stockholders may be called at any time, by the president and directors, or a majority of them, or by any director who may protest against the proceedings of the board, and who may wish the propriety of his dissent to be considered by the stockholders, or whenever the holders of one thousand shares, or upwards, shall require the same. Provided, that no such meeting of the stockholders shall be competent to transact business, unless one month's notice thereof be given in at least two public gazettes, and unless a majority of the stock in the said bank be represented.

XIII. That the lands, tenements and hereditaments which it shall be lawful for the said corporation to hold, shall be only such as may be requisite for its immediate accommodation for the transacting of its business, to an amount not exceeding twenty thousand dollars, such as shall have been bona fide mortgaged or assigned to it by way of security or payments for debts previously contracted in the course of its dealings, and such as shall have been purchased at sales upon judgments previously obtained.

XIV. That the said bank shall not issue any bills or notes for the payment of money, nor commence discounting, until one half of its capital stock, in specie, shall be deposited in its vaults, nor until a bonus of seven thousand five hundred dollars shall be paid into the treasury of the State, whereupon the said bank shall be, and the same is hereby declared to be, exempted from the payment of all taxes during the term that it is hereby incorporated.

XV. That the stock of said bank shall be assignable and transferable according to such regulations and upon such terms as may be prescribed and fixed by the said corporation.

XVI. That the bills or notes which may be issued by order of the said corporation, signed by the president and countersigned by the principal cashier or treasurer thereof, promising the payment of money to any person or persons, his or her or their order, or to the bearer, though not under the seal of the said corporation, shall be binding and obligatory upon the said corporation, in like manner, and with the like force and effect, as upon any private person or persons, if issued by him, her or them, in his, her or their private capacity, and shall be assignable and negotiable in like manner as if they were so issued by such private person or persons, that is to say: those that shall be payable to any person or persons, his, her or their orders, shall be assigned by indorsement, in like manner and with like effect as foreign bills of exchange or promissory notes now are; and those which are payable to any person or persons, or bearer, shall be negotiable and assignable by delivery only.

XVII. That the total amount of debts which the said corporation shall at any time owe, shall not exceed three times the amount of its capital stock, exclusive of the amount of money then actually deposited in the bank for safe keeping; and in case of excess, the directors under whose administration such excess shall happen, shall be liable for the same, in their private and individual capacities; and an action may in such case be brought against them, or any of them, their, or any of their heirs, executors or
administrators, in any court having jurisdiction, by any creditor or creditors of the said corporation, and may be prosecuted to judgment and execution; any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt said corporation, or the lands, tenements, goods, or chattels of the same, from being also liable for said excess. And such of the said directors as may have been absent when such excess was contracted or created, or such as may have dissented from the resolution or act whereby the same was so contracted or created, may, respectively, exonerate themselves from being thus liable, by forthwith giving notice of the fact, and of their absence or dissent, to the stockholders, at a general meeting to be called for that purpose.

XVIII. That said corporation shall not be permitted to purchase any public debt whatsoever, except stock of the State or of the United States; nor shall, directly or indirectly, deal or trade in any thing except notes, bills of exchange, gold or silver bullion, or in the sale of goods really and truly pledged for money lent, and not redeemed in due time, or of goods which shall be the produce of its lands. Neither shall the said corporation take more than at the rate of one per cent. discount for sixty days, for or upon its loans or discounts. That if the said corporation, or any person or persons for or to the use of the said corporation, shall purchase, trade, discount or loan contrary to the provisions of this Act, all and every person and persons thus purchasing, trading, discounting or loaning, contrary to the provisions of this Act, shall forfeit and lose treble the value of the goods, wares and merchandize, notes, bills or loans, thus illegally purchased, traded for, discounted for, or loaned; one half thereof to the use of the informer, and the other half thereof to the use of the State.

XIX. That the bills or notes of the said corporation, originally made payable, on demand, or which shall have become payable, in gold or silver, current coin, shall be receivable by the treasurers, tax collectors, solicitors, and other public officers, in all payments for taxes, or other monies due the State, so long as the said bank shall pay gold and silver, current coin, for their notes; but whenever there shall be a protest on any of the bills or notes of the said bank, for non-payment in specie, the Comptroller-general shall be authorized, and he is hereby required to countermand the receipt of the bills and notes of said bank, in payment of taxes or debts due to the State, unless good and satisfactory cause shall be shewn him by the said corporation, for protesting, in a court of Justice, the payment thereof.

XX. That dividends shall be made at least twice in each year, by the said corporation, of so much of the profits of the said bank as shall appear to the directors advisable; and once in every year the directors shall lay before the stockholders, at a general meeting, for their information, the amount of surplus profits, if any, after deducting losses and dividends.

XXI. That in case of the failure of the said bank, each stockholder, copartnership, or body politic, having a share or shares therein at the time of such failure, or who shall have been interested therein at any time within six 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.

XXII. And the said corporation are hereby authorized to increase their capital to a sum not exceeding five hundred thousand dollars, should a majority of the stockholders, at a general meeting, at any time, during the continuance of their charter, deem the same necessary or advisable, by disposing of any number of additional shares, not exceeding four thousand;
and for every hundred dollars of additional stock so disposed of, by said corporation, the bank shall pay into the treasury the sum of two dollars and fifty cents.

XXIII. That any real estates, bills, notes, monies, profits, or other property whatever, which may, on the dissolution of said corporation, be owned or possessed by it, shall be held by the directors of said bank for the use and benefit of all persons holding shares in said corporation at the time of its dissolution, and their legal assigns and representatives, in average proportion to the number or amount of said shares.

XXIV. And be it further enacted, That if the stock be not taken by the first Monday in February next, and the day following, the books shall, in that case, be kept open in Hamburg, until the first day of November next following, unless the amount be sooner subscribed.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five, and in the sixtieth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

No. 2673. AN ACT TO AUTHORIZE THE PRESIDENT, DIRECTORS AND COMPANY OF THE STATE BANK TO INCREASE ITS CAPITAL.

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 president, directors and company of the State Bank, in the city of Charleston, are hereby authorized to enlarge the capital of the bank to a sum not exceeding, in the whole, one million of dollars, should a majority of the stockholders, at a general meeting, at any time during the continuance of the charter, deem the same necessary or advisable, by disposing of two thousand shares of additional stock to the public, at public auction; and for every hundred dollars of the said additional stock so disposed of, the said bank shall pay into the treasury of this State two and a half dollars.

In the Senate House, the twenty first day of December, in the year of our Lord one thousand eight hundred and thirty-six, and in the sixty-first year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.

D. L. WARDLAW, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks.

AN ACT TO ESTABLISH AND INCORPORATE A BANK IN THE TOWN OF GEORGETOWN.

A.D. 1836.

No. 2633.

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 in order to establish a bank in the town of Georgetown, the following persons be, and they are hereby, appointed commissioners to receive subscriptions at the several places hereinafter mentioned. At Georgetown, A. Myers, E. B. Rothmahler, Moses Tuttle; at Charleston, J. W. Cheeseborough, R. Thurston, J. Harris Simons; at Columbia, Benj. Hart, John Bryce, Andrew Wallace; at Kingstree, S. B. M'Creary, Samuel Fluit, William Stagers; at Conwayborough, James Beatty, Henry Buck, S. M. Stevenson; at Darlington court-house, A. D. Sims, James S. M'Call, B. Wilkins; at Marion court-house, E. B. Wheeler, Wm. H. Gryce, Wm. Evans; at Bennettsville, John M'Collum, C. W. Dudley, L. E. Stubbs; at Cheraw, John Ellerbe, J. G. M'Kenzie, D. L. M'Kay. And the said commissioners, or a majority of them, at each of the said places, shall, on the first Monday in February next, and the day following, receive subscriptions, from the hours of 10 o'clock, A. M., until 2 o'clock, P. M., on each day, in each place, for the purpose of raising the sum of two hundred thousand dollars, whereof four weeks public notice shall be given, in the gazettes of Charleston, Georgetown, Columbia, and Cheraw; and the above named commissioners, at all the above mentioned places, shall, on the third Monday in February next, respectively, forward correct lists of the shares subscribed, together with the monies paid on such shares at the time of subscribing, for the purpose of apportioning the same, to the above named commissioners at Georgetown, who shall make out and forward to all the other above named commissioners, respectively, a schedule of the said apportionments. And such said subscribers, paying their subscription monies, respectively, as hereinafter mentioned, then being stockholders, and all persons who may thereafter become stockholders in the said company, shall be, and are hereby, incorporated, and made a corporation and body politic, by the name and style of "The Bank of Georgetown, South Carolina," and so shall continue until the first day of January, one thousand eight hundred and fifty-seven. Provided, that no subscription shall be allowed, on the first day appointed for opening the books, for a greater number of shares than two hundred; and provided, also, that each subscriber shall declare, on oath, that the stock for which he has subscribed, is his own bona fide property; or where subscriptions are made by an agent or guardian, such agent or guardian shall declare, on oath, that such stock is, to the best of his knowledge and belief, actually the property of such person in whose name and for whose benefit such stock is subscribed.

II. That the said corporation, by its name and style, shall be, and hereby is made, capable in law, to have, purchase, receive, possess, enjoy and retain, to it and its successors, lands, rents, tenements, hereditaments, goods, chattels, promissory notes, bills of exchange, and all other choses in action, monies and effects, of what kind, nature or quality soever, to an amount not exceeding, in the whole, three times the amount of the capital stock of the said corporation, and the same to sell, alien or dispose of; and also to sue and be sued, plead and be implored, answer and be answered, defend and be defended, in the courts of record, or any other place whatsoever; and also to make, have and use a common seal, and the same to break, alter and renew at pleasure; and also to discount bills of exchange and promissory notes, at a rate of interest not exceeding one per cent for sixty
days; and also to ordain, establish and put in execution, such by-laws, ordinances and regulations as shall seem necessary and convenient for the government of the said corporation, not being contrary to the laws of the State or of the United States, or the constitutions thereof; and, generally, to do and execute all and singular such acts, matters and things, which may be deemed proper for the good government and management of said corporation; subject, nevertheless, to such regulations, restrictions, limitations and provisions, as shall hereafter be prescribed and declared.

III. That in case a greater sum than two hundred thousand dollars be

Apportionment

 subscribed, the commissioners above named at Georgetown, shall, in apportioning said shares, give preference to the subscriptions of the first day, and in no instance reduce any subscription below five shares, unless they cannot otherwise sufficiently reduce the amount subscribed. That the capital stock of said bank shall be divided into eight thousand shares, of twenty-five dollars each; that ten dollars in specie, or the bills of specie paying banks, shall be paid on each share at the time of subscribing, and that the remaining fifteen dollars on each share shall be paid in three quarterly instalments, in specie, or bills of specie paying banks, thereafter; and all shares on which the payment due shall not be punctually made at the times required, the same shall be forfeited, with whatever monies may have been paid thereon.

IV. That the number of votes to which each stockholder shall be entitled, shall be in the following proportion, that is to say: for four shares, one vote; for every eight shares above four, and not exceeding twenty, one vote; for every twelve shares above twenty, and not exceeding sixty, one vote; for every sixteen shares above sixty, and not exceeding one hundred and twenty, one vote; for every twenty shares above one hundred and twenty, and not exceeding two hundred, one vote; and for every forty shares above two hundred, one vote. Provided, always, that no person, co-partnership, or body politic, shall be entitled to a greater number than sixty votes; that no share or shares shall confer a right of suffrage, which shall not have been held three calendar months previous to the day of election, after the first election is had; that no other stockholders than those who are citizens of the United States, shall be allowed to vote; and that stockholders, being citizens of the United States, and actually resident therein, and none other, may vote by proxy; provided, such proxy be a stockholder, and a citizen of the United States.

V. That there shall be an election in the said corporation, on the second Monday after the fourth Monday in March, in each year, and in default thereof, on such other day as shall be fixed by said corporation, of seven directors, one of whom may reside in the city of Charleston, who shall be chosen by the stockholders, or their proxies, from among themselves, and by a plurality of votes actually given; and those who shall be actually chosen at any election, shall be capable of serving as directors, by virtue of such choice, until the second Monday after the fourth Monday in March next ensuing the time of such election, and no longer. And the said directors, at their first meeting after such election, shall choose one of their number as president. And in case of death, resignation, absence from the State, or removal from office by the stockholders, of a director, his place may be filled by the other directors for the remainder of the year. And that a fair and correct list of the stockholders shall be made out by the directors, at least one month previous to any election of directors, subsequent to the first election, to be submitted to the inspection of
any stockholders. And that to prevent a dividend of shares, for the purpose of obtaining undue influence, the managers of elections for directors of said bank, shall administer to every stockholder offering to vote, the following oath:

"You, A B, do swear or affirm, (as the case may be,) that the stock you now represent, is bona fide your property; and that no other person or persons is or are concerned therein."

And to any stockholder offering to vote by proxy, or for a minor, or in right of or in trust for any other stockholder entitled to vote, the following oath:

"You, A B, do swear or affirm, (as the case may be,) that the stock of C D, whom you represent, is, to the best of your knowledge and belief, the property of the said C D, and that no other person is, to the best of your knowledge and belief, concerned therein."

And any stockholder refusing to take such oath or affirmation, shall not be allowed to vote at such election.

VI. That no stockholder who is not a citizen of the United States shall, nor shall any Director of any other bank, nor co-partner of such director, nor more than one person of a co-partnership firm, be a director of this bank; nor shall any person act as a director who may be under protest in the said bank, as drawer or indorser of any bill of exchange, held by the said bank, either for discount or collection, unless he shall prove, to the satisfaction of a majority of the other directors, that he has just and sufficient cause for refusing payment of the demand on which such protest may be founded.

VII. That not less than three directors shall constitute a board for the transaction of business, of whom the president shall always be one, except in the case of sickness or necessary absence, when his place may be supplied by any other director whom he, by writing, shall nominate for the purpose; and in default of such nomination by the president, or in case of sickness or necessary absence of the person so nominated, the board of directors may, by ballot, appoint a temporary president.

VIII. That the directors for the time being shall have power to appoint such officers, clerks and servants under them, as shall be necessary for executing the business of said corporation, in such manner and upon such terms as they shall deem necessary and proper; and shall be capable of exercising such other powers and authorities for the well government and ordering of the officers of the said corporation, as shall be prescribed, fixed and determined by the laws and regulations thereof.

IX. That the president, cashier, and clerks employed in keeping the books of said bank, shall be, and they are hereby declared to be, exempted from militia duty, from serving as jurors, from militia duty, etc.

X. That no officer of said bank, other than a director, not being president, shall be permitted, either directly or indirectly, to carry on the business or trade of brokerage, vendue, or the exchange of money or bills for profit; and every such officer so trading, shall be removed from office by the directors, and shall not be re-eligible to any office in said bank.

XI. That no director or other officer of said bank, shall, directly or indirectly, receive any compensation for any agency in negotiating any business with the bank, in procuring discounts, renewing notes, or receiving monies for individuals on notes discounted; and every such director or other officer, thus receiving such compensation, shall be removed from office, and disqualified from thereafter holding any office in said bank.
XI. That a meeting of the stockholders may be called at any time by the president and directors, or a majority of them, or by any director who may protest against the proceedings of the board, and who may wish the propriety of his dissent to be considered by the stockholders, or whenever the holders of seven hundred shares, or upwards, shall require the same. Provided, that no such meeting of the stockholders shall be competent to transact business, unless one month's notice thereof be given, in at least two public gazettes, and unless a majority of the stock in the said bank be represented.

XII. That the lands, tenements and hereditaments which it shall be lawful for the said corporation to hold, shall be only such as may be requisite for its immediate accommodation for the transaction of its business, to an amount not exceeding twenty thousand dollars, such as shall have been bona fide mortgaged to it by way of security or payment for debts previously contracted in the course of its dealings, and such as shall have been purchased at sales upon judgments previously obtained.

XIV. That the said bank shall not issue any bills or notes for the payment of money, nor commence discounting, until two-fifths of its capital stock, in specie, or the bills of specie paying banks, shall be deposited in its vaults, nor until a bonus of five thousand dollars shall be paid into the treasury of the State, whereupon the said bank shall be, and the same is hereby declared to be, exempted from the payment of all taxes, during the term that it is hereby incorporated.

XV. That the stock of said bank shall be assignable and transferable, according to such regulations, and upon such terms, as may be prescribed and fixed by the said corporation.

XVI. That the bills or notes which may be issued by order of the said corporation, signed by the president, and countersigned by the principal cashier or treasurer thereof, promising the payment of money to any person or persons, his, her or their order, or to bearer, though not under the seal of the said corporation, shall be binding and obligatory upon the said corporation, in like manner, and with the like force and effect, as upon any private person or persons, if issued by him, her or them, in his, her or their private capacity, and shall be assignable and negotiable in like manner as if they were so issued by such private person or persons, that is to say: those that shall be payable to any person or persons, his, her or their order, shall be assigned by indorsement, in like manner, and with like effect, as foreign bills of exchange or promissory notes now are; and those which are payable to any person or persons, or bearer, shall be negotiable or assignable by delivery only.

XVII. That the total amount of debts which the said corporation shall at any time owe, shall not exceed three times the amount of its capital stock, exclusive of the amount of money then actually deposited in the bank for safe keeping. And in case of excess, the directors under whose administration such excess shall happen, shall be liable for the same in their private and individual capacities, and an action may, in such case, be brought against them, or any of them, their, or any of their heirs, executors and administrators, in any court having jurisdiction, by any creditor or creditors of the said corporation, and may be prosecuted to judgment and execution; any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt said corporation, or the lands, tenements, goods and chattels of the same, from being also liable for said excess. And such of the said directors as may have been absent when such excess was
OF SOUTH CAROLINA.


contracted or created, or such as may have dissented from the resolution or act whereby the same was contracted or created, may, respectively, exonerate themselves from being thus liable, by forthwith giving notice of the fact, and of their absence or dissent, to the stockholders, at a general meeting to be called for that purpose.

XVIII. That said corporation shall not be permitted to purchase any public debt whatsoever, except stock of the State or of the United States, nor shall, directly or indirectly, deal or trade in any thing except notes, bills of exchange, gold or silver bullion, or in the sale of goods really and truly pledged for money lent, and not redeemed in due time, or of goods which shall be the produce of its lands. Neither shall the said corporation take more than at the rate of one per centum discount for sixty days, for or upon its loans or discounts. That if the said corporation, or any person for or to the use of the said corporation, shall purchase, trade, discount, or loan, contrary to the provisions of this Act, all and every person and persons thus purchasing, trading, discounting or loaning, shall forfeit and lose treble the value of the goods, wares and merchandize, notes, bills or loans thus illegally purchased, discounted for or loaned; one half thereof to the use of the informer, and the other half to the use of the State.

XIX. That the bills or notes of the said corporation, originally made payable, on demand, or which shall have become payable, in gold or silver, current coin, shall be receivable by the treasurers, tax-collectors, solicitors, &c., and other public officers, in all payments for taxes or other monies due the State, as long as the said bank shall pay gold and silver, current coin, for their notes; but whenever there shall be a protest on any of the bills or notes of the said bank, for non-payment in specie, the comptroller-general shall be authorized, and he is hereby required, to countermand the receipt of the bills and notes of said bank, in payment of taxes or debts due to the State, unless good and satisfactory cause shall be shown him, by the said corporation, for protesting, in a court of justice, the payment thereof.

XX. That dividends shall be made at least twice in each year, by the said corporation, of so much of the profits of said bank as shall appear to the directors advisable; and once in every year, the directors shall lay before the stockholders, at a general meeting, for their information, the amount of surplus profits, if any, after deducting losses and dividends.

XXI. That in case of the failure of the said bank, each stockholder, co-partnership, or body politic, having a share or shares therein at the time of such failure, or who shall have been interested therein at any time within six 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.

XXII. And the said corporation are hereby authorized to increase their capital to a sum not exceeding four hundred thousand dollars, should a majority of the stockholders, at a general meeting, at any time during a continuance of their charter, deem the same necessary or advisable, by disposing of any number of additional shares not exceeding eight thousand; and for every hundred dollars of additional stock so disposed of by said corporation, the bank shall pay into the treasury the sum of two dollars and fifty cents.

XXIII. That any real estates, bills, notes, monies, profits, or other property whatever, which may, on the dissolution of said corporation, be owned or possessed by it, shall be held by the directors of said bank for
the use and benefit of all persons holding shares in said corporation at the
time of its dissolution, and their legal assignees and representatives, in ave-
rage and proportion to the number or amount of said shares.

XXIV. That if the stock be not taken by the first Monday in February
next, and the day following, the books shall, in that case, be kept open
in Georgetown and Charleston, until the first day of December next follow-
ing, unless the amount be sooner subscribed.

XXV. That the president, directors and the officers of the said bank
shall be citizens and residents of the State of South Carolina.

In the Senate House, the twenty-first day of December, in the year of our Lord one thou-
sand eight hundred and thirty-six, and in the sixty-first year of the Sovereignty and
Independence of the United States of America.

PATRICK NOBLE, President of the Senate.

D. L. WARDLAW, Speaker of the House of Representatives.

No. 2685. AN ACT TO CONFER BANKING PRIVILEGES ON THE STOCKHOLDERS OF THE LOUISVILLE, CINCINNATI AND CHARLESTON RAIL ROAD COMPANY, ON CERTAIN TERMS AND CONDITIONS.

I. Be it enacted by the Honorable the Senate and House of Representa-
tives, now met and sitting in General Assembly, and by the authority of
the same, That the Rail Road Company incorporated in the States of
South Carolina, North Carolina, and Tennessee, by the name of "The
Cincinnati and Charleston Rail Road Company," and in the State of Ken-
tucky, by the name of "The Louisville, Cincinnati and Charleston Rail
Road Company," shall be called and known as a body corporate, in all
the States aforesaid, by the name of "The Louisville, Cincinnati, and
Charleston Rail Road Company." And that the corporators in the said
Rail Road Company shall form a separate body corporate, in deed and in
law, for banking purposes, in such of the States of South Carolina, North
Carolina, Tennessee, and Kentucky, as shall assent hereto, and be called
and known by the name of "The South Western Rail Road Bank." Pro-
vided, that the assent of not less than three of the said States shall be given
hereto, before the said bank shall have corporate existence.

II. The said banking company shall be formed in the following manner,
and be vested with the following powers, and be subject to the following
restrictions; that is to say:

1st. Each of the present stockholders, and every person who may here-
after become a stockholder in the said Rail Road Company, until the capi-
tal thereof shall be increased, by regular subscriptions, to twelve millions of
dollars, shall be entitled, for every share in the said Rail Road Company,
of one hundred dollars, to take one share in the bank, of fifty dollars, so
that the capital of the said bank may, in the first instance, amount to the
sum of six millions of dollars.

2d. The directors of the said company shall cause books to be opened
to the community at large, in all the States of South Carolina, North
OF SOUTH CAROLINA.

Acts relating to Corporations.—Banks. A. D. 1836.

Carolina, Tennessee, and Kentucky, in all places where books were opened for the first subscriptions of stock in said Rail Road Company, and at such other places as the said directors may designate, by such commission-Where books shall be open-
sioners as the said directors may appoint, from ten o'clock in the morning, to two o'clock in the afternoon, of each day, for a period not less than twenty days, except sundays, for the purpose of increasing the Stock of the said Rail Road Company to twelve millions of dollars; and if, on closing the books on the last day of December, 1837, the Rail Road capital shall have been increased, by regular subscriptions, to eight millions of dollars, or more, the bank shall be regarded as formed; and thereupon, the stockholders therein shall be a body corporate in all the States assenting thereto, by the name of "The South Western Rail Road Bank." Provided, at least three of the said States shall assent hereto.

3d. If, on closing the books, the subscriptions shall have increased the capital of the Rail Road Company beyond twelve millions of dollars, the reduction of same shall be reduced to that sum, by reducing the subscriptions made after the first day or December, 1836, in the manner prescribed by the seventh section of the Rail Road charter.

4th. As soon as the said Bank [ has ] become a body corporate, as aforesaid, the directors of the said Rail Road company, by publication in two or more newspapers in each of the said States, shall call on all the stockholders in the Rail Road company to pay the first instalment of twelve dollars and fifty cents on each share, towards forming the capital of the Bank, which sum shall be paid into some specie paying Bank in the State where the payment is made, to the credit of the South-Western Rail Road Bank; and each stockholder in the Rail Road company who shall, within one month after the day fixed for the said payment, pay, on the whole, or any part of the stock he owns, in specie, or the notes of specie paying banks in the said States, the instalments so called for, shall be regarded and taken as a stockholder in the said Bank, for the number of shares on which such payment shall be made.

III. As soon as the said bank has become a body corporate, as aforesaid, the directors of the Rail Road company shall appoint a time and place for the stockholders in the bank to meet, by themselves or proxies, and give notice thereof by publications in two or more newspapers in each of the said States, at least one calendar month before such meeting. In all meetings of the stockholders of the bank, votes may be given in person, or by proxy, on the same terms, and according to the same scale, as is prescribed for voting in person or by proxy, in meetings of the Rail Road company; except that no person shall act as a proxy in the Bank, unless he be a stockholder therein.

IV. At the first meeting of the stockholders, and annually thereafter, on such day as shall be fixed by the bank corporation, there shall be an election of thirteen directors of the bank, and those who are elected by a plurality of votes shall be capable of serving only for one year, but shall be re-eligible. In case of death, resignation, or removal from office by the stockholders, of a director, his place may be filled by the other directors, for the remainder of the year.

V. But should the day of annual election pass without any election of directors, the bank shall not be thereby dissolved, but it shall be lawful on any other day to hold and make such election, in such manner as may be prescribed by a by-law of the bank corporation.

VI. The directors of the bank shall be resident citizens of some of the VOL. VIII.—13.
said States, and stockholders of the bank; and at the first meeting after
their election, they shall appoint one of their number to be president of the
said bank, and the president, directors, and cashier of its branches, all of
whom they may remove at pleasure; and may also at pleasure remove all
the officers of the branches which shall have been appointed by the presi-
dent and directors of such branches. No director, or partner of a director,
of another bank, shall be a director in this bank, or in any of its branches;
nor shall any person act as a director who may be under protest in the said
bank, as drawer or endorser of any note or bill of exchange, held by
the said bank, either for discount or collection, unless he shall prove, to the
satisfaction of a majority of the other directors, that he has just and suffi-
cient cause for refusing payment of the demand on which such protest
may be founded.

VII. The president and directors of the bank may call for a second in-
stalment of twelve dollars fifty cents, upon the capital of the bank, as
soon after their election as they may deem proper, upon giving one
month's notice thereof, by publication in at least two newspapers in each
of the States assenting hereto. The subsequent instalments, they may
call for in such sums as they may deem necessary. Provided, that similar
notice be given, and the payments be at least sixty days apart; and provi-
ded also, that no call for any installments subsequent to the two first, shall
be made, until an amount equal to such call shall have been previously
called in by the Rail Road company, and shall have been actually expended
in constructing the Rail Road, or shall be necessary to meet contracts actu-
ally made on account of the same. When the instalments paid in for the
capital of the said bank shall amount to six millions of dollars, the said
capital shall not be further increased, until six millions of dollars shall have
been actually called in and expended on the Rail Road. After which, the
capital of the bank shall be increased only by calling for installments equal
in amount to those which may be called for by the Rail Road company,
until the said capital shall reach the limit of twelve millions. Provided,
that the capital of the bank shall not exceed six millions, until the Rail
Road shall have been extended to the State of Tennessee, and that it shall
not exceed nine millions until the road shall be extended to the southern
border of Kentucky, and that it shall not be increased to twelve millions,
until it shall be extended to Lexington, in Kentucky. Provided also, that
any share in the bank on which any installment shall not be paid when
called for, shall, with all the payments made thereon, be forfeited to the
bank; but such default shall not induce a forfeiture of the corresponding
Rail Road shares.

VIII. The board of directors of the Rail Road and of the Bank, shall be
distinct and separate bodies; and the capital of the Rail Road and of the
Bank shall also be kept distinct and separate: The bank shall never be liable
for the debts of the Rail Road company, but the Rail Road company shall
be liable for the debts of the bank, in case of its failure; except that shares
in the Rail Road, which have no corresponding shares in the Bank, shall not
be liable to the debts of the Bank.

IX. The president and directors of the bank shall make up, annually, a
full statement of the affairs thereof, as they may stand on the first day of
October, and also of the affairs of each of the branches on that day, as
rendered to them by the president and directors of such branch, and shall
send one copy thereof, certified by the president and cashier, to each of the
Governors of the said States, to be laid before their respective Legislatures.

X. The mother, or principal bank, shall be located at Charleston, and
the said bank may establish branches, or have agencies thereof, in any State, with the consent of the Legislature thereof; and it is hereby declared, that the said bank shall not have corporate existence, unless two of the States of North Carolina, Tennessee, and Kentucky, shall consent to the establishment of branches therein.

XI. The bank shall never issue any note, or draw a check, which is payable to order or bearer, of a less denomination than five dollars; nor shall it ever put in circulation notes payable to order or bearer, to an amount exceeding double its capital; and in case it shall not pay its notes in current coin of the United States, when demanded at the bank or branch where such notes are payable, such notes shall thenceforth bear interest at the rate of twelve per cent per annum.

XI. Neither the bank or its branches shall lend money on the pledge of its own, or the stock of the Rail Road, until the three fourths of the capital of the Rail Road company shall have been paid in, and then, only to one half of the said stock; and the Bank shall never permit the Rail Road company to overdraw.

XIII. Each branch of the said bank shall be an office of discount and deposit. It shall have a board, to consist of a president, and not less than six directors, with a cashier and such other officers as the business of the branch may require. The board shall conform to all orders it may receive from the president and directors of the bank; and shall possess such powers as the said president and directors may confer on them consistently with this charter.

XIV. And the said bank corporation, by its said name and style, shall be, and is hereby made, capable in law, to have, purchase, receive, possess, enjoy, and retain, to it and its successors, lands, rents, tenements, hereditaments, goods, chattels, promissory notes, bills of exchange, and all other choses in action, monies and effects, of what kind, nature, or quality soever, to an amount not exceeding, in the whole, three times the amount of the capital stock of the said corporation, and the same to sell, alien and dispose of; and also to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in the courts of any of the said States, or of any other place whatsoever; and also to make, have, and use a common seal, and the same to break, alter and renew at pleasure; and also to discount promissory notes, at a rate of interest not exceeding one per cent. for sixty days; and also to ordain, establish, and put in execution, such by-laws, ordinances and regulations, as shall seem necessary and convenient for the government of the said corporation, not being contrary to the laws of the said States or of the United States, or to the constitutions thereof; and generally, to do and execute all and singular such acts, matters and things as may be deemed necessary and proper for the good government and management of said corporation; subject, nevertheless, to such regulations, restrictions, limitations and provisions, as are herein prescribed and declared.

XV. That the total amount of debts which the said corporation shall at any time owe, shall not exceed three times the amount of its capital stock, exclusive of the amount of money then actually deposited in the bank for safe keeping. And in case of excess, the directors under whose administration such excess shall happen, shall be liable for the same in their private and individual capacities, and an action may, in such case, be brought against them, or any of them, their or any of their heirs, executors or administrators, in any court having competent jurisdiction; by any creditor
or creditors of the said corporation, and may be prosecuted to judgment and execution; any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt the Rail Road company, or the said bank, or the lands, tenements, goods or chattels of the same, from being also liable for said excess. And such of the said directors as may have been absent when such excess was contracted or enacted, or such as may have dissented from the resolution or act whereby the same was so contracted or enacted, may, respectively, exonerate themselves from being thus liable, by forthwith giving notice of the fact, and of their absence or dissent, to the stockholders, at a general meeting to be called for that purpose.

XVI. That dividends shall be made, at least twice in every year, by the said corporation, of so much of the profits of said bank as shall appear to the directors advisable; and once in every year the directors shall lay before the stockholders, at a general meeting, for their information, the amount of surplus profits, if any, after deducting losses and dividends.

XVII. That no officer of said bank, other than a director, not being president, shall be permitted, either directly or indirectly, to carry on the business or trade or merchandize, factorage, brokerage, vendue, or the exchange of money or bills for profit; and every such officer so trading, shall be removed from office by the directors, and shall not be re-eligible to any office in said bank or its branches. That no director or other officer of the said bank shall, directly or indirectly, receive any compensation for any agency for negotiating any business with the bank or its branches, in procuring discounts, renewing notes, or receiving monies for individuals on notes discounted; and any such director or other officer thus receiving compensation, shall be removed from office, and disqualified from thereafter holding any office in said bank or its branches.

XVIII. That a meeting of the stockholders may be called at any time by the president and directors, or a majority of them, or by any director who may protest against the proceedings of the board, and who may wish the propriety of his dissent to be considered by the stockholders, or whenever the holders of ten thousand shares, or upwards, shall require the same; Provided, that no such meeting of the stockholders shall be competent to transact business, unless one month's notice thereof be given, in at least two public gazettes in each of the said States, and unless a majority of the stock in the said bank be represented. That the lands, tenements and hereditaments which it shall be lawful for the said corporation to hold, shall be only such as may be requisite for its immediate accommodation for the transacting of its business, such as shall have been bona fide mortgaged or assigned to it by way for security or payment for debts previously contracted in the course of its dealings, and such as shall have been purchased at sales upon judgments previously obtained.

XIX. Each share in the bank shall be inseparably connected with a share in the Rail Road company, and shall never be transferred without it; and the forfeiture of a share in the Rail Road company, for the non-payment of any installment called for thereon, shall induce a forfeiture to the bank corporation of the corresponding bank share. The stock of said bank, and the corresponding Rail Road stock, shall be assignable and transferable according to such regulations and upon such terms as may be prescribed and fixed by the said corporation, or the directors thereof.

XX. That the bills or notes which may be issued by order of the said bank corporation, signed by the president and countersigned by the principal cash-
er or treasurer thereof, promising the payment of money to any person or persons, his, her or their order, or to the bearer, though not under the seal of the said corporation, shall be binding and obligatory upon the said corporation, in like manner, and with the like force and effect, as upon any private person or persons, if issued by him, her or them, in his, her or their private capacity, and shall be assignable and negotiable in like manner as if they were so issued by such private person or persons, that is to say: those which shall be payable to any person or persons, his, her or their order, shall be assigned by indorsement, in like manner, and with like effect, as foreign bills of exchange now are; and those which are payable to any person or persons, or bearer, shall be negotiable or assignable by delivery only.

XXI. Notes of twenty dollars and under may be signed by the president and cashier of the branch where they are payable, and shall have the same effect as they would have if signed by the president and cashier of the principal bank.

XXII. That no less than five directors in the principal Bank or four in a branch, shall constitute a board for the transaction of business, of whom the president shall always be one, except in the case of sickness or necessary absence, when his place may be supplied by any other director whom he, by writing, shall nominate for the purpose. And in default of such nomination by the president, or in case of sickness or necessary absence of the person so nominated, the board of directors may, by ballot, appoint a temporary president.

XXIII. The directors for the time being shall have power to appoint such officers, clerks and servants under them, as shall be necessary for executing the business of said corporation, in such manner and on such terms as they shall deem necessary and proper, and shall also have power to remove such officers, from time to time, at their will and pleasure; and shall be capable of exercising such other powers and authorities for the well government and ordering of the affairs of said corporation, as shall be prescribed, fixed and determined by the laws and regulations thereof.

XXIV. That the president, cashier and clerks employed in keeping the books of the said bank, shall be, and are hereby declared to be, exempted from the performance of ordinary militia duty, and from serving as jurors.

XXV. The capital of said bank, and all the funds thereof, the shares of the stockholders therein, and the dividends thereon, shall be free and exempt from taxation of every kind, in each of the States granting the charter, during the continuance thereof; except that its real estate and its goods pledged for money lent, and its goods the produce of its lands, may be taxed at the same rate as similar real estate and goods are taxed, in the State where the same may be situated.

XXVI. The notes of the said bank shall be receivable at the treasuries of the said several States in which it is chartered, in payment of public dues, so long as the said bank shall redeem its notes with specie.

XXVII. That any real estates, bills, notes, monies, profits, or other property whatever, which may, on the dissolution of said bank corporation, be owned or possessed by it, shall be held by the directors of said bank for the use and benefit of all persons holding shares in said corporation at the time of its dissolution, and their legal assignees and representatives, in average and proportion to the number and amount of said shares.

XXVIII. In case the Rail Road company shall finish the Road with a double track from Charleston, or from the Rail Road of the South Carolina
Canal and Rail Road company, to the Ohio river, or shall unite it, in the State of Kentucky, with some other Rail Road which may connect it with the Ohio river, within ten years from the first day of January, 1837; or in case, within the same period, the said Louisville, Cincinnati and Charleston Rail Road company shall finish the road with a double track, from Charleston, or from the Rail Road of the South Carolina Canal and Rail Road company, to the southern boundary of Kentucky; or in case the said Louisville, Cincinnati and Charleston Rail Road company shall, within the same period, actually expend on the said road the sum of twelve millions of dollars, then the said bank shall have corporate existence for twenty-one years after the expiration of the said ten years; otherwise it shall cease to have corporate existence after the expiration of the said ten years.

XXIX. If the Legislature of the State of Kentucky shall not, within one year from the first day of March, 1837, discharge the Rail Road company from the obligation to make branches to the main road in that State, and the company shall, within ten years from the first day of January, 1837, construct a Rail Road with a double track from Charleston, or from the Rail Road of the South Carolina Canal and Rail Road company, to the southern boundary of the State of Kentucky, or to the Cumberland river, then the said Rail Road company shall continue to exist as a body corporate, in the States of South Carolina, North Carolina and Tennessee, with all the rights and privileges appertaining to it in those States, discharged from all obligation to construct any Rail Road in the State of Kentucky, or to have any directors residing in that State. And the Bank hereby chartered shall have corporate existence in such of the States as shall assent thereto, with all the rights and privileges, and subject, in all respects, to the provisions herein contained, discharged from all obligation to establish or construct any road in the State of Kentucky.

XXX. It is hereby declared, that in case the Rail Road company shall not, within five years from the first day of January, 1837, have called in and expended, or made contracts to the amount of three millions of dollars, for the construction of the Road, the grant of banking privileges hereby conferred, shall cease and be revoked. In case the construction of the Road should be suspended, after the bank goes into operation, for one year, before the final completion of the Road, then this charter shall be taken and deemed as null and void; but the bank shall, in this contingency, be allowed two years for winding up their concerns, without the privilege of doing new business.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand eight hundred and thirty-six, and in the sixty-first year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.
D. L. WARDLAW, Speaker of the House of Representatives.

No. 2720. AN ACT TO ALTER AND AMEND THE CHARTER OF THE BANK OF HAMBURG, 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 an Act entitled "An Act to establish and incorporate a bank in the town of Hamburg," passed on the nineteenth day of December, in the year one
OF SOUTH CAROLINA.


thousands eight hundred and thirty-five, shall be, and the same is hereby, so changed and amended, that in the annual elections hereafter to be held in the said corporation for directors of said bank, it shall not be necessary for the stockholders of said bank to elect, from among themselves, more than seven directors, instead of thirteen, as heretofore required by said Act; and that the seven directors, when elected in conformity to the provisions of said Act, shall be, and they are hereby, vested with the same powers and authority to manage and direct the affairs and concerns of said bank, in as full and ample a manner as the thirteen directors heretofore required to be elected.

II. And be it further enacted, That four directors shall constitute a board for the transaction of business, instead of five, as heretofore required, of whom the president shall always be one, except in the cases as are provided for in the said Act of incorporation.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and thirty-seven, and in the sixty-second year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.
D. L. WARDLAW, Speaker of the House of Representatives.

AN ACT CONCERNING THE BANK OF THE STATE OF SOUTH CAROLINA. No. 2727.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the president and directors of the said bank be, and they are hereby, authorized and required to issue change bills, of the denomination of fifty cents and twenty-five cents, to such an amount as, in their discretion, may be necessary to meet the present wants of the citizens of the said State.

II. And be it further enacted by the authority aforesaid, That the president and directors of the said bank be, and they are hereby, authorized to cause all bills of and under the denomination of two dollars, to be signed by a clerk, to be by them appointed for that purpose.

III. And be it further enacted by the authority aforesaid, That all Acts, parts or clauses of Acts, forbidding the issuing of bills of the denomination of fifty cents and twenty-five cents, or regulating the mode and manner of signing the bills of the denomination of one and two dollars, be, and the same are hereby, repealed.

IV. And be it further enacted, That this Act shall continue and be of force for twelve months, and no longer.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and thirty-seven, and in the sixty-second year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.
D. L. WARDLAW, Speaker of the House of Representatives.
AN ACT TO AUTHORIZE A SUBSCRIPTION IN BEHALF OF THE STATE TO THE SOUTH-WESTERN RAIL ROAD BANK.

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 subscription made by his Excellency the Governor, in behalf of the State, for ten thousand shares in the South-Western Rail Road Bank, be, and the same is hereby, authorized and confirmed.

II. The comptroller-general is hereby authorized to draw from the Bank of the State the amount which may be required to pay the instalments due, and to become due, upon the said subscription, and to demand and receive from the proper officers of the Rail Road Bank, the usual scrip certificates or receipts, and to hold the same for and on account of the State; and the president and directors of the said bank of the State shall make such arrangements as they shall deem expedient, for paying the said drafts of the comptroller-general. Provided, in case the president and directors of the Bank of the State of South Carolina shall be of the opinion that they cannot advance the said funds, required by said subscription, without embarrassment to the operations of said bank, or without violating the faith of the State, pledged in an Act to provide a sinking fund for the redemption of the six per cent. stock of this State, passed in the year of our Lord one thousand eight hundred and twenty-one, and pledged in subsequent Acts for the redemption of all the stock subsequently issued, then, and in that case, the comptroller-general is required to issue stock therefor, on the part and in behalf of the State, bearing a half yearly interest, at the rate of five per cent. per annum, and redeemable at the end of twenty years.

III. The dividends which shall be declared by the South-Western Rail Road Bank, upon that portion of its capital stock held by the State, shall remain on deposit in said bank, as a fund to meet further instalments upon the said stock, as they may be called in, and shall, for that purpose, be subject, with any interest to accrue thereon, to the draft of the comptroller-general. Provided, such rate of interest shall be allowed on the same, as may be agreed upon between the said bank and the comptroller-general; and provided, also, that such dividends, so deposited, shall, in no instance, draw less than at the rate of three per cent. per annum.

IV. At all elections or meetings of the stockholders of the said bank, the commissioners now acting, or hereafter to be appointed, under a joint resolution of the Legislature, as proxies in the Louisville, Cincinnati and Charleston Rail Road Company, or a majority of such as may be present, shall act as the proxies of the State.

V. The bonus to be paid by the Bank of Charleston, for the increase of its capital stock, shall be paid to the president and directors of the Bank of the State of South Carolina, and may be by them applied on account of the subscription aforesaid.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-eight, and in the sixty-third year of the Sovereignty and Independence of the United States of America.

A. PATTERSON, President of the Senate.

D. L. WARDLAW, Speaker of the House of Representatives.
AN ACT TO AUTHORIZE THE SOUTH-WESTERN RAIL ROAD BANK TO ESTABLISH BRANCHES AND AGENCIES IN THIS STATE.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the consent of this Legislature is hereby given to the establishment of branches and agencies of the South-Western Rail Road Bank in this State, and the president and directors of the said South-Western Rail Road Bank are hereby empowered and authorized to establish branches and agencies of the said bank in this State, as they may deem proper and necessary.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-eight, and in the sixty-third year of the Sovereignty and Independence of the United States of America.

A. PATTERSON, President of the Senate.

D. L. WARDLAW, Speaker of the House of Representatives.
AN ACT TO INCORPORATE THE SOCIETY COMMONLY CALLED AND KNOWN
BY THE NAME OF THE SOUTH CAROLINA SOCIETY.

WHEREAS, Robert Raper, John McCall, and Benjamin Addison, in
behalf of themselves and sundry other persons, inhabitants of this Province,
who have associated themselves together for certain pious and charitable
purposes, and have subsisted these thirteen years last past, under the name
of "The South Carolina Society," have preferred a petition to the Gene-
ral Assembly, therein setting forth, that by small contributions from time
to time, made and improved to the best advantage, the said society hath
now collected a considerable sum of money, which they are desirous to ap-
ply in part towards those good and charitable uses which first called them
together, and, in particular, towards erecting, endowing and supporting
proper schools and alms-houses, for the maintenance and education of poor
and helpless orphans; and therefore pray to be incorporated as a body politic,
and to be invested with such powers and authorities as may be most condu-
cive to answer and further the good intentions of the said association.
We therefore pray his most sacred majesty that it may be enacted:

I. And be it enacted, by his Excellency, James Glen, Esq., Governor-in-
Chief and Captain-General in and over his Majesty's said Province of
South Carolina, by and with the advice and consent of his Majesty's Hono-
rable Council and the Assembly of the said Province, and by the authority
of the same, That Robert Raper, the present steward, John McCall and
Benjamin Addison, the present wardens, and the several persons who now
are, or shall hereafter be, members of that society in this Province com-
monly called the South Carolina Society, and their successors, in the man-
ner hereinafter directed, to be elected officers or members of the same,
shall be, and they are hereby declared to be, one body corporate and politic,
in deed and in name, by the name and style of "The South Carolina
Society," and by the same name shall have perpetual succession of officers
and members, and a common seal, with power to change, alter and break,
and make new the same, as often as they shall judge expedient. And they
and their successors shall be able and capable in law to have, hold, receive,
enjoy, possess and retain, to them and their successors, all the monies or
other personal estate, and all the securities for the same, which have ari-
son from the contributions aforesaid, and the interest or proceeds thereof,
and which are now in the hands of or vested in any of the said officers or
members, in trust for the said society; and also, at their discretion, to call
in and re-place at interest the said monies, or any part thereof. And they
and their successors, by the said corporate name of the South Carolina
Society, shall be capable in law, out of the said monies and the produce
thereof, to purchase, receive, have, hold, enjoy, possess and retain, to
them and their successors, in perpetuity or for any term of years, any es-
tate or estates, real or personal, messuages, lands, tenements or heredita-
ments, of what kind or nature soever, not exceeding, in the whole, five
hundred pounds sterling per annum, above reprises, and to sell, alien, ex-
change, demise, or lease the same, or any part thereof, as they shall think
convenient; and by the same name to sue and be sued, impleaded and be im-
pleaded, answer and be answered unto, in any court of record; and to
make such rules and by-laws for the benefit and advantage of the said cor-
poration, as shall be, from time to time, agreed to by the majority of the
members of the said society.
II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said corporation hereby erected, to take and hold, to them and their successors, forever, any charitable donations or devises of lands, not exceeding, in the whole, five hundred pounds sterling per annum; and also to take and hold moneys or chattels, real and personal; and therewith, and out of their common stock, to erect, endow and support proper schools; provided, that the masters of the said schools be members of the Church of England; and almshouses for the relief of such indigent persons, and especially for the maintenance and education of such poor and helpless orphans or indigent children, and for binding them apprentices, as they shall judge proper objects of the charity hereby intended; and to appoint and choose, and at their pleasure displace, remove and supply, such officers, school-masters, servants, and other persons to be employed for the purposes herein mentioned or intended, or other affairs of the corporation, and to appoint such salaries, perquisites or other rewards, for their labor or service therein, as they shall, from time to time, approve and think fit.

III. And be it further enacted by the authority aforesaid, That this Act shall and may be given in evidence on the tryal of any issue or cause, in any court of law or equity, without special pleading.

IV. And be it enacted by the authority aforesaid, That this Act, nor any thing therein contained, shall not be of force until his Majesty's royal approbation thereof shall be obtained and signified to the Governor or Commander-in-Chief in this Province.

AND'W. RUTLEDGE, Speaker.

In the Council Chamber, the 17th day of May, 1751.

Assented to: JAMES GLEN.

AN ACT FOR INCORPORATING THE CHARLESTOWN LIBRARY SOCIETY. No. 819.

WHEREAS, several of the inhabitants of this Province, taking into their consideration their remote situation from the Kingdom of Great Britain, by means whereof, they and their fellow subjects in the said Province are in a great measure destitute of the advantages which are to be reaped from the knowledge of the liberal arts and sciences, and that an access to good and useful libraries might in some measure supply the want thereof, did, in or about the month of December, in the year of our Lord one thousand seven hundred and forty-eight, enter into a voluntary society for erecting a library, and raising a fund for establishing an Academy at Charlestown, in the Province aforesaid, and have, at a considerable expense, purchased and imported into the Province aforesaid a valuable collection of useful books, for the advancement and furtherance of knowledge and literature therein; which undertaking, they hope may, in time, if duly encouraged and properly established, be of the greatest advantage and importance to the religious as well as the civil concerns of the said Province; and are desirous of having the said society incorporated, thereby to put them upon a more solid and lasting foundation than they
could be by their voluntary subscriptions only; for promoting, therefore, of so good a work, we humbly pray your most sacred Majesty that it may be enacted,

I. And be it enacted, by his Excellency James Glen, Esquire, Governor-in-chief and Captain-general in and over your Majesty’s Province of South Carolina, by and with the advice and consent of your Majesty’s Council, and the Assembly of the said Province, and by the authority of the same, That Gabriel Manigault, Esq., President, Thomas Smith, Esq., Vice-President, Mr. John Sinclair, Librarian, Treasurer, and Correspondent, Mr. John Remington, Secretary, Mr. Rice Price, Steward, the present officers, and the rest of the present members of the said Charlestown Library Society, having been duly elected, and being now members of the said society, and all such other persons as shall be hereafter duly admitted or become members of the said Charlestown Library Society, according to the rules, orders and constitutions of the said society, shall, forever hereafter, be, and they are hereby declared to be, one body corporate and politic, in deed and in name, by the name of the Charlestown Library Society; and by that name shall, from time to time, and at all times hereafter, have perpetual succession, and shall forever hereafter by that name be a body able and capable in law, to purchase, have, hold, receive, take, retain, possess and enjoy, to them and their successors, forever, lands, tenements, rents, franchises and hereditaments, in fee simple, not exceeding, in the whole, the clear yearly value of one thousand pounds, lawful money of Great Britain; and also goods and chattels, real or personal effects and things whatsoever, of what nature, kind or quality soever, by donation, subscription or otherwise howsoever; and also, to give, grant, sell, alien, convey away, exchange, demise or lease the same, or any part thereof, as they and their successors shall think proper and convenient, and for the benefit and advantage of the said society, and according to the rules, laws, and orders thereof; and by the same name, shall be forever hereafter a body able and capable to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all or any court or courts, or other places, and before any judges, justices, and other persons whatsoever, in all manner of actions, suits, complaints, pleas, causes and things whatsoever, and of what nature or kind soever, which shall to them in any wise belong or appertain in and about the premises.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said Charlestown Library Society, and their successors, from time to time, and at all times forever hereafter, to have one common seal for their use and benefit, with full power to change, alter, break and make new the same, when and so often as they shall judge expedient, necessary, and convenient.

III. And be it further enacted by the authority aforesaid; That it shall and may be lawful for the said society or corporation hereby erected, and their successors, to assemble and meet together on every second Tuesday in January, in every year, and at such other times as there shall be occasion, at the place where their library shall be kept, or at some other convenient place in Charlestown, aforesaid, due and public notice being given at least thirty days by the secretary of the said society, in the public Gazette, or for want of such Gazette, by his affixing and posting advertisements at the most usual and notorious places in Charlestown, aforesaid, before the times of such meetings, not only of the day, hour and place of such meeting, but of the causes thereof, and of the matters to be transacted.
at such meeting; and that they, the said society or corporation, and
their successors, or any thirty-one of them, being so met, shall have full
power and authority, from time to time, to make, constitute and estab-
lish such and so many by-laws, rules and orders, as to the greatest part
of them then present shall seem necessary and convenient for the better
regulation, government, well ordering and directing the said corporation
or society, and the officers, servants and persons by them employed or
to be employed in or about the same, and for the better management,
limiting and appointing of all and singular the trusts and authority in
them and each of them reposed and to be reposed, and for the admission
of new members into the said society, and for the doing, managing and
transacting all things necessary for and concerning the government of the
said society or corporation, and the same by-laws, rules and orders to put
in use and execution accordingly, and the same again at their will and
pleasure to alter, change, revoke or annul; all which said by-laws, rules
and orders, so to be made as aforesaid, shall be binding on every member
of the said society or corporation, and be from time to time by them and
each of them, punctually and inviolably observed, according to the tenor
and effect thereof, under the several pains, penalties and disabilities therein
expressed, fixed, appointed or declared; provided that the same shall be
reasonable, and not contrary or repugnant to the laws and statutes of the
Kingdom of Great Britain, or of this Province.

IV. And be it further enacted by the authority aforesaid, That all and
every the matters and things that shall be moved, debated and done, in or
by the said corporation, shall be done, transacted, ordered and determined
according to the by-laws, rules and orders of the said corporation, and not
otherwise.

V. And be it further enacted by the authority aforesaid, That the afore-
said society or corporation, and their successors, or the majority of them
who shall be present and together assembled at the place or places aforesaid,
shall, once in every year, (that is to say,) on the second Tuesday in Janu-
ary, elect and choose, from amongst themselves, a President, Vice-President,
Treasurer, Secretary, Librarian, Correspondent, and Steward, or any other
officer or officers necessary for the managing, better ordering and transacting
the affairs and business of the said society; and that the said officers,
so to be elected and chosen, shall continue in their said respective offices
for one whole year, and no longer, unless they shall be, with their own con-
sent, again elected and chosen by the said corporation.

VI. And be it further enacted by the authority aforesaid, That for the
increase and preservation of the said library, and the better to enable the
society and corporation aforesaid to support and carry into execution the
good and laudable designs and purposes aforesaid, that every person that
now is, or shall hereafter become a member of the said society or corpora-
tion, his and their executors and administrators, shall, and they are hereby
obliged to, pay into the hands of the treasurer of the said society or cor-
poration for the time being, within six months after the same shall become
due, all such sums and sums of money yearly, and at such days and times
as by the rules and by-laws and constitutions of the said society or corpora-
tion hereby erected and established, are or shall be appointed and directed;
and for neglect or default in the payment thereof, or of any part
of the same, shall be subject and liable to forfeit all right, title, benefit and
interest in the said society or corporation; provided always, that the said
sums to be paid as aforesaid, for admission of each of the members of the
said society, do not exceed the clear yearly sum of two pounds and twelve shillings, proclamation money.

VII. And be it further enacted by the authority aforesaid, That this Act shall not take place or be in force, until his Majesty's Royal approbation thereof shall be known.

JAMES MICKIE, Speaker.

In the Council Chamber, the 9th of May, 1754.

Assented to: JAMES GLEN.

No. 860. AN ACT FOR INCORPORATING THE WINYAW INDICO-SOCIETY.

WHEREAS, several inhabitants of the parish of Prince George Win- 
yaw, and others, taking into consideration the great disadvantage the said inhabitants labored under, from want of a school for the education of children, did, on or about the seventh day of March, one thousand seven hundred and fifty-five, enter into a voluntary society for founding and erecting a Free School at Georgetown, in the parish aforesaid, and have, at a considerable expense, employed masters of the said school, who already have a great number of children under their care and tuition; which undertaking they hope will, in time, if duly encouraged and properly established, be of great advantage to the religious as well as the civil concerns of this Province, and are desirous of having the said society incorporated, thereby to put them upon a more solid and lasting foundation than they can be by their voluntary subscriptions only; for promoting, therefore, so good a work, we humbly pray his most sacred Majesty that it may be enacted,

I. And be it enacted, by his Excellency William Henry Lyttelton, Esquire, Captain-general and Governor-in-chief in and over the Province of South Carolina, by and with the advice and consent of his Majesty's Council, and the Commons House of Assembly of the said Province, and by the authority of the same, That Thomas Lynch, Esquire, President; Mr. Joseph Poole, Senior, warden; Mr. Samuel Wragg, Junior, warden; Mr. Nathaniel Tregagle, Treasurer; Mr. Joseph Dubourdien, Clerk; Mr. Charles Fyssse and Mr. William Shackelford, Junior, Stewards; the present officers, and the rest of the present members of the said Winyaw Indico Society, having been duly elected, and being now members of the said society, and all such other persons as shall be hereafter duly admitted or become members of the said Winyaw Indico Society, according to the rules, orders and constitutions of the said society, shall forever hereafter be, and they are hereby declared to be, one body corporate and politic, in deed and in name, by the name of the Winyaw Indico Society; and by that name shall, from time to time, and at all times hereafter, have perpetual succession, and shall forever hereafter, by that name, be a body able and capable in law, to purchase, have, hold, receive, take, retain, possess and enjoy, to them and their successors, forever, lands, tenements, rents, franchises and hereditaments, in fee simple, not exceeding in the whole the clear yearly value of five hundred pounds, lawful money of Great Britain; and also goods and chattels, real or personal effects and
things whatsoever, of what nature, kind or quality soever, by donation, subscription or otherwise howsoever; and also to give, grant, sell, alien, convey away, exchange, demise or lease, the same, or any part thereof, as they or their successors shall think proper and convenient, and for the benefit and advantage of the said society, and according to the rules, laws and orders thereof; and by the same name, shall be forever hereafter a body able and capable to sue and be sued, plead and be imploined, answer and be answered unto, defend and be defended, in all or any court or courts, or other places, and before any judges, justices and other persons whatsoever, in all manner of actions, suits, complaints, pleas, causes and things whatsoever, and of what nature or kind soever, which shall to them in any wise belong or appertain in, about or concerning the premises.

II. And be it also enacted by the authority aforesaid, That it shall and may be lawful for the said Winjaw Indico Society, and their successors, from time to time, and at all times forever hereafter, to have one common seal for their use and benefit, with full power to change, alter, break and make new the same, when and so often as they shall judge requisite.

III. And be it also enacted by the authority aforesaid, That it shall and may be lawful for the said society or corporation hereby erected, and their successors, to assemble and meet together on the first Friday in November, in every year, and at such other times as there shall be occasion, at such place in Georgetown, aforesaid, as they shall see fit, due and public notice being given at least ten days, by the clerk of the said society, in the public Gazette, or for want of such. Gazette, by his affixing and posting at the most usual and notorious places in Georgetown aforesaid, before the times of such meetings, not only the day, hour and place of such meeting, but of the causes thereof, and of the matters intended to be transacted at such meeting; and that they, the said society or corporation, and their successors, or any twenty-five of them, being so met, shall have full power and authority, from time to time, to make, constitute and establish such and so many by-laws, rules and orders, as to the greatest part of them then present shall seem necessary and convenient for the better regulation, government, well ordering and directing the said corporation or society, and the officers, servants and persons by them employed, or to be employed, in or about the same, and for the better management, limiting and appointing of all and every the trusts and authority in them and each of them reposed, and to be reposed, and for the admission of new members into the said society, and for the doing, managing and transacting all things necessary for and concerning the government of the said society or corporation; and the same by-laws, rules and orders to put in use and execution accordingly, and the same again, at their will and pleasure, to alter, change, or revoke; all which said by-laws, rules and orders so to be made as aforesaid, shall be binding on every member of the said society or corporation, and be, from time to time, by them, and each of them, punctually and inviolably observed, according to the tenor and effect thereof, under the several pains, penalties and disabilities therein appointed or declared; provided that the same shall be reasonable, and not contrary or repugnant to the laws and statutes of Great Britain or of this Province.

IV. And be it also enacted by the authority aforesaid, That it shall and may be lawful for the said corporation or society to found, erect, endow, maintain and support such school or schools, for the maintenance and education of such poor and helpless orphans or indigent children, and for binding them apprentices, as they shall judge proper objects of charity; and to appoint and choose, and at their pleasure displace, remove and
supply, such officers, school-masters, servants and other persons to be employed for the use of the said school or schools, or other affairs of the corporation, and to appoint such salaries, perquisites or other rewards for their labor or service therein, as they shall from time to time approve of and think fit.

V. And be it also enacted by the authority aforesaid, That the better to enable the said society or corporation to support and carry into execution the good and laudable designs aforesaid, every person who now is or shall hereafter become a member of the said society or corporation, his said executors and administrators, shall be, and they are hereby, obliged to pay into the hands of the treasurer of the said society or corporation for the time being, within twelve months after the same shall become due, all such sums and sums of money yearly, and at such days and times as by the rules, by-laws and constitutions of the said society or corporation hereby erected and established, are or shall be appointed and directed. And for neglect or default in the payment thereof, or of any part thereof, shall be subject and liable to forfeit all right, title, benefit and interest in the said corporation.

VI. And be it also enacted by the authority aforesaid, That this Act shall and may be given in evidence on the trial of any issue or cause in any court of law or equity in this Province, without special pleading.

VII. Provided always, and be it further enacted by the authority aforesaid, That this Act, nor any thing contained therein, shall not take effect or be of force until his Majesty's Royal approbation of the same shall be obtained and made known in this Province.

B. SMITH, Speaker.

In the Council Chamber, the 21st day of May, 1767.

Assented to: WILLIAM HENRY LYTTTELTON.

No. 984. AN ACT TO INCORPORATE THE SOCIETY COMMONLY CALLED AND KNOWN BY THE NAME OF THE FELLOWSHIP SOCIETY.

WHEREAS, Edward Weyman, James Brown, and Robert Cripps, in behalf of themselves and several other persons, inhabitants of this Province, who have associated themselves together for certain pious and charitable purposes, and have subsisted these seven years last past, under the name of "The Fellowship Society," have preferred a petition to the General Assembly, therein setting forth, that by small contributions, from time to time, made and improved to the best advantage, the said society hath now collected a considerable sum of money, which they are desirous to apply towards those good and charitable uses which first called them together, and, in particular, towards erecting a convenient infirmary or hospital for affording relief to distressed persons in this Province, whose unhappy circumstances deprive them of the benefit of lodging, advice, medicine and regular attendance; and therefore pray to be incorporated as a body politic, and to be vested with such powers and authorities as may be most conducive to answer and further the good intentions of the said association. We therefore humbly pray his most sacred Majesty that it may be enacted,—
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1773.

I. And be it enacted, by the Honorable William Bull, Esq., Lieutenant-Governor and Commander-in-Chief in and over his Majesty's Province of South Carolina, by and with the advice and consent of his Majesty's Council and the Commons House of Assembly of the said Province, and by the authority of the same, That Edward Weyman, the present president, James Brown and Robert Crippe, the present wardens, and the several persons who now are, or shall hereafter be, members of that society in this Province commonly called the Fellowship Society, and their successors, in the manner hereinafter directed to be elected officers or members of the same, shall be, and they are hereby declared to be, one body corporate and politic, in deed and in name, by the name and style of "The Fellowship Society," and by the same name shall have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as they shall judge expedient. And they and their successors shall be able and capable in law to have, hold, receive, enjoy, possess and retain, to them and their successors, all the monies or other personal estate, and all the securities for the same, which have arisen from the contributions aforesaid, and the interest or proceeds thereof, and which are now in the hands of or vested in any of the said officers or members, in trust for the said society; and also, at their discretion, to call in and replace at interest the said monies, or any part thereof. And they and their successors, by the said corporate name of the Fellowship Society, shall be capable in law, out of the said monies and the produce thereof, to purchase, receive, have, hold, enjoy, possess and retain, to them and their successors, in perpetuity or for any term of years, any estate or estates, real or personal, messuages, lands, tenements or hereditaments, of what kind or nature soever, not exceeding, in the whole, five hundred pounds sterling per annum above reprises, and to sell, alien, exchange, demise or lease the same, or any part thereof, as they shall think convenient; and by the same name to sue and be sued, imprisoned and be impleaded, answer and be answered unto, in any court of record; and to make such rules and by-laws, for the benefit and advantage of said corporation, as shall be, from time to time, agreed to by the majority of the members of the said society.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the corporation hereby erected, to take and hold, to them and their successors forever, any charitable donations or devises of land, not exceeding, in the whole, five hundred pounds sterling per annum, and also to take and hold monies or chattels, real and personal, and therewith, and out of the common stock, to erect and endow and support an infirmary or hospital, for the reception and relief of lunatics and other distempered poor and sick persons in this Province, whose unhappy circumstances deprive them of the benefit of lodging, advice, medicine and regular attendance, as they shall judge proper objects of the charity hereby intended; and to appoint and choose a proper clergyman or minister, (provided, that he be a member of the Church of England,) chirurgeon, physician and all other persons necessary to be employed in and about the said infirmary or hospital, for the purposes herein mentioned or intended; and at their pleasure displace, remove and supply others in the room and stead of them, or or either of them; and to appoint such salaries, perquisites or other rewards, for their labor and service therein, as the said society and body corporate shall, from time to time, approve of and think fit.

VOL. VIII.—15.
III. And be it further enacted by the authority aforesaid, That this Act shall be deemed a public Act, and shall and may be given in evidence on the trial of any issue or cause, in any court of law or equity, without special pleading.

IV. And be it further enacted by the authority aforesaid, That this Act, and every thing therein contained, shall not be of force until his Majesty's royal approbation thereof be obtained and signified to the Governor or Commander-in-Chief of this Province for the time being.

P. MANIGAULT, Speaker.

In the Council Chamber, the 23d day of August, 1769.

Assented to: W.M. BULL.

No. 1042. AN ACT FOR INCORPORATING A SOCIETY COMMONLY CALLED THE MOUNT SION SOCIETY.

WHEREAS, several of the inhabitants of this State have associated themselves together, under the name of the Mount Sion Society, for the purpose of founding, endowing and supporting a public school in the district of Camden, for the education and instruction of youth; and have made humble application to the General Assembly of this State, to be incorporated as a body politic, and to be invested with such powers and authorities as may be most conducive to answer and further the good intentions of the said association:

I. Be it enacted, by his Excellency, John Rutledge, Esq., President and Commander-in-Chief in and over the State of South Carolina, by the Honorable the Legislative Council and General Assembly of the said State, and by the authority of the same, That John Winn, Esq., the present president of the said society, and Robert Ellison and William Strother, Esq'rs., the present wardens, and the several persons who now are, or shall hereafter be, members of that society in this State commonly called the Mount Sion Society, and their successors, officers and members of the same, shall be, and they are hereby declared to be, one body corporate and politic, in deed and in name, by the name and style of "The Mount Sion Society," and by the same name shall have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as they shall judge expedient; and they, and their successors, shall be able and capable in law to purchase, have, hold, receive, enjoy, possess and retain, to them and their successors, in perpetuity or for any term of years, any estate or estates, real and personal, messages, lands, tenements or hereditaments, of what kind or nature soever, not exceeding, in the whole, three thousand dollars per annum, and to sell, alien, exchange, demise or lease the same, or any part thereof, as they shall think proper; and by the same name to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant and contrary to the laws of the land,) for the benefit and advantage of the said corporation, and for the order, rule, good government and management of the said school, and for the masters, teachers
OF SOUTH CAROLINA.

Acts relating to Corporations. A.D. 1777.

and scholars thereof, as shall be, from time to time, agreed to by the majority of the members of the said society.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the corporation hereby erected, to take and hold, to them and their successors, forever, any charitable donations or devises of lands and personal estate, not exceeding, in the whole, the above mentioned sum of three thousand dollars per annum, and to appropriate the same to the endowing and supporting the said school, and to the maintenance and education of such poor and helpless orphans and indigent children as they shall judge proper objects of the charity hereby intended; and to appoint and choose, and at their pleasure to displace, remove and supply, such officers, school-masters, teachers and servants, and other persons to be employed for the above purposes, or other affairs of the said society; and to appoint such salaries, perquisites or other rewards for their labor or service therein, as the said society shall, from time to time, approve of and think fit.

III. And be it further enacted, by the authority aforesaid, That this Act shall and may be in evidence on the trial of any issue or cause in any court of law or equity, without special pleading.

HUGH RUTLEDGE, Speaker of the Legislative Council.

JNO. MATHEWS, Speaker of the General Assembly.

In the Council Chamber, the 13th day of February, 1777.

Assented to: J. RUTLEDGE.

AN ACT FOR INCORPORATING A SOCIETY COMMONLY CALLED THE CATHOLIC SOCIETY.

WHEREAS, several of the inhabitants of this State have associated themselves, under the name of the Catholic Society, for the purpose of founding, endowing and supporting a public school in the district of Camden, eastward of the Waterloo river, for the education and instruction of youth, and have made humble application to the General Assembly of this State, to be incorporated as a body politic, and to be invested with such powers and authorities as may be most conducive to answer and further the good intention of the said association.

1. Be it therefore enacted, by his Excellency, John Rutledge, Esq., President and Commander-in-Chief in and over the State of South Carolina, by the Honorable the Legislative Council and General Assembly of the said State, and by the authority of the same, That the Rev. Thomas Hill, present president of the said society, and Adam M'Donall and John James, Esq'rs, the present wardens, and the several persons who now are, or shall hereafter be, members of that society in this State commonly called the Catholic Society, and their successors, officers and members of the same, shall be, and they are hereby declared to be, one body corporate and politic, in deed and in name, by the name and style of "The Catholic Society," and by the same name shall have perpetual succession of officers and members,
and a common seal, with power to change, alter, break and make new the
same, as often as they shall judge expedient; and they, and their succe-
sors, shall be able and capable in law to purchase, have, hold, re-
ceive, enjoy, possess and retain, to them and their successors, in perpetuity
or for any term of years, any estate or estates, real and personal, messen-
ges, lands, tenements or hereditaments, of what kind or nature soever,
not exceeding three thousand dollars per annum, and to sell, alien, ex-
change, demise or lease the same, or any part thereof, as they shall think
proper; and by the same name to sue and be sued, implead and be implea-
ded, answer and be answered unto, in any court of law or equity in this
State; and to make such rules and by-laws, (not repugnant and contrary to
the laws of the land,) for the benefit and advantage of the said corporation,
and for the order, rules and good government and management of the said
school, and for the masters, teachers and scholars thereof, as shall be,
from time to time, agreed to by the majority of the members of the said
society.

II. And be it further enacted by the authority aforesaid, That it shall
and may be lawful for the corporation hereby erected, to take and hold, to
them and their successors, forever, any charitable donations or devises of
lands and personal estate, not exceeding, in the whole, the above mentioned
sum of three thousand dollars per annum, and to appropriate the same to
the endowing and supporting the said school, and to the maintenance and
education of such poor and helpless orphans and indigent children as they
shall judge proper objects of the charity hereby intended; and to appoint
and choose, and at their pleasure to displace, and remove and supply such
officials, school-masters, teachers and servants, and other persons to be em-
ployed for the above purposes, or other officers of the said society, and to
appoint such salaries, perquisites or other rewards for their labor or service
therein, as the said society shall, from time to time, approve of and
think fit.

III. And whereas, there are five hundred acres of vacant pine barren
land, adjoining lands given to the said society by Mr. James Bradley, and
the said pine barren land would be very advantageous to the said society, for
fire-wood and other purposes; Be it further enacted by the authority afores-
said, That all that tract of five hundred acres of land, situate, lying and
being in Camden district, on the eastward of the Wateree river, butting
and bounding to the west, on John Anderson’s land; on the north-west, on
land given by the said James Bradley to the said society, and to the north,
east and south, on vacant land, and having such shape, form and marks as
are delineated in the plat hereunto annexed, be given and granted to the
said Catholic Society and their successors, forever.

IV. And be it further enacted by the authority aforesaid, That this Act
shall and may be given in evidence on the trial of any issue or cause in any
court of law or equity, without special pleading.

HUGH RUTLEDGE, Speaker of the Legislative Council.

THO. BEE, Speaker of the General Assembly.

In the Council Chamber, this fifth day of March, 1778.

Assented to: J. RUTLEDGE.
AN ACT FOR INCORPORATING THE SALEM SOCIETY.

WHEREAS, sundry inhabitants of the district of Ninety-six, have formed themselves into a society by the name of the "Salem Society," for the express purpose of endowing and supporting a school and seminary of learning, and have fixed upon a spot between Catawba and Savannah rivers, near Little River Meeting House, as being the best situated to answer the designs of the society, and have made humble application to the General Assembly of this State to be incorporated and invested with such powers and privileges as may most effectually advance the views of the society:

I. Be it therefore enacted, by his Excellency Rawlins Lowndes, Esquire, President and Commander-in-chief in and over the State of South Carolina, by the honorable the Legislative Council and General Assembly of the said State, and by the authority of the same, That the Reverend James Creswell, present President of the said society, and John Williams, (son of Daniel) and James Griffin, the present wardens, and the several persons who now are, or shall hereafter be, members of that society in this State commonly called the Salem Society, and their successors, officers and members of the same, shall be, and they are hereby declared to be, one body corporate and politic, in deed and in name, by the name and title of the "Salem Society," and by the same name shall have perpetual succession of offices and members, and a common seal, with power to change, alter, break, and make new the same, as often as they shall judge expedient; and they and their successors, shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess, and retain, to them and their successors, in perpetuity, or for any term of years, any estate or estates, real and personal, messuages, lands, tenements or hereditaments of what kind or nature soever, not exceeding ten thousand dollars per annum, and to sell, alien, exchange, demise or lease the same, or any part thereof, as they shall think proper, and by the same name, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State, and to make such rules and by-laws (not repugnant and contrary to the law of the land,) for the benefit and advantage of the said corporation, and for the order, rules and good government and management of the said school, and for the masters, teachers and scholars thereof, as shall be from time to time agreed to by the majority of the members of said society.

II. And be it further enacted, by the authority aforesaid, That it shall and may be lawful for the corporation hereby erected, to take and hold to them and their successors forever, any charitable donations or devices of lands and personal estate, not exceeding in the whole the above mentioned sum of ten thousand dollars per annum, and to appropriate the same to the endowing and supporting the said school, and to the maintenance and education of such poor and helpless orphans and indigent children as they shall judge proper objects of the charity hereby intended; and to appoint and choose, and at their pleasure to displace, remove and supply such officers, school-masters, teachers and servants, and other persons to be employed for the above purposes, or other offices of the said society, and to appoint such salaries, perquisites, or other rewards for their labour or service therein, as the said society shall from time to time approve of and think fit.
III. And be it further enacted by the authority aforesaid, That this Act shall and may be given in evidence on the trial of any issue or cause in any court of law or equity, without special pleading.

HUGH RUTLEDGE, Speaker of the Legislative Council.

THOMAS BEE, Speaker of the General Assembly.

In the Council Chamber, the 18th day of March, 1768.

Assented to: RAWLINS LOWNDES.

No. 1092. AN ACT FOR INCORPORATING THE SAINT DAVID'S SOCIETY.

WHEREAS, sundry inhabitants of the Cheraw district, have formed themselves into a society by the name of the "Saint David's Society," for the express purpose of instituting and endowing a seminary of learning in the district of Cheraw, to instruct and educate youth in the necessary and useful branches of knowledge, and have made humble application to the General Assembly of this State to be incorporated and invested with such powers and privileges as may most effectually advance the views of the said society:

I. Be it therefore enacted, by his Excellency Rawlins Lowndes, Esquire, President and Commander-in-chief in and over the State of South Carolina, by the honorable the Legislative Council and General Assembly of the said State, and by the authority of the same, That the Honorable Alexander McIntosh, Esquire, present President of the said society, and George Hext and Abel Kobb, Esquires, the present wardens, and the several persons who now are, or shall hereafter be members of the said society in this State called the "Saint David's Society," and their successors, officers and members of the same, shall be, and they are hereby declared to be, one body corporate and politic, in deed and in name, by the name and style of the "Saint David's Society," and by the same name shall have perpetual succession of officers and members, and a common seal, with power to change, alter, break, and make new the same, as often as they shall judge expedient, and they and their successors, shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain to them and their successors, in perpetuity, or for any term of years, any estate or estates, real and personal, messuages, lands, tenements or hereditaments, of what kind or nature soever, not exceeding ten thousand dollars per annum, and to sell, alien, exchange, demise or lease the same, or any part thereof, as they shall think proper; and by the same name to sue and be sued, implead and be impleaded, answer and be answered unto in any court of law or equity in this State, and to make such rules and by-laws (not repugnant and contrary to the law of the land,) for the benefit and advantage of the said corporation, and for the order, rule and good government and management of the said school, and for the masters, teachers and scholars thereof, as shall be from time to time agreed to by the majority of the members of the said society.

II. And be it further enacted by [the] authority aforesaid, That it shall and may be lawful for the corporation hereby erected, to take and hold to
them and their successors forever, any charitable donations or devises of lands and personal estate, not exceeding in the whole the above mentioned sum of ten thousand dollars per annum, and to appropriate the same to the endowing and supporting the said seminary of learning, and to the maintenance and education of such poor and helpless orphans and indigent children as they shall judge proper objects of the charity hereby intended; and to appoint and choose, and at their pleasure to displace, remove and supply such officers, school-masters, teachers and servants, and other persons to be employed for the above purposes, or other officers of the said society; and to appoint such salaries, perquisites or other rewards for their labour or service therein, as the said society shall from time to time approve of and think fit.

III. And be it further enacted by the authority aforesaid, That this Act shall and may be given in evidence on the trial of any issue or cause in any court of law or equity, without special pleading.

HUGH RUTLEDGE, Speaker of the Legislative Council.
THOMAS BEE, Speaker of the General Assembly.

In the Council Chamber, the 28th day of March, 1778.

Assented to: RAWLINS LOWNDIES.

AN ACT FOR INCORPORATING DIVERS RELIGIOUS SOCIETIES THEREIN NAMED.

WHEREAS, by the Constitution of this State, passed the nineteenth day of March, one thousand seven hundred and seventy-eight, it was declared, that "all denominations of christian Protestants should enjoy equal religious and civil privileges, and that whenever fifteen or more male persons, not under twenty-one years of age, professing the christian Protestant religion, and agreeing to unite themselves in a society for the purposes of religious worship, they should (on complying with the terms thereafter mentioned) be constituted a church, and be esteemed and regarded in law as of the established religion of the State, and, on a petition to the Legislature, should be entitled to be incorporated, and to enjoy equal privileges." And whereas, the several societies of christians who call themselves by the name of "The Independent or Congregational Church, in Charlestown," "The Baptist Church in Charlestown," whereof the Reverend Oliver Hart is now pastor; "The Presbyterian Church of Bethel, in Saint Bartholomew's parish;" "The Presbyterian Church of Caitroy, in Saint Thomas's parish," and "The Presbyterian Church of Salem, in Saint Mark's parish," have respectively, petitioned the Legislature of this State, praying to be incorporated, and asserting that they have complied with the terms required by the Constitution, as preparatory thereto, and the allegations in the said petitions appearing to be true,

I. Be it therefore enacted, by his Excellency Rawlins Lowndes, Esquire, President and Commander-in-chief in and over the State of South Carolina, by the honorable the Legislative Council and General Assembly of the said State, and by the authority of the same, That the several and respective societies above mentioned, and the several persons who now are,
or shall hereafter be members thereof, respectively, and the successors, officers and members of each of them, shall be, and they are hereby declared to be, severally, one body corporate and politic, in deed and in name, by the name and style of "The Independent or Congregational Church in Charlestown;" "The Baptist Church in Charlestown;" "The Presbyterian Church of Bethel, in Saint Bartholomew's parish;" "The Presbyterian Church of Caintroy, in Saint Thomas's parish;" and "The Presbyterian Church of Salem, in Saint Mark's parish." and by the said several names shall each have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as they the said corporations shall severally judge expedient; and each of the said corporations and their successors, shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain to them, severally, and their successors in perpetuity, or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or nature sover, and to sell, alien, exchange, demise, or lease the same, or any part thereof, as they shall think proper, and by each of their said names to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State, and to make such rules and by-laws (not repugnant and contrary to the laws of the land) for the benefit and advantage of the said corporations, severally, and for the order, rule, good government and management of each corporation, and for the election of ministers and their maintenance, out of any funds belonging to such respective societies, for erecting and reparation of churches by each corporation, out of any such funds, and ascertaining the rents which shall be paid by pew-holders, in such manner as shall be from time to time agreed upon by a majority of the ministers of each respective society.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for each corporation hereby erected, severally to take, and to hold, to them and their successors, forever, any charitable donations or devises of lands and personal estate, and to appropriate the same for the benefit of each corporation, in such manner as may be determined by a majority of the members thereof, and to appoint and choose, and to displace, remove and supply such ministers, officers, servants and other persons to be employed in the affairs of each corporation, and to appoint such salaries, perquisites or other rewards for their labor or service therein, as each corporation shall from time to time approve of and think fit.

III. And be it further enacted by the authority aforesaid, That each corporation as aforesaid, shall be, and each of them is hereby declared able and capable in law, to have, hold and receive, enjoy, possess and retain all such other estates, real and personal, money, goods, chattels and effects which they now possess and are entitled unto, or which have been already given, devised or bequeathed to either of them, by whatever name such devise or bequest may have been made.

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

HUGH RUTLEDGE, Speaker of the Legislative Council.

THOMAS BEE, Speaker of the General Assembly.

In the Council Chamber, the 9th day of October, 1778.

Assented to: RAWLINS LOWNDES.
OF SOUTH CAROLINA.
Acts relating to Corporations.

AN ACT to Incorporate the Society commonly called and known by the name of the John's Island Society.

WHEREAS, several respectable inhabitants of the "parish of Saint John's, Colleton county, and others in this State, have associated themselves together for certain benevolent and charitable purposes, and have subsisted for many years past, and been of considerable public utility, by instituting and endowing a seminary of learning, and by supporting poor persons, who, through unavoidable misfortunes, have fallen into indigence, and have made application to the honorable the Senate and House of Representatives to be incorporated, and vested with such powers and privileges as will most effectually promote the good views and intentions of the members thereof:

I. Be it therefore enacted by the Honorable the Senate and House of Representatives of the said State, now met and sitting in General Assembly, and by the authority of the same, That the Honourable William Gibbs, Esquire, now President of the said society, and George Abbott Hall, Esquire, Vice-President, the present Stewards and other officers, and the several persons who now are, or shall hereafter be, members of the said society called the "John's Island Society," and their successors, officers and members of the same, shall be, and they are hereby declared to be, a body corporate and politic, in deed and in name, by the style and name of the "John's Island Society," and by the same name shall have perpetual succession of officers and members, and a common seal, with power to change, alter, break and renew the same, as often as may be necessary; and they and their successors, shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain to them and their successors in perpetuity, or for any term of years, any estate or estates, real and personal, messuages, lands, tenements or hereditaments, of what kind or nature soever, not exceeding ten thousand dollars per annum; and to sell, alien, exchange, demise or lease the same, or any part thereof, as they shall think proper, and by the same name to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State, and to make such rules and by-laws (not repugnant and contrary to the laws of the land) for the benefit and advantage of the said corporation, and for the order, rule and good government and management of the said society, as shall from time to time be agreed to by a majority of them.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the corporation hereby established, to take and hold to them and their successors forever, any charitable donations or devises of lands and personal estate, not exceeding in the whole the above mentioned sum of ten thousand dollars per annum, and to appropriate the same to such charitable and benevolent purposes as the said society shall think proper, and to appoint officers for the service of the said society.

III. And be it further enacted by the authority aforesaid, That this Act shall be deemed a public Act, and may be given in evidence on the trial of any issue or cause in any court of law or equity, without special pleading.

Ratified by the General Assembly, in the Senate House, the 9th day of September, 1779.

CHAS. PINCKNEY, President of the Senate.

THOS. FARR, Speaker of the House of Representatives.

VOL. VIII.—16.
WHEREAS, several persons, inhabitants of this State, willing to associate themselves together for certain good and pious purposes, have presented a petition to the General Assembly, therein setting forth, that they have complied with the thirty-eighth article of the Constitution, in subscribing the five articles of faith therein particularly directed, and have prayed to be esteeemed a church of the established religion of this State, and to be incorporated under the title of "Calvinistic Church of French Protestants. And whereas, there are more than fifteen male persons, as directed by the Constitution, who are desirous of being thus constituted a church of the established religion of this State, of being incorporated as a body politic, of being vested with such powers and authorities as may be conducive to answer and promote the laudable and pious intentions of the said association, and being put upon a more solid and lasting foundation than they could be by their voluntary subscriptions:

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, in General Assembly met, and by the authority of the same, That John Ernest Poyas, Theodore Trezevant and Benjamin Guérand, together with the several persons who have subscribed the above said petition, who now are, and all those who shall be hereafter duly admitted or become members of that society in this State called the "Calvinistic Church of French Protestants, according to the rules, orders and constitutions of the said society to be formed, shall be, and they are hereby declared to be, one established body, corporate and politic, in deed and in name, by the name and style of the "Calvinistic Church of French Protestants," and by the same name shall have perpetual succession of officers and members, to be appointed by a majority of the said corporation.

II. And be it further enacted, by the authority aforesaid, That it shall and may be lawful for the said corporation and their successors, by the name and style of the "Calvinistic Church of French Protestants," to have one common seal for their use and benefit, with full power to change, alter, break and make new the same, when and so often as they shall judge expedient.

III. And be it further enacted, by the authority aforesaid, That the said corporation and their successors, by the name and style of the "Calvinistic Church of French Protestants," shall be able and capable in law, to have, hold, receive, enjoy, possess and retain all the real estates, lands, tenements and hereditaments, and the rents and income thereof, which are now in the hands of, or vested in any of the said members, in trust for the said society; and to sell, alien, exchange, demise or release the same, or any part thereof as they shall think convenient, and they and their successors shall be able and capable in law, to have, hold, receive, enjoy, possess and retain all the monies or other personal estate, and all the securities for the same, and the interest or proceeds thereof, which are now in the hands of, or vested in any of the said members in trust for the said society; and also at their discretion, to call in and replace at interest the said monies, or any part thereof.

IV. And be it further enacted, by the authority aforesaid, That the said corporation and their successors, by the name and style of the "Calvinistic Church of French Protestants," shall be able and capable in law, to purchase, receive, have, hold, enjoy, possess and retain, to them and
their successors in perpetuity, or for any term of years, any estate or
estates, real or personal, messuages, lands, tenements or hereditaments, of
what kind or nature soever, not exceeding in the whole five hundred
pounds sterling per annum, above reprizes, and to sell, alien, exchange,
demise or lease the same, or any part thereof, as they and their successors
shall think convenient, and for the benefit and advantage of the said
society, and according to the rules, laws and orders thereof.

V. And be it further enacted by the authority aforesaid, That it shall
and may be lawful for the said corporation, in the name of the “Calvinis-
tic Church of French Protestants,” to sue and be sued, plead and be im-
pleaded, answer and be answered unto, defend and be defended, in all or
any court or courts, or other places, before any judges or justices, or other
persons whatsoever, in all manner of actions, suits, complaints, pleas,
causes and things whatsoever, and of what nature or kind soever, which
shall to them in any wise belong or appertain, in or about the premises.

VI. And be it further enacted by the authority aforesaid, That it shall
and may be lawful for the corporation hereby erected, to take and hold to
them and their successors forever, any charitable donations and devises of
land, not exceeding in the whole, five hundred pounds sterling per annum,
and also to take and hold monies, or chattels, real and personal.

VII. And be it further enacted by the authority aforesaid, That the said
corporation and their successors, or a majority of them, shall have full
power and authority, from time to time, to make, constitute and establish
such and so many by-laws, rules and orders, as to them shall seem neces-
sary and convenient for the better regulating, governing, well ordering,
and directing the said corporation; and the officers, servants and persons
by them employed, or to be employed in or about the same, and for the
better managing, limiting and appointing of all and every trusts and
authority in them and each of them reposed, and to be reposed, and for the
admission of new members into the said society, and for the doing, manag-
ing and transacting all things necessary for and concerning the govern-
ment of the said corporation; and the same by-laws, rules, and orders to
put in use and execution accordingly, and the same again, at their will and
pleasure to alter, change, suspend or revoke, all which said by-laws, rules
and orders so to be made as aforesaid, shall be binding on every member of
the said corporation, and be from time to time by them and each of them,
punctually and inviolably observed, according to the tender and affect there-
of, under the several pains and penalties, and disabilities therein appointed
and declared; provided that the same shall be reasonable, and not contra-
y or repugnant to the laws of this State.

VIII. And be it further enacted by the authority aforesaid, That it shall
and may be lawful for the said corporation and their successors, or a ma-
majority of them, to appoint and choose such officers as shall appear requisite
for the preservation of order, and more effectually obtaining the ends pro-
posed in their petition, also a proper clergyman or minister, and clerk, and
all other persons necessary, to be employed for the benefit of the said cor-
poration; and at their will and pleasure dispose, remove and supply others
in the room and stead of them or any of them, and to appoint such salaries,
pensions or other rewards for their labour and service therein, as they
shall from time to time approve and think fit.

IX. And be it further enacted by the authority aforesaid, That the
better to enable the said corporation to support and carry into execution
the good and laudable designs aforesaid, every person who now is, or shall
STATUTES AT LARGE

Acts relating to Corporations.

hereafter become a member of the said corporation, his and their executors and administrators shall be, and they are hereby, obliged to pay into the hands of the treasurer of the said corporation for the time being, within twelve months after the same shall become due, all such sums and sums of money, yearly, and at such days and times as by the rules, by-laws and constitutions of the said corporation hereby erected and established, are or shall be appointed and directed, and for neglect and default in the payment thereof, or of any part thereof, shall be subject and liable to forfeit all right, title, benefit or interest in the said corporation.

X. And be it further enacted by the authority aforesaid, That this Act shall and may be given in evidence on the trial of any issue or cause in any court of law or equity in this State, without special pleading.

In the Senate House, the twelfth day of March, in the year of our Lord one thousand seven hundred and eighty-three, and in the seventh year of the Independence of the United States of America.

JOHN LLOYD, President of the Senate.
HUGH RUTLEDGE, Speaker of the House of Representatives.

No. 1199. AN ACT FOR INCORPORATING THE ST. CECILIA SOCIETY.

WHEREAS, several persons, inhabitants of this State, have associated themselves together, and by voluntary contributions raised a considerable fund, which is now placed out at interest on bonds, and collected a number of musical instruments, books and other property, with the laudable intention of encouraging the liberal science of music, and are desirous of having the said society incorporated, thereby to put them upon a more solid and lasting foundation than they could be by their voluntary subscriptions only:

I. Be it therefore enacted, by the honorable the Senate and House of Representatives, and by the authority of the same, That Isaac Motte, Esquire, President, the Reverend Robert Smith, Vice-President, Mr. John Splatt Cripes, Treasurer and Secretary, the present officers and the rest of the present members of the said "St. Cecilia Society," having been duly elected, and being now members of the said society, and all such other persons as shall be hereafter duly admitted or become members of the said "St. Cecilia Society," according to the rules, orders and constitutions of the said society, shall forever hereafter be, and they are hereby declared to be, one body corporate and politic, in deed and in name, by the name of the "St. Cecilia Society," and by that name shall, from time to time, and at all times hereafter, have perpetual succession, and shall forever hereafter by that name, be a body able and capable in law, to purchase, have, hold, receive, take, retain, possess and enjoy to them and their successors forever, lands, tenements, rents, franchises and hereditaments in fee simple, or for any term of years, not exceeding in the whole the clear yearly value of five hundred pounds sterling, and also goods and chattels, real or personal effects and things whatsoever, by donation, subscription or otherwise howsoever, and also to give, grant, sell, alien, convey away, exchange, demise or lease the same, or any part thereof, as they and their
successors shall think proper and convenient, and for the benefit and advantage of the said society, and according to the rules, laws and orders thereof; and by the same name shall be forever hereafter a body able and capable to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all or any court or courts or other places, and before any judges, justices and other persons whatsoever, in all manner of actions, suits, complaints, pleas, causes and things whatsoever, and of what nature or kind soever.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said "St. Cecilia Society," and their successors, from time to time, and at all times forever hereafter, to have one common seal for their use and benefit, with full power to change, alter, break and make new the same when and so often as they shall judge expedient.

III. And be it further enacted by the authority aforesaid, That the said society or corporation, and their successors, shall have full power and authority, from time to time, to make, constitute and establish such and so many by-laws, rules and orders, as to a majority of them then present shall seem necessary and convenient, for the better regulation, government, well ordering and directing the said corporation or society, and the officers, servants and persons by them employed in or about the same, and for the better management, limiting and appointing of all and singular the trusts and authority in them and each of them reposed and to be reposed, and for the admission of new members into the said society, and for the doing, managing and transacting all things necessary for and concerning the government of the said society or corporation, and the same by-laws, rules, and orders to put in use and execution accordingly, and the same again at their will and pleasure to alter, change, revoke or annul, all which said by-laws, rules and orders so to be made as aforesaid, shall be binding on every member of the said society or corporation, and be from time to time by them and each of them, punctually and inviolably observed, according to the tenor and effect thereof, under the several pains, penalties and disabilities therein expressed and declared; provided that the same shall be reasonable, and not contrary and repugnant to the laws of the State.

IV. And be it further enacted by the authority aforesaid, That every person that now is, or shall hereafter become a member of the said society or corporation, his and their executors and administrators shall, and they are hereby, obliged to pay into the hands of the treasurer of the said society or corporation for the time being, within six months after the same shall become due, all such sum and sums of money yearly, and at such days and times, as by the rules and by-laws, and constitutions of the said society or corporation hereby established, are or shall be appointed and directed; and for neglect or default in the payment thereof, or of any part of the same, shall be subject and liable to forfeit all right and title, benefit and interest in the said society.

In the Senate House, the tenth day of March, in the year of our Lord one thousand seven hundred and eighty-four, and in the eighth year of the Independence of the United States of America.

JOHN LLOYD, President of the Senate.

HUGH RUTLEDGE, Speaker of the House of Representatives.
STATUTES AT LARGE

Acts relating to Corporations.

No. 1227. AN ACT FOR INCORPORATING DIVERSE RELIGIOUS SOCIETIES THEREBE NAMED.

Preamble.

WHEREAS, by the Constitution of this State, passed the nineteenth day of March, one thousand, seven hundred and seventy-eight, it was declared, that all denominations of christian protestants should enjoy equal religious and civil privileges, and that whenever fifteen or more male persons, not under twenty-one years of life, professing the christian protestant religion, and agreeing to unite themselves in a society for the purpose of religious worship, they should, (on complying with the terms thereinafter mentioned,) be constituted a church, and to be esteemed and regarded in law as of the established religion of the State, and on petition to the Legislature, should be entitled to be incorporated, and to enjoy equal privileges. And whereas, the several societies of christians who call themselves by the name of the Lutheran Church of German Protestants; the Presbyterian Church of the City of Charleston; the Presbyterian Church on Edisto Island; the Presbyterian Church at Wilton, in St. Paul's Parish; the Baptist Church on the High-Hills of Santee, and the Presbyterian or Congregational Church on Bullock's creek, in Camden district, have petitioned the Legislature of this State, praying to be incorporated, and asserted they have complied with the terms required by the constitution, as preparatory thereto; and the allegations in the said petitions appearing to be true:

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the several and respective societies above mentioned, and the several persons who now are, or shall hereafter be, members thereof, respectively, and the successors, officers and members of each of them, shall and be, they are hereby declared to be, severally, one body corporate, in deed and in name, by the name of and style of "The Lutheran Church of German Protestants;" "The Presbyterian Church of the City of Charleston;" "The Presbyterian Church on Edisto Island;" "The Presbyterian Church at Wilton, in St. Paul's Parish;" "The Baptist Church on the High-Hills of Santee;" and "The Presbyterian or Congregational Church on Bullock's Creek, in Camden district; and by the said several names shall, each, have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as they, the said corporations, shall, severally, judge expedient. And each of the said corporations, and their several successors, shall be able and capable in law to purchase, have, hold, receive, enjoy, possess and retain, to them, severally, and their successors, in perpetuity or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or nature soever, and to sell, alien, exchange, demise or lease the same, or any part thereof, as they shall think proper; and by each of their said names to sue and be sued, impled and be implessed, answer and be answered unto, in any court of law or equity in this State; and to make such rules and bylaws, (not repugnant and contrary to the laws of the land,) for the benefit and advantage of the said corporations, severally, and for the order, rule, good government and management of each corporation, and for the election of ministers and their maintenance, out of any funds belonging to such respective societies, for erecting and reparation of churches by each corporation, out of any of such funds, and ascertaining the rents which shall be paid by pew-holders,
OF SOUTH CAROLINA.

Acts relating to Corporations.

in such manner as shall be, from time to time, agreed upon by a majority of the members of each respective society.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for each corporation hereby erected, severally, to take and to hold, to them and their successors, forever, any charitable donations or devises of lands and personal estates, and to appropriate the same for the benefit of each corporation; in such manner as may be determined by a majority of the members thereof; and to appoint and choose, and to displace, remove and supply such ministers, officers, servants and other persons to be employed in the affairs of each corporation, and to appoint such salaries, perquisites or other rewards for their labor or service therein, as each corporation shall, from time to time approve of and think fit.

III. And be it further enacted by the authority aforesaid, That each corporation, as aforesaid, shall be, and each of them is hereby declared, able and capable in law to have, hold and receive, enjoy, possess and retain, all such other estates, real and personal, money, goods, chattels and effects, which they now possess of, and are entitled unto, or which have been already given, devised or bequeathed to either of them, by whatever name such devise or bequest may have been made.

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

In the Senate House, the twenty-sixth day of March, in the year of our Lord one thousand seven hundred and eighty-four, and in the eighth year of the Independence of the United States of America.

JOHN LLOYD, President of the Senate.

HUGH RUTLEDGE, Speaker of the House of Representatives.

AN ACT FOR INCORPORATING DIVERSE RELIGIOUS SOCIETIES THEREIN NAMED.

WHEREAS, by the Constitution of this State, it was declared, that all denominations of christian protestants should enjoy equal religious and civil privileges; and that whenever fifteen or more male persons, not under twenty-one years of age, professing the christian protestant religion, and agreeing to unite themselves in a society for the purpose of religious worship, they should, (on complying with the terms thereafter mentioned,) be constituted a church, and to be esteemed and regarded in law as of the established religion of the State, and, on a petition to the Legislature, should be entitled to be incorporated, and to enjoy equal privileges. And whereas, the several societies of christians, who call themselves by the name of the John’s Island Presbyterian Congregation; the Independent Presbyterian Church in Prince William’s Parish; the Presbyterian Church on James’s Island; the Baptist Church at the Welch-Neck, on Pee Dee river;
and the Baptist Church at the Cheraw Hill, have petitioned the Legislature of this State, praying to be incorporated, and asserting they have complied with the terms required by the Constitution, as preparatory thereto, and the allegations in the said petitions appearing to be true:

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the several and respective societies above mentioned, and the several persons who now are, or shall hereafter be, members thereof, respectively, and the successors, officers and members of each of them, shall be, and they are hereby declared to be, severally, one body corporate, in deed and in name, by the name and style of "The John's Island Presbyterian Congregation; "The Independent Presbyterian Church of Prince William's Parish; "The Presbyterian Church of James's Island; "The Baptist Church at the Welch-Neck, Pee Dee river; and "The Baptist Church on the Cheraw-Hill, in the Parish of Saint David's: and by the said several names, shall each have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same as often as they, the said corporations, shall severally judge expedient. And each and every of the said corporations, respectively, are hereby invested with all the powers and privileges and advantages which are specified and expressed in the Act for incorporating divers religious societies, passed the twenty-sixth day of March, one thousand seven hundred and eighty-four.

II. And be it further enacted by the authority aforesaid, That this Act shall be deemed and taken as a public Act, to all intents and purposes whatsoever.

In the Senate House, the seventeenth day of March, in the year of our Lord one thousand seven hundred and eighty-five, and in the ninth year of the Independence of the United States of America.

JOHN LLOYD, President of the Senate.

JOHN FAUCHEREAUD GRIMKE,
Speaker of the House of Representatives.

No. 1275. AN ORDINANCE FOR INCORPORATING ECHAW CHURCH, IN ST. JAMES'S PARISH, SANTEE.

WHEREAS, sundry persons, inhabitants of the upper district of the parish of St. James Santee, have petitioned the Legislature to be admitted a body politic and corporate, in name and in deed, by the name of the Episcopal Church of Echaw, in the Parish of St. James Santee;

I. Be it therefore ordained, by the Honorable the Senate and House of Representatives, in General Assembly met and sitting, and by the authority of the same, That Isaac Dubose, Charles Gaillard, and Daniel Dupre, together with the several persons who have subscribed the above said petition, who now are, and all those who shall be hereafter duly admitted or become members of that society called the Episcopal Church of Echaw, in the parish of St. James Santee, according to the rules, orders and constitution
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1785.

of the said society to be formed, shall be, and they are hereby declared to be, one established body corporate and politic, in deed and in name, by the name and style of "The Episcopal Church of Echaw, in the Parish of St. James Santee;" and by the same name shall have perpetual succession of officers and members, to be appointed by a majority of said corporation; and that the said corporation, and their successors, by the name and style of the Episcopal Church of Echaw, in the said parish of St. James Santee, shall be able and capable in law to have, hold, occupy and possess, any real estates, monies, goods and chattels, which they do now, or hereafter may have, hold, granted or conveyed to them; and the said corporation is hereby vested with full powers to make all such bye-laws, rules and regulations, (not repugnant to the laws of the land,) as to them shall seem necessary and convenient for the better regulating, governing, well ordering and directing the said corporation, and the officers, servants and persons by them employed in or about the same, and for the better managing, limiting and appointing of all and every the trusts and authority in them reposed, or to be reposed, and for the admission of new members into the said corporation, and for the doing, managing and transacting all things necessary for and concerning the government of said corporation, and the same by-laws, rules and orders to put in use and execution accordingly, and the same again, at their will and pleasure, to alter, change, suspend or revoke; all which the said by-laws and orders so to be made aforesaid, shall be binding on every member of said corporation, and be, from time to time, by them and each of them, punctually observed, according to the tenor and meaning thereof, under the several pains, penalties and disabilities therein appointed and declared.

II. And be it further ordained by the authority aforesaid, That it shall and may be lawful for the said corporation, or a majority of the same, to appoint and choose such officers as shall appear requisite for the preservation of order, and more effectually obtaining the ends proposed in the said petition, also a proper clergyman and clerk, and at their will and pleasure displace, remove and supply others in their stead, and to appoint such salaries or other rewards for their labor or services therein as they shall, from time to time, approve and think fit, and the better to enable the said corporation to support and carry into execution the good and laudable designs aforesaid.

III. Be it ordained by the authority aforesaid, That every person who is now, or hereafter may be, admitted a member of the said corporation, his and their heirs and assigns, shall be, and they are hereby, obliged to pay into the hands of the treasurer of the said corporation for the time being, within twelve months after the same shall become due, all such sums of money yearly and at such times as by the rules, by-laws and constitution of the said corporation, is, are or shall be appointed and directed; and for neglect and default in the payment thereof, or any part thereof, shall be subject and liable to forfeit all right, title, benefit or interest in said corporation.

In the Senate House, the nineteenth day of March, in the year of our Lord one thousand seven hundred and eighty-five, and in the ninth year of the Independence of the United States of America.

JOHN LLOYD, President of the Senate.

JOHN FAUCHEREAUD GRIMKE,
Speaker of the House of Representatives.

VOL. VIII.—17.
No. 1278. AN ACT TO INCORPORATE THE VESTRIES AND CHURCH-WARDENS OF THE EPISCOPAL CHURCHES IN THE PARISHES OF SAINT PHILIP AND SAINT MICHAEL, IN CHARLESTON; AND FOR OTHER PURPOSES.

WHEREAS, the vestries and church-wardens of the Episcopal Churches in the parishes of Saint Philip and Saint Michael, called and known by the name of the "Church of England," have, by their joint petition to the General Assembly, set forth, that since the passing of the Constitution of this State, the support which was formerly provided by the Legislature for the clergy and other officers of that church is withdrawn; that many well disposed persons in the said parishes have contributed divers sums of money towards the establishing a fund for the maintenance of ministers, for the payment of their other officers, and the repairs of the said churches and parsonage houses, and that those good intentions may be more effectually carried into execution if the vestries and church-wardens of the said churches were made one body politic and corporate in law, and vested with such powers and authority as are hereinafter particularly mentioned.

I. Be it therefore enacted, by the honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the present vestries and church-wardens of the churches in the parishes of St. Philip and St. Michael, and their successors forever hereafter, shall be, and they are hereby declared to be, one body corporate, in deed and in name, by the name of the "Vestries and Church-wardens of the Episcopal Churches of the parishes of St. Philip and St. Michael, Charleston," and by that name shall, from time to time, and at all times hereafter, have perpetual succession and a common seal, and be capable in law, to have, hold, receive, possess and enjoy all the lands, tenements and hereditaments, and the rents and income thereof, which now are vested in the said vestries and church-wardens respectively, to them and their successors in office, and to sell, alien, exchange, demise or lease the same, or any part thereof, as they or a majority of them, shall think convenient; and they and their successors shall be able and capable in law, to have, receive, possess and retain all the monies or other personal estates, and all securities for the same, and the interest and proceeds thereof, which now are in the possession of the said joint vestries and church-wardens, and also at their discretion to call in and replace at interest the said monies, or any part thereof. Provided nevertheless, that in case any of the sums heretofore or hereafter to be subscribed by any person or persons whomssoever, or any gifts, devises or bequests hereafter to be made by any person or persons, for the purposes aforesaid, shall be appropriated to any other use or uses than the payment of ministers of the said churches performing divine service therein, or of any other churches or chapels, of the principles and tenets of the Church of England, that may hereafter be built within the city of Charleston, and for the payment of the salaries of the other officers of the said churches or chapels respectively, and the repairs of the said churches or chapels and parsonage houses, that then it shall and may be lawful for the persons so subscribing, giving, devising or bequeathing as aforesaid, their heirs, executors or administrators, to sue the said vestries and church-wardens, or their successors in office, and recover back the said subscriptions, gifts, devises or bequests, with the interest.

II. And be it further enacted by the authority aforesaid, That the said vestries and church-wardens, and their successors in office, shall be able
OF SOUTH CAROLINA.

Acts relating to Corporations.  

A.D. 1785.  

and capable in law, to purchase, receive, have, hold and enjoy, to them and their successors in perpetuity, or for any term of years, any estate in lands, tenements or hereditaments, goods or chattels, of what nature or kind soever, and to sell, alien, exchange, demise or lease the same, or any part thereof, as they and their successors in office shall think convenient, for the benefit and advantage of the said vestries and church-wardens, for the purposes aforesaid. Provided always, that nothing herein contained, shall extend or be construed to extend, to invalidate or make void the leases heretofore made by the vestry and church-wardens of St. Philip's parish of the glebe lands of the said parish, or to deprive the lessees of the said lands, their executors, administrators or assigns, respectively, of their right to a renewal of their leases on the terms therein mentioned.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said vestries and church-wardens, and their successors in office, or a majority of them, to appoint and choose proper clergymen or ministers for the said churches, and all other necessary officers, and at their will and pleasure to displace or remove, and supply others in the room or stead of him or them so removed, and to appoint such salaries, perquisites or other rewards for their labour and service therein, as they shall from time to time approve and think fit.

IV. And whereas, the rents arising from the glebe lands above mention'd, and the interest of monies belonging to the said churches, are at present inadequate to the expense which must be necessarily incurred in providing for the support of the ministers and other officers of the said churches, and the repairs of the said churches and parsonage houses; Be it therefore enacted by the authority aforesaid, That until the rents of the said lands, and the interest of monies belonging to the said churches shall be sufficient to defray the expenses above mentioned, the said vestries and church-wardens, and their successors in office, shall be, and they are hereby authorized and empowered, annually to rate and assess each and every of the pews in the said churches, at such sum or sums of money as they, or a majority of them, shall think proper, and will be sufficient for the purposes aforesaid, regard being always had to the situation of the said pew; and if any person or persons, shall at any time neglect or refuse to pay the sum or sums of money at which his or her pew or pews are rated, within one month after such assessment as aforesaid, that then it shall and may be lawful for the said vestries and church-wardens, or a majority of them, to let to hire the said pew or pews, for any term not exceeding one year, to any person or persons who may be willing to hire the same.

V. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said vestries and church-wardens, by the name of the "Vestries and Church-wardens of the Episcopal Churches of the parishes of St. Philip and St. Michael, Charleston," to sue and be sued, implead and be imploaded, answer and be answered unto, in any court of judicature in this State, in all actions or suits of what nature or kind soever, which to them shall in any wise belong or appertain, in or about the premises.

VI. And be it further enacted by the authority aforesaid, That the last clause of an Act entitled "An Act for laying out and establishing several new streets in the North-west part of Charleston, and for building a new parsonage house for the parish of St. Philip, Charleston, and for empowering the vestry and church-wardens of the said parish for the time being, to lay out part of the glebe land of the said parish in lots, and to let the Act repealed.
No. 1287. AN ORDINANCE TO INCORPORATE THE MASTER TAYLOR'S SOCIETY.

WHEREAS, several persons, inhabitants of this State, have associated themselves together under the name of the "Master Taylor's Society," for the humane and charitable purpose of extending relief to such of the members and their families as may at any time through misfortune, be reduced to indigence; and have preferred a petition to the General Assembly, to be incorporated:

I. Be it ordained, by the honorable the Senate and House of Representatives, in General Assembly met, and by the authority of the same, That Theodore Trezvant, Samuel Stent and John McCall, together with the several persons who now are, or shall hereafter be, members of that society in this State, shall be, and they are hereby declared to be, one body corporate and politic, in deed and in name, by the name and style of the "Master Taylor's Society," and by that name shall have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as they shall judge expedient, and they and their successors shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain to them and their successors in perpetuity, or for any term of years, any estate or estates, real and personal, messuages, lands, tenements or hereditaments, of what kind or nature soever, not exceeding five hundred pounds sterling, per annum, and to sell, alien, exchange, demise or lease the same, or any part thereof, as they shall think proper; and they and their successors, shall be able and capable in law, to have, hold, receive, enjoy, possess and retain all the monies or other personal estate, and all the securities for the same, and the interest or proceeds thereof, which are now in the hands of, or vested in any of the said members in trust for the said society, and also at their discretion, to call in and replace at interest, the said monies, or any part thereof, and by the same name to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State, and to make, constitute and establish such by-laws, rules and orders, not repugnant to the laws of the land, as to a majority of the members shall appear necessary for the better regulating, ordering and governing the said society.

II. And be it further ordained by the authority aforesaid, That it shall and may be lawful for the corporation hereby erected, to take and hold, to
OF SOUTH CAROLINA.


them and their successors forever, any charitable donations and devises of lands and personal estate, not exceeding in the whole the above mentioned sum of five hundred pounds sterling per annum.

III. And be it further ordained by the authority aforesaid, That this Ordinance shall and may be given in evidence on the trial of any issue or cause, in any court of law or equity, without special pleading.

In the Senate House, the twenty-fourth day of March, in the year of our Lord one thousand seven hundred and eighty-five, and in the ninth year of the Independence of the United States of America.

JOHN LLOYD, President of the Senate.
JOHN F. GRIMKE, Speaker of the House of Representatives.

__________________________

AN ACT FOR INCORPORATING THE SOCIETY FOR THE RELIEF OF THE WIDOWS AND ORPHANS OF THE CLERGY OF THE PROTESTANT EPISCOPAL CHURCH, IN THE STATE OF SOUTH CAROLINA.

WHEREAS, Hugh Rutledge and John Huger, Esquires, and the Rev. Robert Smith, by their petition to the General Assembly, have set forth, that they had, with many others, several years ago, taken into their serious consideration the distressed situation in which the widows and orphans of the clergy of the church of England (which was then the established church) were frequently left, and therefore associated themselves together for the charitable purpose of establishing a fund towards their relief, and that the contributions to so laudable an institution have somewhat increased, and the petitioners were possessed of sums of money vested on bonds, which they were desirous of appropriating to the purposes above mentioned, but as in their opinion so benevolent a design would be most effectually promoted by their being incorporated, they therefore humbly prayed that a law might be passed for incorporating them as a society, by the name and style of "The Society for the relief of the Widows and Orphans of the Clergy of the Protestant Episcopal Church in the State of South Carolina," heretofore established by law, and that they might have all the privileges usually annexed to such an incorporation:

I. Be it therefore enacted, by the honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the Widows and Orphans of the Protestant Episcopal Church in the State of South Carolina, and by the said name shall have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as the said corporation shall judge expedient, and the said corporation and its successors, shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to itself and its successors, in perpetuity, or for
any term of years, any estate or estates, lands, tenements or hereditaments, of what kind and nature soever, and to sell, alien, remise and change, demise or lease the same, or any part thereof, as it shall think proper, and by its said name to sue and be sued, implead and be imploade, answer and be answered unto, in any court of law or equity in this State, and to make such rules and by-laws (not repugnant and contrary to the laws of the land) for the benefit and advantage of the said corporation, and for the order, rule, good government and management of the said corporation, as shall from time to time be agreed upon by a majority of the members of the said society.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said corporation hereby erected, to take and to hold, to itself and to its successors, forever, any charitable donations or devises of lands and personal estate, and to appropriate the same for the benefit of the said corporation, in such manner as may be determined by a majority of the members thereof.

III. And be it further enacted by the authority aforesaid, That the said corporation shall be, and is hereby declared, able and capable in law, to have, hold and receive, enjoy, possess and retain, all such estates, real and personal, money, goods, chattels and effects, which it is now possessed of or entitled unto, or which has been already given, devised or bequeathed to it, by whatever name such devise or bequest may have been made.

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

In the Senate House, the twenty-second day of March, in the year of our Lord one thousand seven hundred and eighty-six.

JOHN LLOYD, President of the Senate.

JOHN F. GRIMLE, Speaker of the House of Representatives.

No. 1322. AN ACT FOR INCORPORATING DIVERSE RELIGIOUS SOCIETIES THEREIN NAMED.

WHEREAS, by the Constitution of this State, it was declared, that all denominations of christian protestants should enjoy equal religious and civil privileges; and that whenever fifteen or more male persons, not under twenty-one years of age, professing the christian protestant religion, and agreeing to unite themselves in a society, for the purpose of religious worship, they should, (on complying with the terms thereafter mentioned,) be constituted a church, and to be esteemed and regarded in law, as of the established religion of the State, and on a petition to the Legislature, should be entitled to be incorporated, and to enjoy equal privileges. And whereas, the several societies of christians, who call themselves by the name of the Independent Calvinist Church in the city of Charleston; the Presbyterian Church at Willtown, in St. Paul's Parish; the Baptist Church between South Edisto and Savannah river; the Independent Church in Christ Church parish; the Presbyterian Church of Bethel Congregation;
OF SOUTH CAROLINA.

Acts relating to Corporations.

and the Presbyterian Congregation of Fishing-Creek, have petitioned the Legislature of this State, praying to be incorporated, and asserting they have complied with the terms required by the Constitution, as preparatory thereto; and the allegations in the said petitions appearing to be true:

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the several and respective societies above mentioned, and the several persons who now are, or shall hereafter be, members thereof, respectively, and the successors, officers and members of each of them, shall be, and they are hereby declared to be, severally, one body corporate, in deed and in name, by the name and style of "The Independent Calvinist Church in the city of Charleston;" "The Presbyterian Church at Wiltown, in St. Paul’s Parish;" "The Presbyterian Church of Bethel Congregation;" and "The Presbyterian Congregation of Fishing-Creek;" "The Baptist Church between South Edisto and Savannah river;" and "The Independent Church in Christ Church Parish;" and by the said several names shall, respectively, have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as they, the said corporations, shall severally judge expedient. And each and every of the said corporations, respectively, are hereby vested with all the powers, privileges and advantages which are specified and expressed in the Act for incorporating divers religious societies, passed the twenty-sixth day of March, one thousand seven hundred and eighty-four.

II. And be it further enacted by the authority aforesaid, That this Act shall be deemed and taken as a public Act, to all intents and purposes whatsoever.

In the Senate House, the twenty-second day of March, in the year of our Lord one thousand seven hundred and eighty-six, and in the tenth year of the Independence of the United States of America.

JOHN LLOYD, President of the Senate.

JOHN FAUCHEREAUD GRIMKE,
Speaker of the House of Representatives.

AN ACT FOR INCORPORATING THE BEAUFORT SOCIETY, AND THE SAINT HELENA SOCIETY.

WHEREAS, sundry inhabitants of this State have formed themselves into a society, by the name of the Beaufort Society, for the express purpose of instituting and endowing a seminary of learning or free school in the town of Beaufort, to instruct and educate youth in the necessary and useful branches of knowledge, and have made application to the General Assembly of this State to be incorporated and vested with such powers and privileges as may most effectually advance the views of the said society.

And whereas, sundry other inhabitants of this State have formed themselves into a certain other society, by the name of the Saint Helena Society, for the express purpose of instituting and endowing a seminary of learning or free school on the Island of St. Helena, to instruct and educate youth in
the necessary and useful branches of knowledge, and have made application to the General Assembly of this State to be incorporated and invested with such powers and privileges as may most effectually advance the views of the said society.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the present presidents, wardens and treasurers, and the several persons who now are, or shall hereafter be, members of either of the said societies above mentioned, and the successors, officers and members of each of them, respectively, shall be, and they are hereby declared to be, severally, one body corporate and politic, in deed and in name, by the name of “The Beaufort Society,” and “The Saint Helena Society;” and by the same names, respectively, shall severally have perpetual succession of officers and members; and each of them shall also have a common seal, with power, severally, to change, alter, break and make new the same, as often as either of them shall judge expedient; and each of them shall, severally, be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to them and their respective successors in perpetuity, or for any term of years, any estate or estates, real or personal, messuages, lands, tenements or hereditaments, of what kind or nature soever, and to sell, alien, exchange, demise, or lease the same, or any part thereof, as they shall think proper; and by the same names, severally, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State, and, severally, to make such rules and by-laws (not repugnant and contrary to the laws of the land) for the benefit and advantage of the said corporations, respectively, and for the order, rule and good government and management of the said schools, and for the masters, teachers and scholars thereof, as shall be, from time to time, agreed to by the majority of the members of the said societies, severally and respectively.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the corporations hereby erected, severally to take, and to hold, to them and their several and respective successors, forever, any charitable donations or devises of lands and personal estate, and to appropriate the same to the endowing and supporting the said seminaries of learning, and to the maintenance and education of such poor, helpless and and indigent children as they shall judge proper objects of the charities hereby intended; and severally, to appoint and choose, and at their pleasure to displace, remove and supply such officers, school-masters, teachers and servants and other persons to be employed for the purposes aforesaid, or other officers of the said societies, and to appoint such salaries, perquisites and other rewards for their labor or services therein, as the said societies shall or may, severally and respectively, from time to time, approve of and think fit.

III. And be it further enacted by the authority aforesaid, That this Act shall or may be given in evidence on the trial of any issue or cause in any court of law or equity, without special pleading.

In the Senate House, the twenty-second day of March, in the year of our Lord one thousand seven hundred and eighty-six, and in the tenth year of the Independence of the United States of America.

JOHN LLOYD, President of the Senate.
JOHN FAUCHEREAUD GRIMKE, Speaker of the House of Representatives.
OF SOUTH CAROLINA.


AN ACT TO INCORPORATE THE VESTRIES AND CHURCH-WARDENS OF NO. 1339.
THE EPISCOPAL CHURCHES IN THE PARISHES OF SAINT BARTHOLOMEW, SAINT HELENA AND SAINT JOHN'S COLleton COUNTY.

WHEREAS, the vestry, church-wardens and sundry other members of the Episcopal Church, in the parish of St. Bartholomew, did, by their petition to the General Assembly, set forth, that their chappels situate at Pon Pon and Edmonsbury, were considerably injured and out of repair, inso-much that public worship could not be performed therein, and that many well disposed persons in the said parish were desirous of rebuilding and fitting up the said chappels by a voluntary subscription, and of providing for the maintenance of ministers, and the payment of their other officers, and that those good intentions could be more effectually carried into execution if the vestry and church-wardens of the said church were made one body politic and corporate in law, and vested with such powers as are hereinafter particularly mentioned. And whereas, sundry members of the Episcopal Church of St. Helena's parish have, by their petition to the General Assembly, humbly prayed to be incorporated under the denomination of the "Episcopal Church in St. Helena's Parish," and to be vested with all the privileges and immunities which any of their sister churches enjoy. And whereas, also sundry members of the Episcopal Church of St. John's parish, Colleton county, have, by their petition to the General Assembly, humbly prayed to be incorporated under the denomination of the "Episcopal Church in St. John's parish, Colleton county," and to be vested with all the privileges and immunities which any of their sister churches enjoy:

1. Be it therefore enacted, by the honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the present vestries and church-wardens of the several and respective churches above mentioned, and their several and respective successors, forever hereafter, shall be, and they are hereby declared to be, severally incorporated by the following names, that is to say, the vestry and church-wardens of St. Bartholomew's parish, by the name of "The Vestry and Church-wardens of the Episcopal Church of the parish of St. Bartholomew;" the vestry and church-wardens of St. Helena's parish, by the name of "The Vestry and Church-wardens of the Episcopal Church of the parish of St. Helena;" and the vestry and church-wardens of St. John's Colleton county, by the name of "The Vestry and Church-wardens of the Episcopal Church of the parish of St. John's Colleton county," and by the said several names shall from time to time, and at all times hereafter, each have perpetual succession, and a common seal, and be severally capable in law, to have, hold, receive, possess and enjoy, all the lands, tenements and hereditaments, and the rents and income thereof, which now are severally vested in the said vestries and church-wardens respectively, and to their several and respective successors in office, and severally to sell, alien, demise, exchange or lease the same, as each of them shall severally and respectively think convenient; and they and each of them, and their and each of their successors, shall severally be able and capable in law, to have, receive, possess and retain, all the monies or other personal estates, and all securities for the same, and the interest and proceeds thereof, which now are in the possession of the said vestries and church-wardens respectively, and also at each of their
discretions to call in and replace at interest the said monies, or any part thereof.

II. And be it further enacted by the authority aforesaid, That the said vestries and church-wardens respectively, and their respective successors in office, shall be able and capable in law, to purchase, receive, have, hold and enjoy, to them and their several and respective successors, in perpetuity, or for any term of years, any estate in lands, tenements or hereditaments, goods or chattels, of what nature or kind soever, and to sell, alien, exchange, demise or lease the same, or any part thereof, as they or their several and respective successors in office shall think convenient, for the benefit and advantage of the said vestries and church-wardens respectively, for the purposes aforesaid.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said vestries and church-wardens respectively, and their successors in office, or a majority of them, to appoint and choose proper clergymen and ministers for the said churches, and all other necessary officers, and at their will and pleasure, to dispel or remove, and supply others in the room or stead of him or them so removed, and to appoint such salaries, perquisites or other rewards for their labour and service therein, as they shall from time to time approve and think fit.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the respective vestries and church-wardens of the said churches respectively, and their successors in office, and they are hereby authorized and impowered, to sell and convey to any person or persons, that they shall think proper, any of the pews in the said churches respectively, (not being private property,) in such manner, and on such conditions, and for such terms or terms, as they shall think fit, and also annually to rate and assess each and every of the pews in the said churches, at such sum or sums of money as they, or a majority of them, shall respectively think right, regard being always had to the situation of the said pews, and if any person or persons, shall at any time neglect or refuse to pay the sum or sums of money at which his, her or their pew or pews are rated, within six weeks after public notice given of such rate and assessment, that then it shall and may be lawful for the said vestries and church-wardens, respectively, or a majority of them, to let and to hire the said pew or pews, for any term not exceeding three years, to any person or persons who may be willing to hire the same.

V. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said vestries and church-wardens of the respective churches above mentioned, by their several and respective names aforesaid, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of judicature of this State, in all actions or suits, of what nature or kind soever, which to them shall in any wise belong or appertain, in or about the premises.

VI. And be it further enacted by the authority aforesaid, That this Act shall be given in evidence on the trial of any issue or cause in any court of law or equity, without special pleading.

In the Senate House, the twenty-second day of March, in the year of our Lord one thousand seven hundred and eighty-six.

JOHN LLOYD, President of the Senate.

JOHN F. GRIMKE, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to Corporations.

AN ACT FOR INCORPORATING DIVERS RELIGIOUS SOCIETIES THEREIN NAMED.

WHEREAS, by the Constitution of this State, passed the nineteenth day of March, one thousand seven hundred and seventy-eight, it is declared, that "all denominations of christian Protestants in this State, shall enjoy equal religious and civil privileges, and that whenever fifteen or more male persons, not under twenty-one years of age, professing the christian Protestant religion, agree to unite themselves in a society for the purposes of religious worship, they shall (on complying with the terms thereafter mentioned) be constituted a church, and be esteemed and regarded in law as of the established religion of the State, and, on a petition to the Legislature, shall be entitled to be incorporated, and to enjoy equal privileges; and that every society of christians so formed shall give themselves a name or denomination, by which they shall be called and known in law." And whereas, the several societies of christians who call themselves, respectively, by the name of "The Presbyterian Congregation of Greenville;" "The Presbyterian Upper Long-Cane Congregation;" "The Presbyterian Congregation of Williamsburgh Township, in Georgetown District;" "The Church of Christ, at Euhaw, of the Baptist Denomination;" "The Baptist Church at Turkey Creek, on a branch of Great Saluda River, in the State of South Carolina;" "The Pipe-Creek Church of Regular Baptists;" "The Methodist Episcopal Church in the city of Charleston;" and The Mount Sion Congregation at Winnuborough, have petitioned the Legislature of this State, praying to be incorporated, and asserting that they have complied with the terms required by the Constitution, as preparatory thereto, and the allegations in the said petitions appearing to be true,

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the several and respective societies above mentioned, and the several persons who now are, or shall hereafter become members of the said societies, respectively, and their successors, officers, and members of each of them, shall be, and they are hereby severally declared to be, a body corporate in law, in deed and in name, by the respective names and styles of "The Presbyterian Congregation of Greenville;" "The Presbyterian Upper Long-Cane Congregation;" "The Presbyterian Congregation of Winnuborough;" "The Church of Christ, at Euhaw, of the Baptist Denomination;" "The Baptist Church at Turkey Creek, on a branch of Great Saluda River, in the State of South Carolina;" "The Pipe-Creek Church of Regular Baptists;" "The Methodist Episcopal Church in the city of Charleston;" and the Mount Sion Congregation at Winnuborough; and by their said respective names shall severally have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as they the said corporations shall severally judge expedient. And each and every of the said corporations, respectively, are hereby vested with all the powers, privileges and advantages which are specified and expressed in the Act for incorporating divers religious societies therein named, passed the twenty-sixth day of March, one thousand seven hundred and eighty-four. Provided, nevertheless, that nothing in this Act, or in the said recited Act contained, shall be construed or extend to affect any question in law or equity, now depending or to be tried between the differing parties,
late members of the Presbyterian Congregation in Williamsburgh Township, relative to the right of property in and to the meeting house and the land on which the said meeting house of the late society stands, or in any way to better the claim of that part of the said society hereby incorporated. But the same questions shall be heard, tried and determined in any court of law or equity in this State, in the same manner as if this Act and the said recited Act had never been made.

II. And be it further enacted by the authority aforesaid, That this Act shall be deemed and taken as a public Act, to all intents and purposes whatsoever.

In the Senate House, the twenty-seventh day of March, in the year of our Lord one thousand seven hundred and eighty-seven, and in the eleventh year of the Independence of the United States of America.

JOHN LLOYD, President of the Senate.

JOHN J. PRINGLE, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE VESTRY AND CHURCH-WARDENS OF THE EPISCOPAL CHURCH OF THE PARISH OF CHRIST CHURCH.

WHEREAS, sundry inhabitants and other freeholders, members of the Episcopal Church in the parish of Christ Church, did, by their petition to the General Assembly, set forth that the church in the said parish was, in the late war most wantonly burnt down by the British army, during their operations in this State, whereby the petitioners are prevented from attending divine service therein, and from procuring a minister to perform public worship in the said parish, according to the rites and ceremonies of their said church. And whereas, several pious and well disposed persons, by their last will and testament, as also others by voluntary subscriptions, have given divers sums of money for re-building and fitting up the said church, and for providing for the maintenance of a minister and the payment of other proper officers of the same; and those pious and good intentions would be more effectually carried into execution, if the prayer of the said petitioners, “that the vestry and church-wardens, elected or to be elected by the said inhabitants and freeholders, were incorporated and made one body politic and corporate in law, and vested with all the powers, privileges and immunities which any of their sister churches enjoy.”

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the vestry and church-wardens of the said church, elected or to be elected, in manner as heretofore accustomed, and their successors in office forever hereafter, shall be, and they are hereby declared to be, incorporated by the name of “The Vestry and Church-Wardens of the Episcopal Church in the Parish of Christ Church;” and the said church-wardens or a majority of them, are hereby vested with all the powers and authorities which are vested in any incorporated and established church in this State, and by the name aforesaid shall, from time to time, and at all times hereafter, have a perpetual succession, and a common seal for their said church; and they and their successors in office, shall
be capable in law, to have, hold, receive, possess and enjoy, all the lands, tenements and hereditaments, and the rents and income thereof, which now are vested in the vestry and church-wardens of the said church, and also be capable to sell, alien, demise, exchange or lease the same, in such manner and for such term as they or a majority of them shall think expedient; and that they, the said vestry and church-wardens, and their successors, shall be able and are capable in law to have, hold, receive, possess and retain, all the monies or other personal estates, and all securities for the same, and the interest and proceeds thereof, which now are in the possession of the said vestry and church-wardens, or any of them; and also, at their discretion, to call in and re-place at interest the said monies or any part thereof.

II. And be it further enacted by the authority aforesaid, That the said vestry and church-wardens and their successors in office, shall be able and capable in law to purchase or receive by devise, gift or donation, and to have, hold and enjoy, to them and their successors, in perpetuity or for any term of years, any estate, in lands, tenements or hereditaments, or slaves, goods, chattels, monies or other personal estate; of what nature or kind soever, and again to sell, alien, demise, lease or dispose of the same, or any part thereof, in such manner as they, or a majority of them, or their successors in office, shall think expedient, and most for the benefit and advantage of the said vestry and church-wardens, for the purposes aforesaid.

III. And be it further enacted by the authority aforesaid, That they, the said vestry and church-wardens, and their successors in office, are hereby required and empowered to have the said parish church completely rebuilt or repaired, and pews erected in the said church, as heretofore, or on such other plan as they, or a majority of them, shall think proper, and for the costs and expense thereof to assess the said pews when finished, rateably and proportionably, according to their respective value, which assessment the owners and proprietors of pews are hereby enjoined and required to pay, when called upon by the vestry and church-wardens for that purpose. And in case the said proprietor or any of them shall neglect or refuse to pay such assessment, for the space of two months, that then, and in such case, the said vestry and church-wardens shall be, and they are hereby, empowered to sell and convey to the highest bidder all such pew and pews in the said church, belonging to such proprietor or proprietors so refusing to pay for repairing or re-building the same, as aforesaid; and after deducting the sum or sums assessed thereon, respectively, to pay the overplus, if any there may be, to the several and respective proprietors thereof, when called upon for that purpose.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said vestry and church-wardens, and their successors in office, or a majority of them, and they are hereby authorized and empowered to sell and convey to any person or persons that they shall think proper, any of the pews in the said church, (not being private property,) in such manner and on such conditions, or for such term or terms as they shall think fit; and also, annually, to assess and rate each and every of the pews in the said church, at such sum or sums of money as they, or a majority of them, shall, respectively, think right, regard being always had to the situation of the said pews; and if any person or persons shall at any time neglect or refuse to pay the sum or sums of money at which his, her or their pew or pews are rated, within two months after public notice given of such rate and assessment, that then it shall and may be lawful for the
said vestry and church-wardens, or a majority of them, to let and hire the
said pew or pews for any term not exceeding three years, to any person or
persons who may be willing to hire the same.

V. And be it further enacted by the authority aforesaid, That it shall
and may be lawful for the said vestry and church-wardens, and their suc-
cessors in office, or a majority of them, to appoint and choose proper cler-
gymen and ministers for the said church, and all other necessary officers,
and at their will and pleasure to displace or remove such persons and sup-
ply others in the room or stead of him or them so removed, and to appoint
such salaries, perquisites or other rewards for the labor and service of such
ministers and other officers in the said church, as they shall, from time to
time, approve and think fit.

VI. And be it further enacted by the authority aforesaid, That it shall
and may be lawful for the said vestry and church-wardens, by the name
aforesaid, to sue and be sued, plead and be impleaded, answer and be an-
swered unto, in any court of judicature of this State, in all actions or suits
of what nature or kind soever, which may be commenced, sued or prose-
cuted by or against them, in any manner touching or concerning the pre-
misses.

VII. And be it further enacted by the authority aforesaid, That this Act
shall be deemed a public Act, and may be given in evidence without spe-
cial pleading, on any trial of any issue or cause in any court of law or
equity in this State.

In the Senate House, the twenty-seventh day of March, in the year of our Lord one thou-
sand seven hundred and eighty-seven, and in the eleventh year of the Independence
of the United States of America.

JOHN LLOYD, President of the Senate.

JOHN J. PRINGLE, Speaker of the House of Representatives.

No. 1397. AN ACT TO INCORPORATE THE CAMDEN ORPHAN SOCIETY, AND THE

FRIENDLY CAMBRIDGE SOCIETY IN NINETY-SIX DISTRICT.

WHEREAS, several of the inhabitants of this State, have associated
themselves together under the name and style of "The Camden Orphan
Society," for the purpose of founding, endowing and supporting a public
school in the town of Camden, for the education and instruction of youth,
and for other beneficial purposes; and have made humble application to the
Legislature of this State to be incorporated as a body politic, and to be in-
vested with such powers and authorities as may be most conducive to
answer and further the good intentions of the said association.

I. Be it therefore enacted by the Honorable the Senate and House of
Representatives of the State of South Carolina, now met and sitting, in
General Assembly, and by the authority of the same, That the president,
wardens and the several persons who now are, or shall hereafter become
members of that society, be, and they are hereby, incorporated under the
name of the Camden Orphan Society," and by that name shall have per-
petual succession of officers and members, and a common seal, with power
OF SOUTH CAROLINA.


to change, alter, break and make new the same, as often as they shall judge expedient; and they, and their successors, shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to them and their successors in perpetuity, or for any term of years, any estate or estates, real and personal, messuages, lands, tenements or hereditaments of any kind or nature soever, and to sell, alien, exchange, demise or lease the same, or any part thereof, as they shall think proper; and by the same name to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant and contrary to the laws of the land,) for the benefit and advantage of the said corporation, and for the order, rule, and good government and management of the said school, and for the masters, teachers and scholars thereof, as shall be, from time to time, agreed to by the majority of the members of said society.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the corporation hereby created, to take and hold, to them and their successors, forever, any charitable donations or devises of lands and personal estates, and to appropriate the same to the endowing and supporting the said school, and to the maintenance and education of such poor and helpless orphans and indigent children as they shall judge proper objects of the charity hereby intended; and to appoint and choose, and at their pleasure to displace, remove and supply, such officers, school-masters, teachers and servants, and other persons to be employed for the above purposes, or other affairs of the said society; and to appoint such salaries, perquisites or other rewards for their labor or service therein, as the said society shall, from time to time, approve of and think fit.

III. And whereas, a number of respectable citizens have formed themselves into a society in the district of Ninety-six, by the name of "The Friendly Cambridge Friendly Society," the object of which, is to promote the prosperity of the College of Cambridge. Be it therefore enacted by the authority aforesaid, That the president and members, and their successors of the said society, be incorporated by the name of "The Friendly Cambridge Society;" and shall have and enjoy in perpetuity, the same benefits, rights, and authorities hereinbefore given and vested in the Camden Orphan Society, to all intents and purposes.

IV. And be it further enacted by the authority aforesaid, That this Act shall and may be given in evidence on the trial of any issue or cause in any court of law or equity, without special pleading.

In the Senate House, the twenty-seventh day of February, in the year of our Lord one thousand seven hundred and eighty-eight and in the twelfth year of the Independence of the United States of America.

JOHN LLOYD, President of the Senate.

JOHN JULIUS PRINGLE, Speaker of the House of Representatives.
WHEREAS, by the constitution of this State, passed the nineteenth day of March, one thousand seven hundred and seventy-eight, it is declared, that all denominations of christian protestants in this State, shall enjoy equal religious and civil privileges; and that whenever fifteen or more male persons not under twenty-one years of age, professing the christian protestant religion, agree to unite themselves in a society for the purpose of religious worship, they shall, (on complying with the terms thereinafter mentioned,) be constituted a church, and be esteemed and regarded in law, as of the established religion of this State, and on petition to the Legislature, shall be entitled to be incorporated, and to equal privileges; and that every society of christians so formed, shall give themselves a name or denomination by which they shall be called or known in law. And whereas, the Presbyterian congregation or society of christian protestants known by the name of “Hopewell,” in the Long Cane settlement, in the county of Abbeville, and State aforesaid; and the Presbyterian congregation or society of christian protestants of “Indian Town,” in Georgetown district; and also, the several congregations or societies of christian protestants, styling themselves by the general appellation of “The Ecclesiastical Union of the several German Protestant congregations in the back part of the State of South Carolina;” and by the particular names of “The Frederician church on Cattel’s creek;” “The German Calvinistic church of St. John, on the Fourhole;” “The German Lutheran church of St. Matthew, in Amelia Township;” “The German Lutheran church of Salem, on Sandy Run;” “The German Lutheran church of Mount Zion, on Twelve-Mile creek;” “The German Lutheran church of St. Peter, on Eighteen Mile creek;” “The German Lutheran church of Bethel, on High Hill creek;” “The German Lutheran church of St. Martin;” “The German Lutheran church of Bethlehem, on Forest’s ford;” “The German Protestant church of Bethany, on Green creek;” “The German Protestant church of Appu Forum, Cedar creek;” “The German Protestant church, dedicated to Queen Charlotte, on Slipping creek, Ninety-six district;” “The German Lutheran church of St. George, on Hardlabor creek;” “The German Lutheran church of St. Jacob, on Wateree creek;” “The German Protestant church of St. George’s, on Indian Field Swamp, have petitioned the Legislature of this State, praying to be incorporated and setting forth that they have severally complied with the terms required by the constitution as preparatory thereunto, and the allegations in the said petitions appearing to be true.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the several and respective societies hereinbefore mentioned, and the several persons who now are, or shall hereafter become members of the said societies, respectively, and their successors, officers and members of each of the said societies, shall be, and they are hereby declared, respectively, to be a body corporate, in law, in deed and in name, by the respective names and styles of “The Presbyterian congregation of Hopewell, in the Long Cane settlement.” “The Presbyterian church of Indian Town.” “The Frederician church on Cattel’s creek.”
OF SOUTH CAROLINA.

Acts relating to Corporations. A.D. 1782.

"The German Calvinistic church of St. John, on the Fourhole."
"The German Lutheran church of St. Matthew, in Amelia Township."
"The German Lutheran church of Salem, on Sandy Run."
"The German Lutheran church of Mount Zion, on Twelve Mile creek."
"The German Lutheran church of St. Peter, on Eighteen Mile creek."
"The German Lutheran church of Bethel, on High Hill creek."
"The German Lutheran church of St. Martin."
"The German Lutheran church of Bethlehem, on Forest's ford."
"The German Protestant church of Bethany, on Green creek."
"The German Protestant church of Appii Forum, Cedar creek."
"The German Protestant church dedicated to Queen Charlotte, on Slippery creek, Ninety-six District."
"The German Lutheran church of St. George, on Hardlabor creek."
"The German Lutheran church of St. Jacob, on Wateree creek."
"The German Protestant church of St. George's, on Indian Field Swamp."

And by their said respective names, shall, severally, have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as they, the said corporations, respectively, are hereby, vested with all the powers, privileges and advantages, which are specified and expressed in "The Act for incorporating divers religious societies therein named," passed the twenty-sixth day of March, one thousand seven hundred and eighty-four.

II. And be it further enacted by the authority aforesaid, That this Act shall be deemed and taken as a public Act, and notice shall be taken thereof in all courts of justice and elsewhere in this State; and the same may be given in evidence on the trial of any issue or cause, without being specially pleaded.

In the Senate, Friday the twenty-ninth day of February, in the year of our Lord one thousand seven hundred and eighty-eight, and in the twelfth year of the Independence of the United States of America.

JOHN LLOYD, President of the Senate.

JOHN JULIUS PRINGLE, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE VESTRIES AND CHURCH WARDENS OF THE EPISCOPAL CHURCHES IN THE PARISHES OF ST. LUKE, ST. MATTHEW, PRINCE GEORGE WINTHROP, ST. STEPHEN, AND ST. JAMES GOOSE CREEK; AND ALSO THE VESTRIES AND CHURCH WARDENS OF THE EPISCOPAL CHURCHES OF CLAREMONT, AND OF SAINT HELENA ISLAND.

WHEREAS, the vestries, church wardens and divers other persons, members of the several Episcopal churches of the parishes of St. Luke, St. Matthew, Prince George Wintzworth, and St. Stephen, and St. James Goose Creek, have, by their petitions to the General Assembly, humbly prayed to be incorporated, and to be severally vested with all the privileges

Preamble.

VOL. VIII.—19.
and immunities which any of the sister churches enjoy. And whereas, the vestry, church wardens, and sundry other inhabitants of Claremont county, have, by their petition to the General Assembly set forth, that they are desirous of building a church for the purposes of religious worship, and providing for the maintenance of a Minister, and humbly prayed that a law might be passed to incorporate them by the name of "The Vestry and Church Wardens of the Episcopal Church of Claremont," and that they might be vested with all the privileges and immunities which any of their sister churches enjoy. And whereas, the vestry and church wardens, together with sundry other persons, inhabitants of the Island of St. Helena, members of the Episcopal church of the said Island, have, by their petition to the General Assembly, humbly prayed to be incorporated by the name of "The Vestry and Church Wardens of the Episcopal Church of Saint Helena Island," and to be also vested with all the privileges and immunities which any of their sister churches enjoy. And it appears meet and fitting agreeable to the constitution of this State, passed the nineteenth day of March, in the year of our Lord one thousand seven hundred and seventy-eight, that the prayers of the said several petitioners should be granted.

1. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the vestries and church wardens of the several and respective churches hereinbefore mentioned, elected or to be elected, in manner accustomed, and their successors in office for ever hereafter, shall be, and they are hereby, declared to be severally incorporated by the following names, that is to say:—The Vestry and Church Wardens of St. Luke's Parish, by the name of "The Vestry and Church Wardens of the Episcopal Church of the Parish of St. Luke;" the vestry and church wardens of St. Matthew's Parish, by the name of "The Vestry and Church Wardens of the Episcopal Church of the Parish of St. Matthew;" the vestry and church wardens of the Parish of Prince George Winway, by the name of "The Vestry and Church Wardens of the Episcopal Church of the Parish of Prince George Winway;" the vestry and church wardens of the Parish of St. Stephen, by the name of "The Vestry and Church Wardens of the Episcopal Church of the Parish of St. Stephen;" the vestry and church wardens of the Parish of St. James Goose Creek, by the name of "The Vestry and Church Wardens of the Episcopal Church of St. James Goose Creek;" the vestry and church wardens of Claremont county, by the name of "The Vestry and Church Wardens of the Episcopal Church of Claremont;" and the vestry and church wardens of St. Helena Island, by the name of "The Vestry and Church Wardens of the Episcopal Church of St. Helena Island;" and by their said several names, shall, from time to time, and at all times hereafter, each, have perpetual succession; and a common seal, and be severally capable in law, to have, hold, receive, possess and enjoy, all the lands, tenements and hereditaments, and the rents and income thereof, which now are severally vested in the said vestries and church wardens, respectively, and to their several and respective successors in office; and severally, to sell, alien, demise, exchange or lease the same, as the majority of the said corporations shall severally and respectively think convenient; and they, and each of them, and their, and each of their successors, shall severally be capable in law, to have, receive, possess and retain, all the monies or other personal estates, and all the securities of the same, and the interests and proceeds thereof, which now are in possession of the said vestries and
church wardens, respectively; and also, at the discretion of a majority of each of the said corporations, to call in and replace at interest the said monies or any part thereof.

II. And be it further enacted, by the authority aforesaid, That the said vestries and church wardens, respectively, and their respective successors in office, shall be able and capable in law, to purchase or receive by devise, gift or donation, and to have, hold and enjoy, to them and their several and respective successors in perpetuity, or for any term of years, any estate in lands, tenements or hereditaments, goods or chattels, of what nature or kind soever, and to sell, alien, exchange, demise or lease the same, or any part thereof, as they, or a majority of them, or their several and respective successors in office shall think convenient, and for the benefit and advantage of the said vestries and church wardens, respectively, for the purposes aforesaid.

III. And be it further enacted by the authority aforesaid, That the respective vestries and church wardens and their successors in office, are hereby required and empowered, to build, re-build, refit and repair their said churches, respectively, as often as need may be, on such plan as the said respective corporations, or a majority of them, respectively, shall think proper; and for the costs and expense thereof, to assess the pews in the same churches, rateably and proportionally, according to their respective rules, which assessment, the owners and proprietors of pews are hereby enjoined and required to pay when called upon by the respective vestries and church wardens for that purpose; and in case the said proprietors, or any of them, shall neglect or refuse to pay such assessment for the space of six months, that then, and in such case, the respective vestries and church wardens, shall be, and they are hereby, severally empowered to sell and convey in fee simple, to the highest bidder, all such pew and pews in the respective churches, belonging to such proprietor or proprietors, so refusing to pay for the building, re-building or repairing such church as aforesaid, and after deducting the sum or sums assessed thereon respectively, to pay the overplus, if any there may be, to the several and respective proprietors thereof, when called upon for that purpose.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said vestries and church wardens, respectively, and their successors in office, or a majority of them, respectively, and they are hereby authorized and empowered, to sell and convey to any person or persons that they shall think proper, any of the pews in the said respective churches, (not being private property,) in such manner, and on such conditions, or for such term or terms as they, or a majority of them, respectively, shall think fit; and also, annually to assess and rate each and every of the pews in the said respective churches, at such sum or sums of money, as they, or a majority of them, shall respectively think right, regard being always had to the situation of the said pews; and if any person or persons, shall at any time neglect or refuse to pay the sum or sums of money, at which his, her or their pew or pews are rated, within three months after public notice given of such rate and assessment, that then, it shall and may be lawful for the respective vestries and church wardens, or a majority of them, respectively, to let and hire the said pew or pews, for any term not exceeding three years, to any person or persons who may be willing to hire the same.

V. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the respective vestries and church wardens, and their
STATUTES AT LARGE

A.D. 1788.

Acts relating to Corporations.

To choose Clergymen.

successors in office, or a majority of them, respectively, to elect and choose proper clergymen and ministers for their respective churches, and all other necessary officers; and again, at their will and pleasure, to displace and remove such ministers and officers, and supply others in the room and stead of him or them so removed; and to appoint salaries, perquisites or other rewards, for the labor and service of such ministers and other officers in their respective churches, as they shall from time to time, approve and think fit.

VI. And be it further enacted, That it shall and may be lawful, for the vestry and church wardens of the said Episcopal Church of Prince George Winyaw, to sell, alien, demise, release and convey, in fee simple, in such manner as they, or a majority of them, shall think fit, to such person or persons as may choose to become purchasers of the same, or any part thereof, all that lot of land, containing one acre, be the same more or less, originally reserved at the laying out the town of Georgetown, and allotted for building a church for the use of the inhabitants professing the religion of the Church of England, and to appropriate all such sum and sums of money as may be obtained for the same, one acre lot to the rebuilding and repair of the parish church in the said town, or to such other purpose and purposes for the benefit of the said corporation, as the said vestry and church wardens, or a majority of them, shall think fit.

VII. And be it further enacted by the authority aforesaid, That the lots known by the numbers one hundred and thirty-three, (133) and one hundred and thirty-four, (124) in the plan of the said town of Georgetown, formerly purchased by the inhabitants thereof for the purpose of building a church, and whereon the parish church now stands, shall be, and the same are hereby, vested in the said vestry and church wardens, and their successors in office forever, for the use of the said church by this Act incorporated. And that it shall not be lawful for any person or persons who were proprietors of pews in the said church, nor their assigns, heirs or executors, who do not contribute to the repairs of the said church, to claim any right, title, interest or property in the soil on which the same pews stood, nor to the pews that may be erected in the same church, but of and from the same shall be debarred and forever excluded by virtue of this Act; any law or usage to the contrary notwithstanding.

VIII. And be it further enacted by the authority aforesaid, That the said vestries and church wardens, and their successors in office, or a majority of them, respectively, shall have full power and authority from time to time, to make and establish such and so many by-laws, rules and orders, as to them shall seem necessary and convenient, for the better regulating, governing, well ordering, and directing the said corporations, respectively; and the ministers, officers, servants and persons by them employed, or to be employed on or about the same; and for the better managing, limiting, appointing of all and every the trusts and authorities in them, and each of them, respectively, reposed and to be reposed; and for the doing, managing and transacting all things necessary for, and concerning the government of the said corporations, and the same by-laws, rules and orders, to put in use and execution accordingly; and the same, or any part of them, again at their will and pleasure, to alter, change, suspend or revoke, all which said by-laws, rules and orders, so to be made by the said corporations, respectively, shall be binding on every member of the said corporations, respectively, and the churches by this Act incorporated, and be from
time to time, by them, and each of them, punctually and inviolably observed, according to the tenor and effect thereof, under the several pains, penalties and disabilities therein appointed and declared. Provided, that the same shall be reasonable and not contrary or repugnant to the laws of this State.

IX. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said vestries and church wardens, respectively, sued, by the respective names hereinbefore mentioned, to sue and be sued, impleaded and be impleaded, answer and be answered unto, in all or any court or courts, or other places, before any judges or justices, in all manner of actions, suits, complaints, pleas, causes or things whatsoever, and of what nature or kind soever, which shall or may be commenced, sued or prosecuted, by or against them in any manner, touching or concerning the premises.

X. And be it further enacted by the authority aforesaid, That this Act shall be deemed a public Act, and may be given in evidence without special pleading, on any trial of any issue or cause in any court of law or equity in this State.

In the Senate, this the twenty-ninth day of February, in the year of our Lord one thousand seven hundred and eighty-eight, and in the twelfth year of the Independence of the United States of America.

JOHN LLOYD, President of the Senate.

JOHN JULIUS PRINGLE, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE VESTRY AND CHURCH WARDENS OF THE EPISCOPAL CHURCH OF THE PARISH OF ST. GEORGE'S DORCHESTER, AND FOR VESTING IN THEM AND THEIR SUCCESSORS IN OFFICE, THE SEVERAL DONATIONS AND OTHER CHARITABLE FUNDS BELONGING TO THE PARISH; AND FOR OTHER PURPOSES THEREIN MENTIONED.

WHEREAS, sundry inhabitants and other members of the Episcopal church in the parish of Saint George Dorchester, did, by their petition to the General Assembly, now sitting, set forth that the church in the said parish had been wantonly destroyed by the British during the late war, whereby the petitioners and others were deprived from attending divine service, and from procuring a minister. And whereas, by the last will and testament of several pious and well disposed persons, divers sums of money were given for the maintenance of a minister and other proper officers for the same, and those pious and good intentions would be more effectually carried into execution if the vestry and church wardens elected, and hereafter to be elected, by the said inhabitants and freeholders were incorporated and made one body politic in law, and vested with all the powers, privileges and immunities which any of their sister churches enjoy.

I. Be it therefore enacted, by the honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the Episcopal church St. George Dorchester, pursuant to the authority of the same, That the vestry and church wardens of the said parish, elected and to be elected, in manner as heretofore used and accu...
STATUTES AT LARGE

Acts relating to Corporations.

tomed, and their successors in office forever hereafter, shall be, and they are hereby declared to be, incorporated by the name of "The Vestry and Church-Wardens of the Episcopal Church in the Parish of Saint George, Dorchester," and the said vestry and church-wardens, or a majority of them, are hereby vested with all the powers and authority which are vested in any corporate and established church in this State; and by the name aforesaid, shall, from time to time, and at all times hereafter, have a perpetual succession, and a common seal for their said church, and they and their successors in office, shall be capable in law, to have, hold, receive, possess and enjoy, all the lands, tenements and hereditaments, and the rents and issues thereof, which are now vested in the vestry and church-wardens of the said church, and be capable to sell, alien, demise, exchange or lease the same, in such way and manner and for such term as they or a majority of them shall think expedient; and that the said vestry and church-wardens, and their successors in office, shall be enabled and capable in law to have, hold, receive, possess and retain, all the monies and other personal estates, and securities for the same, and the interest and proceeds thereof, which are now in the possession of the said vestry and church-wardens, or any of them, or any other person or persons holding monies or any other personal estates and securities belonging to the said church, and the interest and proceeds thereof, which are now in the hands of any person or persons whomsoever; and also, at their discretion, to call in and again re-place at interest, the said monies, or any part thereof.

II. And be it enacted by the authority aforesaid, That the said vestry and church-wardens, and their successors in office, shall be able and capable in law to purchase or receive by devise, gift or donation, and to have, hold and enjoy, to them and their successors in office, forever, or for any term of years, any estate in lands, tenements, hereditaments, slaves, goods, chattels, monies or other personal estates, of what nature or kind soever, and again to sell, alien, demise or dispose of the same, or any part thereof, in such way and manner as they or a majority of them, or their successors in office, shall think expedient and most for the benefit and advantage of the said vestry and church-wardens, for the purposes aforesaid.

III. And be it enacted by the authority aforesaid, That they, the said church-wardens, and their successors in office, are hereby authorized and empowered to have the said parish church completely re-built or repaired, and pews erected in the said church, in such manner or form as they or a majority of them shall think proper, and for the costs and expense thereof, to assess the said pews rateably and proportionably, according to the respective value of each pew, which assessment the owners and proprietors of pews are hereby required and enjoined to pay, when called upon by the vestry and church-wardens for that purpose. And in case the said proprietors, or any of them, shall neglect or refuse to pay such assessment, for the space of two months after being required so to do, that then, and in that case, the said vestry and church-wardens shall be, and they are hereby, empowered to sell and convey to the highest bidder, the pew or pews of such proprietor or proprietors so refusing to pay for repairing or re-building the said church, as aforesaid, and after deducting the sum or sums assessed thereon, respectively, to pay the overplus, if any there may be, to the several and respective proprietors thereof, when called upon for that purpose.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said vestry and church-wardens, and their successors in office, or a majority of them, and they are hereby authorized and empowered to sell and convey to any person or persons whom they shall
think proper, any of the pews in the said church, not being private property, in such manner and on such conditions as they shall think fit; and also, annually, to assess and rate each and every of the pews in the said church, for such sum or sums of money as they, or a majority of them, shall think right, regard being always had to the situation of the said pews; and if any person or persons shall at any time neglect or refuse to pay the sum or sums of money at which his, her or their pew or pews are rated, within two months after public notice given of such assessment, that then it shall and may be lawful for the said vestry and church-wardens, or a majority of them, to let to hire the said pew or pews, for any term or time not exceeding three years, to any person or persons who may be willing to hire the same.

V. And whereas, in and by an Act of the General Assembly, passed the ninth day of April, which was in the year of our Lord one thousand seven hundred and thirty-four, entitled "An Act for founding and creating, governing, ordering and vesting a free school in the town of Dorchester, in the parish of St. George Dorchester, in Berkeley county, for the use of the inhabitants of South Carolina;" the commissioners of the said free school, by many donations from several charitable and well disposed persons, became vested with divers sums of money and other valuable property. And whereas, by the Act aforesaid, five at least of the commissioners are required to fill up such vacancies as have happened, and either by death or removal from the parish, there not being at this time a sufficient number of commissioners living or residing there, for the purposes by the said Act intended; Be it therefore enacted, That William Postell, Mathias Hutchinson, Thomas Waring, of Pine-Hill, Joseph Waring, Morton Waring, Daniel Stewart, John Dawson, Richard Wainwright, Thomas Smith, and George Evans, be, and they are hereby appointed, commissioners to fill up such vacancies as shall have happened, and are also fully invested with all the powers and authorities heretofore invested in any former commissioners appointed under the Act aforesaid.

VI. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said vestry and church-wardens, and their successors in office, or a majority of them, to nominate and appoint fit and proper clergymen or ministers for the said church, and all other necessary officers at their will and pleasure, and them, or any or either of them, to displace, put out or remove, and to employ others in their stead; likewise to appoint such salaries, perquisites or rewards for the labor and service of such ministers or other officers so employed, as they, or a majority of them, shall, from time to time, approve of.

VII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said vestry and church-wardens, and their successors in office, or a majority of them, shall have full power and authority, from time to time, to make and establish such and so many by-laws, rules and orders, as to them shall seem necessary and convenient for the better regulating, governing, well ordering and directing the said corporation, and the minister, teachers,
officers, servants and other persons by them employed or to be employed in or about the said church, and the same by-laws, rules and orders to put in use accordingly, and the same, or any part thereof, at their will and pleasure, to alter, change, suspend or revoke; and the said by-laws, rules, and orders so to be made by the said corporation, shall be binding on every member of the same, and the church by this Act incorporated, and shall be punctually and inviolably observed, according to the tenor and effect thereof, under the several pains, penalties and disabilities therein named; provided always, that the same shall be reasonable; and not contrary or repugnant to the laws of this State.

IX. And be it further enacted by the authority aforesaid, That this Act shall be deemed a public Act, and may be given in evidence without special pleading, on trial of any suit, action or appeal, in any court of law or equity in this State.

In the Senate House, the seventh day of March, in the year of our Lord one thousand seven hundred and eighty-nine, and in the thirteenth year of the Independence of the United States of America.

D. DESAUSSURE, President of the Senate.

JACOB READ, Speaker of the House of Representatives.

No. 1440. AN ACT FOR INCORPORATING THE SOCIETY FOR THE RELIEF OF ELDERLY DISABLED MINISTERS, AND OF THE WIDOWS AND ORPHANS OF THE CLERGY OF THE INDEPENDENT OR CONGREGATIONAL CHURCH, IN THE STATE OF SOUTH CAROLINA.

WHEREAS, William Hollingshead, Isaac S. Keith, and Josiah Smith, with sundry other members of the society for the relief of elderly and disabled ministers, and of the widows and orphans of the clergy of the Independent or Congregational Church in the State of South Carolina, by their petition to the General Assembly, have set forth, that they had, with many others, taken into their serious consideration the distressed situation in which elderly and disabled ministers, and the widows and orphans of the clergy of the Independent or Congregational church were frequently placed and left, and therefore associated themselves together for the charitable purpose of establishing a fund towards their relief; but the petitioners are of opinion that so benevolent a design would be most effectually promoted by their being incorporated, they therefore humbly prayed that a law might be passed for incorporating them as a society, by the name and style of "The Society for the relief of elderly and disabled Ministers, and of the Widows and Orphans of the Clergy of the Independent or Congregational Church in the State of South Carolina," and that they might have all the privileges usually annexed to such an incorporation:

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the society above mentioned, and the persons who now are, or shall hereafter be, members thereof, and their successors, officers and members of it, shall be, and they are hereby declared to be,
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1789.

one body corporate, in deed and in name, by the name of "The Society for the relief of elderly and disabled Ministers, and of the Widows and Orphans of the Clergy of the Independent or Congregational Church in the State of South Carolina," and by the same name shall have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as the said corporation shall judge expedient. And the said corporation, and its successors, shall be able and capable in law to purchase, have, hold, receive, enjoy, possess and retain to itself and its successors, in perpetuity, or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or nature soever, and to sell, alien, exchange, demise or lease the same, or any part thereof, as it shall think proper; and by its said name to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State, and to make such rules and by-laws (not repugnant and contrary to the laws of the land) for the benefit and advantage of the said corporation, and for the order, rule, good government and management of the said corporation, as shall from time to time be agreed upon by a majority of the members of the said society.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said corporation hereby erected, to take and to hold, to itself and to its successors, forever, any charitable donations or devises of lands and personal estate, and to appropriate the same for the benefit of the said corporation, in such manner as may be determined by a majority of the members thereof.

III. And be it further enacted by the authority aforesaid, That the said corporation shall be, and is hereby declared, able and capable in law, to have, receive, enjoy, possess and retain, all such estate, real and personal, money, goods, chattels and effects, which it is now possessed of or entitled unto, or which has been already given, devised or bequeathed to it, by whatever name such devise or bequest may have been made.

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

In the Senate House, the seventh day of March, in the year of our Lord one thousand seven hundred and eighty-nine, and in the thirteenth year of the Independence of the United States of America.

D. DESAUSURSE, President of the Senate.

JACOB READ, Speaker of the House of Representatives.

VOL. VIII.—20.
WHEREAS, sundry inhabitants in Stateburg, on the High-hills of Sanctee, in Saint Mark’s Parish, did, by their petition to the General Assembly, now sitting, set forth that they had formed themselves into a society, by the name of the Claremont Society, for the purpose of instituting and endowing a seminary of learning in Stateburg, to instruct and educate youth in the necessary and useful branches of knowledge, and did thereby pray that a law might be passed to incorporate and invest them with such powers and privileges as might most effectually advance the views of the said society:

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That a society shall be formed at Stateburg, on the High-hills of Sanctee, in Saint Mark’s Parish, for the purpose of instituting and endowing a seminary of learning to instruct and educate youth in the necessary and useful branches of learning, by the name of “The Claremont Society;” and that the president, vice-president, wardens, and the several persons who now are, or shall hereafter be, members of the said-society, and the successors, officers and members of the same, shall be, and they are hereby declared to be, severally, one body corporate and politic, in deed and in name, by the said name of “The Claremont Society, and by that name shall have perpetual succession of officers and members, and shall also have a common seal, with power to change, alter, break and make new the same, as often as they shall judge expedient; and the said society shall be able and be capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to them and their successors, in perpetuity, or for any term of years, any estate or estates, real or personal, messuages, lands, tenements or hereditaments, of what nature or kind soever. Provided nevertheless, that the same shall not exceed the annual income of one thousand pounds; and to sell, alien, exchange, demise or lease the same, or any part thereof, as shall be thought proper or expedient; and by the said name to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State, and to make such by-laws and regulations, (not repugnant and contrary to the laws of the land,) for the benefit and advantage of the said corporation, and for the order, rule, good government and management of the school or schools, and for the masters, teachers, scholars and servants thereof, as shall be, from time to time, agreed to by a majority of the members of the said society.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said society or corporation hereby erected, to take and to hold, to them and their successors, forever, any charitable donations or devises of lands and personal estate or estates, and to appropriate the same to the endowing and supporting of the said seminary of learning, and to the maintenance and education of such poor, helpless and indigent children, as shall be judged proper objects of the charities hereby intended; and to appoint and choose, and at pleasure to dispose, remove and supply such officers, school-masters, teachers, servants and other persons to be employed for the purposes aforesaid, and to appoint such salaries, perquisites and other rewards for their labor or services therein, as a majority of the
OF SOUTH CAROLINA.

Acts relating to Corporations.

members of the said society or corporation shall or may, from time to time, approve of and think fit.

III. And be it further enacted by the authority aforesaid, That this Act shall or may be given in evidence on the trial of any issue or cause, in any court of law or equity, without special pleading.

In the Senate House, the seventh day of March, in the year of our Lord one thousand seven hundred and eighty-nine, and in the thirteenth year of the Independence of the United States of America.

D. DESAUSSURE, President of the Senate.

JACOB READ, Speaker of the House of Representatives.

AN ACT FOR INCORPORATING THE PRESBYTERIAN CONGREGATION IN The Town of Purysburgh, in Saint Peter's Parish in the State of South Carolina.

WHERRAS, Hezekiah Roberts, Jacob Winkler, and Daniel Giroud, with sundry other members of the Presbyterian congregation, in the town of Purysburgh, in Saint Peter's parish, in the State of South Carolina, did, by their petition to the General Assembly, set fort, that the church in the said town and parish, was most wantonly destroyed by the British in the late war, whereby, the petitioners have been since deprived from attending divine service, and from procuring a Minister to perform public worship therein, according to the rites and ceremonies of their said church; and thereby, praying to be incorporated under the name of "The Presbyterian Congregation in the Town of Purysburgh, in St. Peter's Parish, in the said State.

I. Be it therefore enacted, by the honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said society and the several persons who now are, or shall hereafter be, members of the same, and the successors, officers and members thereof, shall be, and they are hereby declared to be, one body corporate and politic, in deed and in name, by the name of "The Presbyterian Congregation in the Town of Purysburgh, in Saint Peter's Parish, in the said State; and by the same name, shall have perpetual succession of officers and members; and a common seal, with power, to change, alter, break and make new the same, as often as shall be judged expedient; and the said corporation shall be, able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to it and its successors in perpetuity, for any term of years, any estate or estates, lands, tenements, or hereditaments, of what nature or kind soever, and to sell, alien, exchange, demise, or lease the same, or any part thereof, as shall be thought fit and proper by a majority of the members of the said corporation; and by the said name, to sue and be sued, implead and be implored, answer and be answered unto, in any court of law or equity in this State, and, to make such rules and by-laws (not repugnant and contrary to the laws of the land) for the benefit and advantage of the said corporation, and for the order, rule, good government and management of
the same, and for the election of Ministers, and their maintenance, out of any funds belonging to the said society, and for the reparation of the said church out of any such funds, and ascertaining the rents which shall be paid by the pew-holders therein, in such way and manner as shall be agreed upon from time to time, by a majority of the members of the said society.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the corporation hereby erected, to take and hold, to it, and its successors, forever, any charitable donations or devises of lands and personal estate, and to appropriate the same for the benefit of the said corporation, in such manner as may be determined on by a majority of the members thereof; and to appoint and choose, and to displace, remove and supply, such ministers, officers, servants and other persons to be employed in the affairs of the said corporation; and to appoint such salaries, perquisites or other rewards for their labor or service therein, as a majority of the members thereof, shall from time to time, approve of or think fit.

III. And be it further enacted by the authority aforesaid, That the said corporation shall be, and the same is hereby, declared able and capable in law, to have, hold, receive, enjoy, possess and retain, all such other estates, real and personal, monies, goods, chattels and effects, which the said corporation is now possessed of, or entitled unto, or which hath been already given, devised, or bequeathed to the same, by whatever name such devise or bequest may have been made.

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

In the Senate House, the seventh day of March, in the year of our Lord one thousand seven hundred and eighty-nine, and in the thirteenth year of the Independence of the United States of America.

D. DESAUSSURE, President of the Senate.

JACOB READ, Speaker of the House of Representatives.

No. 1477. AN ORDINANCE FOR INCORPORATING THE BAPTIST CHURCH ON HORNES CREEK IN EDGEMFIELD COUNTY, IN THE STATE OF SOUTH CAROLINA.

WAEREAS, Hezekiah Walker, John Frasier, and Samuel Walker, with several other members of the Baptist Church on Hornes Creek, in Edgefield county, in the State of South Carolina, did, by their petition set forth, that they had subscribed in a book for that purpose, the articles directed in the constitution of this State, thereby praying to be established and incorporated in a religious society, under the name of "The Baptist Church on Hornes Creek, in Edgefield County, in the State of South Carolina.

I. Be it therefore ordained, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said society, and the several persons
OF SOUTH CAROLINA.


who now are, or shall hereafter be members of the same, their successors, officers and members thereof, shall be, and they are hereby, declared to be one body corporate, in deed and in name, by the name of "The Baptist Church on Horne's Creek, in Edgefield County," and by the said name, shall have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as shall be judged expedient, and the said corporation shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to it and its successors in perpetuity, or for any term of years, any estate or estates, lands, tenements or hereditaments of what nature or kind soever, and to sell, alien, exchange, demise or lease the same, or any part thereof, as shall be thought fit and proper by a majority of the members of the said corporation; and by the said name, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant and contrary to the laws of the land,) for the benefit and advantage of the said corporation, and for the order, rule, good government and management of the same; and for the election of Ministers and their maintenance out of any of funds belonging to the said society, and for the rebuilding or repairing their church out of any such funds, and ascertaining the rents which shall be paid by the pew holders therein, in such way and manner, as shall be agreed upon from time to time, by a majority of the members of the said society.

II. And be it further ordained by the authority aforesaid, That it shall and may be lawful for the said corporation hereby created, to take and hold, Baptist church lands and personal estates, and to appropriate the same for the benefit of the said corporation, in such manner as may be determined on, by a majority of the members thereof; and to appoint and choose, and to displace, remove and supply such ministers, officers, servants and other persons to be employed in the affairs of the said corporation; and to appoint such salary, perquisites or other rewards, for their labors and services therein, as a majority of the members thereof, shall, from time to time, think fit.

III. And be it further ordained by the authority aforesaid, That the said corporation shall be, and the same is hereby, declared able and capable in law, to have, hold, receive, enjoy, possess and retain, all such other estates, real and personal, monies, goods, chattels and effects, which the said corporation is now possessed of, or entitled to, or which hath been already given, devised or bequeathed to the same, by whatever name, such devise and bequest may have been made.

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

In the Senate House, the twentieth day of January, in the year of our Lord one thousand seven hundred and ninety, and in the fourteenth year of the Independence of the United States of America.

D. DESAUSSSURE, President of the Senate.

JACOB READ, Speaker of the House of Representatives.
AN ORDINANCE to incorporate a society, for the purpose of raising and securing a fund for the relief of the widows and children of the deceased Presbyterian Ministers belonging thereto.

WHEREAS, it has been represented by the Rev'd. James Gourlay, William Knox, Thomas Cooley, and James Wilson, in consequence of a public vote of their respective churches, as set forth in their petition to the General Assembly, that it would tend greatly to the promoting of religion and virtue among them, by encouraging pious and able men to devote themselves to the ministry of the Gospel, if some certain provisions were made for the widows and children of deceased Ministers; and praying that they may be incorporated as a society, for the purpose of raising and securing a fund for the relief of the widows and children of the deceased Presbyterian Ministers belonging thereto; and that they might have all the privileges usually annexed to such an incorporation.

I. Be it therefore ordained, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Rev'd. James Gourlay, William Knox, Thomas Cooley, and James Wilson, and the churches of which they are the ministers, viz:—The Presbyterian Church of the city of Charleston, the Presbyterian Church of Edisto Island, the Presbyterian Church of Black Mingo, and the Independent Presbyterian Church of Prince William's be, and they are hereby, declared to be one body corporate, in deed and in name, by the name of "The Presbytery of Charleston;" and by the said name, shall have perpetual succession of officers and members; and a common seal, with power to change, alter, break and make new the same, as often as the said corporation shall judge expedient; and the said society, and its successors, shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to itself, and its successors, in perpetuity, or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or nature soever; and to sell, alien, exchange, demise or lease the same, or any part thereof, as it shall think proper; and to take and hold to itself, and its successors, for ever, any charitable donations or demises of what nature soever they may be, which donations and demises, shall form part of the fund of the society; and by its said name, to sue and be sued, implead and be implored, answer and be answered unto, in any court of law or equity in this State; and to make such by-laws, (not repugnant or contrary to the laws of the land,) for the benefit and advantage of the said society, and for the order, rule, good government and management thereof, as shall from time to time, be agreed upon by a majority of the members of the said corporation.

II. And be it further ordained by the authority aforesaid, That an annual meeting of the corporation shall be held in the city of Charleston, on the third Wednesday of May every year; and the Minister of each of the churches, of which the society is, or shall be composed, shall always be ex officio, a member of the corporation; and before said annual meeting every year, each church shall choose an Elder, or other fit person, to sit along with their Minister, as their representative, in the corporation for one year; and when any church, of which the society is, or shall be composed, shall become vacant, by the death of their Minister or otherwise, the person who may be chosen by said vacant church for their pastor, shall
OF SOUTH CAROLINA.

Acts relating to Corporations.

not be a member of the corporation, until he be regularly ordained, or if already a minister, until he be installed by the Presbytery, after having produced to them, satisfactory credentials of his having been ordained agreeable to the form of Presbyterian ordination, and of his sustaining a good character; and no minister whatever, shall be capable of becoming a member of the society, until he shall be regularly elected and called, agreeable to the constitution of this State, by one of the churches of which this society is, or shall be composed, to be the stated officiating Parson or Minister thereof.

III. And be it further ordained by the authority aforesaid, That each church of this corporation shall, at its first annual meeting, make choice of, and pay into the fund of the society, one of the five following rates, viz. —three pounds six shillings and eight pence; five pounds; six pounds thirteen shillings and four pence; eight pounds six shillings and eight pence; or ten pounds, lawful money of this State, to entitle the corresponding annuity, of twenty pounds, thirty pounds, forty pounds, fifty pounds, or sixty pounds money aforesaid. And each church shall pay, or cause to be paid the said rate, to the corporation every year, at the annual meeting thereof; and in case the rate of any church be not paid on that day, then the said corporation shall charge legal interest thereon until paid; and no church shall have power to alter or change the rate first chosen by them, during the lifetime of their Minister, or his continuing their Pastor. Provided always, that each church of which this corporation is, or shall be composed, shall have power, at their election of every new Minister, to choose which of the five rates they will pay for him, during his ministry, but shall have no power afterwards, to alter or change this their choice, while he lives or continues their Pastor.

IV. And be it further ordained, That in case the Minister of any of the churches, of which this society is, or may be composed, shall leave his church, or be displaced therefrom, he shall thereupon, cease to be a member of the corporation, and be cut off from all the privileges of its fund; unless the said minister sustain a good character, and shall pay or cause to be paid, every year of his life to the corporation, the same rate which his church was bound to pay for him; in which case, he shall continue to be a member of the said society, and his widow and child or children, shall be entitled to, and receive the same annuity, as if he had died the Pastor of a church of this corporation.

V. And be it further ordained by the authority aforesaid, That when the minister of any church of this society shall die, his widow, or child or children, shall receive, annually and every year, the annuity, corresponding to the rate paid by said church, to be computed as commencing from the day of his death, and to be paid without any deduction whatever; and no widow or child shall receive any annuity or money from the fund, until all the rates due by the church of the deceased minister, with the interest due thereon, be fully paid to the society; and all annuities shall be payable at the annual meeting of the corporation, and if not paid on that day, shall bear legal interest until fully discharged. Provided, always, that if any widow, or child, or children shall neglect to demand their annuity, at the annual meeting of the society, either personally or by some one legally authorized to receive it, and the treasurer of the society shall certify there to, that the money is ready to pay said annuity, then, and in that case, the said annuity shall be paid by him, when duly demanded, without any interest whatever thereon.
VI. And be it further ordained by the authority aforesaid, That when the deceased minister shall leave a widow, but no child, she shall receive the annuity during her widowhood, reserving to the corporation, in case of her marrying again, full power to determine what proportion of her annuity she shall afterwards receive. And on the day of her death, the annuity shall cease and determine, and when the deceased minister shall leave a widow and a child or children, the widow and child or children, jointly, shall receive the annuity during her widowhood; but in case of her marrying again, or death, she shall be entitled to no part of the annuity, and the whole annuity shall be paid, after the day of marriage, or decease of the widow, to the child or children, until the said child or children shall have arrived at the age of eighteen complete, or shall be married, or shall die, at which time the annuity shall cease and determine. And when the deceased minister shall leave no widow, but a child or children, the child or children shall receive the annuity, the same as a widow, until the said child or children shall have arrived at the age of eighteen, complete, or shall be married, or shall die, at which time the annuity shall cease and determine. And when the deceased minister shall leave no widow nor child, no money shall be paid on his account, out of the fund.

VII. And be it further ordained by the authority aforesaid, That the corporation shall have full power to receive, as a member of this society, any church of the presbyterian denomination, which has already been incorporated, or which shall hereafter be incorporated by the General Assembly of this State, agreeable to the Constitution thereof, upon application from said church to the corporation; and said church, when so received, shall be, to all intents and purposes, a member of this society, as fully as if their name were expressed in this Ordinance, and shall choose, at the time of their admission, and pay unto the fund one of the five rates above specified, and be subject to the same regulations, and enjoy the same privileges, as any other church of the society.

VIII. And be it further ordained by the authority aforesaid, That every church of which this society is or may hereafter be composed, shall have full liberty of withdrawing itself therefrom, whenever it shall appear expedient to a majority of the members thereof to withdraw; and said church shall thereupon cease to be a member of the society, and be cut off from all the privileges of its fund; and the corporation shall have full power to exclude any of the churches thereof, which shall, for three years, refuse to pay their annual rate, or to observe the by-laws of the society, and said church, when so excluded by a majority of the members of the corporation, shall cease to be a member thereof, and be cut off from all the privileges of its fund; and said withdrawn or excluded church shall be incapable of becoming again a member of the society, except at their election of a new minister. Provided, always, that the widow or child or children of the deceased minister or ministers of the withdrawn or excluded church, which shall be upon the fund before the withdrawing or exclusion, shall be entitled to and receive the same annuity as if no such withdrawing or exclusion had taken place.

IX. And be it further ordained by the authority aforesaid, That this Ordinance shall be deemed and taken as a public law, and notice shall be taken thereof in all courts of justice and elsewhere in this State, and shall
OF SOUTH CAROLINA.

Acts relating to Corporations.

be given in evidence in the trial of any issue or cause without special pleading.

In the Senate House, the twentieth day of January, in the year of our Lord one thousand seven hundred and ninety, and in the fourteenth year of the Independence of the United States of America.

D. DESAUSSURE, President of the Senate.
JACOB READ, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE ROMAN CATHOLIC CHURCH OF CHARLESTON.

WHEREAS, sundry persons professing the Roman Catholic religion, have presented a petition to the Legislature, stating that for the purpose of worshipping God, according to the rites and ceremonies of their church, they have, by subscription and otherwise, raised a sufficient fund for building a church and providing for the maintenance of a pastor, and the payment of other proper officers of the same, and that their good intentions would be more effectually carried into execution by an Act of incorporation, and therefore praying that such an Act might be passed. And whereas, religion ought to be promoted;

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said Roman Catholic church of Charleston, and the several persons who now are, or shall hereafter be, members thereof, respectively, and their successors, officers and members of each of them, shall be, and they are hereby declared to be, one body corporate, in deed and in name, by the name of and style of “The Roman Catholic Church of Charleston,” and by the said name shall have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as the said corporation shall judge expedient. And the said corporation, and its successors, shall be able and capable in law to purchase, have, hold, receive, enjoy, possess and retain, to itself and to its successors, in perpetuity or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or nature soever, not exceeding the sum of five thousand pounds value, and to sell, alienate, exchange, demise or lease the same, or any part thereof, as they shall think proper, and may, by the said name, sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant to the laws of the land,) for the benefit of the said corporation, and for the order, rule, good government and management of said corporation, and for the election of ministers and their maintenance, out of any funds belonging to the said corporation, for the erecting and repairation of churches out of any such funds; and to ascertain the rents which shall be paid by pewholders, in such manner as shall be, from time to time, agreed upon by a majority of the members of the said corporation.

II. And be it further enacted by the authority aforesaid, That it shall and may lawful for the said corporation hereby erected, to take and to hold,
to it and its successors forever, any charitable donations or devises of lands and personal estates, and to appropriate the same for the benefit of the said corporation, in such manner as may be determined on by a majority of the members thereof.

III. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to have, hold and receive, enjoy, possess and retain, all such other estates, real and personal, money, goods, chattels and effects, not exceeding the sum of five thousand pounds value in the whole, which it now possesses or is entitled to, or which have been already given, devised or bequeathed to it, by whatsoever name such devise or bequest may have been made.

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

In the Senate House, the nineteenth day of February, in the year of our Lord one thousand seven hundred and ninety-one, and in the fifteenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.
JACOB READ, Speaker of the House of Representatives.

No. 1516. AN ACT FOR INCORPORATING THE JEWISH CONGREGATION AT CHARLESTON, CALLED BETH ELOHIM OR HOUSE OF GOD.

WHEREAS, by the first section of the eighth article of the Constitution of this State, it is declared that "the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever hereafter be allowed within this State, to all mankind. Provided, that the liberty of conscience thereby ordained, shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of the State." And whereas, the Jewish Congregation at Charleston, Called Beth Elohim, or House of God, hath petitioned the Legislature to be legally incorporated, with privileges and powers similar to those heretofore granted to religious societies of other sects and denominations.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said congregation or society above mentioned, and the several persons who now are, or shall hereafter be, members thereof, respectively, and their successors, members and officers thereof, shall be, and they hereby are declared to be, a body corporate, in deed and in name, by the name and style of the "Charleston Jewish Congregation of Beth Elohim, or House of God," and by that name shall have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as the said corporation shall judge expedient.

II. And be it also enacted by the authority aforesaid, That the said
corporation shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain to itself, in perpetuity or for any term of years, any lands, tenements or hereditaments, of any kind or nature soever, not exceeding the value of five thousand pounds, and to sell, alien, exchange or demise or lease the same, or any part thereof, as the said corporation shall think proper; and by its said name to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant and contrary to the laws of the land,) as for the order, rule, good government and management thereof, and for the election of ministers, and their maintenance, out of any funds belonging to the said corporation, for the erecting and reparation, and other expenses and charges of their Synagogue, maintenance of their poor and indigent members, and support and education of the orphan children of the said congregation, out of such funds, in such manner as shall be, from time to time, agreed upon by the adjunta of said congregation, or meeting of the elders thereof, chosen by the said corporation.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful for said corporation to take and hold, forever, any charitable donations or devises and bequests of lands, not exceeding the value of five thousand pounds, and personal estates, and to appropriate the same for the benefit of said corporation, in such manner as may be determined by the said adjunta, or elders of the congregation; and to appoint and choose, and to displace, remove and supply, such ministers, officers, servants, and other persons to be employed in the affairs of such corporation, and to appoint such salaries, perquisites and rewards for their labor or services, out of the funds thereof, as the said corporation shall, from time to time, approve or think fit.

IV. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law to have, hold and receive, enjoy, possess and retain, all such estates, real or personal, money, goods, chattels and effects, which they now possess, or are entitled unto, or which have been already given, devised or bequeathed thereto, by whatever name such gift, devise or bequest may have been made.

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

In the Senate House, the nineteenth day of February, in the year of our Lord one thousand seven hundred and ninety-one, and in the fifteenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives.
STATUTES AT LARGE

Acts relating to Corporations.

No. 1517. AN ACT TO INCORPORATE THE SEVERAL CHURCHES KNOWN BY THE NAMES OF THE PRESBYTERIAN CHURCH OF HOPEWELL, ON JEFFRIES'S CREEK; THE PRESBYTERIAN CHURCH OF AIMWELL, ON PEEDEE; THE PRESBYTERIAN CHURCH OF LEBANON, ON JACKSON'S CREEK; AND THE BAPTIST CHURCH, EBENEZER, ON JEFFRIES'S CREEK.

WHEREAS, sundry persons, inhabitants of the upper part of Prince Frederick's parish, on Jeffries's creek, have petitioned the Legislature to be admitted a body corporate and politic, in name and in deed, by the name of "The Presbyterian Church of Hopewell, on Jeffries's Creek." And whereas, sundry other persons, also inhabitants of the upper part of the aforesaid parish, have petitioned the Legislature to be incorporated, by the name and denomination of "The Presbyterian Church of Aimwell, on PeeDee." And whereas, several other persons, inhabitants of Jeffries's Creek, in St. David's Parish, have presented their petition also, to be incorporated, by the name and denomination of "The Baptist Church, Ebenezer, Jeffries's Creek." And whereas, sundry other persons, inhabitants of this State, living on Jackson's Creek, have also presented their petition, praying to be incorporated, by the name of "The Lebanon Society."

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That those who have subscribed the petition for incorporating the Presbyterian church of Hopewell, on Jeffries’s Creek, who now are, and those who shall be hereafter duly admitted or become members of that society, according to the rules, orders and constitution of the said society to be formed, shall be, and they are hereby declared to be, one established body corporate and politic, in deed and in name, by the name and style of "The Presbyterian Church of Hopewell, on Jeffries’s Creek."

II. And be it further enacted by the authority aforesaid, That John Ervin, Gavin Witherspoon, John Witherspoon, and Eliphalet Hewit, and all those who have subscribed the petition for incorporating the Presbyterian Church of Aimwell, on PeeDee, who now are, and all those who shall be hereafter duly admitted, or become members of that society, according to the rules, orders and constitution of the said society to be formed, shall be, and they are hereby, also declared to be, one established body, corporate and politic, in deed and in name, by the name and style of "The Presbyterian Church of Hopewell, on Jeffries’s Creek."

III. And be it further enacted by the authority aforesaid, That Benjamin Mosely, Archibald McBrice, Robert Ellison, and Joseph Chandler, and those who have subscribed the petition for incorporating the Baptist Church, Ebenezer, Jeffries’s Creek, who now are, and all those who shall be, hereafter duly admitted or become members of that society, according to the rules, orders and constitution of the said society to be formed, shall be, and they are hereby, declared to be, one established body, corporate and politic, in deed and in name, by the name and style of "The Baptist Church, Ebenezer, Jeffries’s Creek."

IV. And be it further enacted by the authority aforesaid, That David Hamilton, Richard Gladney, James Dodds, and those who have subscribed the petition for incorporating the Lebanon Society, who now are, and all those who shall be, hereafter duly admitted or become members of that society, according to the rules, orders and constitution of the said society to be formed, shall be, and they are hereby declared to be, one established
OF SOUTH CAROLINA

Acts relating to Corporations. A.D. 1791.

body corporate and politic, in deed and in name, by the name and style of "The Lebanon Society."

V. And be it further enacted by the authority aforesaid, That the said corporations, by their several and respective names, shall have perpetual succession of officers and members, to be appointed of the said several respective corporations; and the said several and respective corporations, and their successors, by their several and respective corporate names, shall be able and capable in law, to have a common seal, and hold, occupy and possess, any real estate, not exceeding in value, five thousand pounds, and any monies, goods or chattels, which they, severally and respectively, do now, or hereafter may have, or hold, or may be granted or conveyed to them, respectively and severally; and to sell, alien, demise, exchange or lease the same, as each of the said corporate bodies shall severally and respectively, think convenient.

VI. And be it further enacted by the authority aforesaid, That it shall and may be lawful, for the said several corporate bodies, or a majority of them, to choose proper clergymen and ministers for the said churches, and all other necessary officers, and to appoint such salaries and other rewards, for their labor and service therein, as they shall from time to time, think fit.

VII. And, be it further enacted by the authority aforesaid, That it shall and may be lawful, for the said several and respective corporations, by their several and respective names aforesaid, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of judicature of this State, in all actions or suits of what nature or kind soever, which to them, shall in any wise belong or appertain, in or about the premises.

VIII. And be it further enacted by the authority aforesaid, That this Act shall be given in evidence, on the trial of any issue or cause, in any court of law or equity without special pleading.

In the Senate House, the nineteenth day of February, in the year of our Lord one thousand seven hundred and ninety-one, and in the fifteenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives.

AN ACT TO INCORPORATE CAMDEN. No. 1518.

WHEREAS, the inhabitants of Camden, by their petition to the General Assembly, have represented that great convenience and advantage would arise to them by incorporating the said town, as thereby they would be enabled to institute and carry fully into effect many salutary and beneficial regulations for the preservation of good order, and for the support of many charitable and useful institutions within the same.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passing of this Act, all persons, citizens of the United States, and residing one year within the said town, or having a freehold for that term, within the same, shall
be deemed, and they are hereby declared to be, a body politic and corporate, and Camden hereafter be deemed a town corporate, and is hereby declared to be, and shall be called and known by the name of the Town of Camden.

II. And be it further enacted by the authority aforesaid, That on the first Monday in April next, and on the first Monday in April in every year hereafter, an election, by ballot, for an Intendant and four Wardens, shall be held at some convenient and public place in Camden; and that all free white inhabitants of the said town, who shall have paid a tax the preceding year, of one dollar, towards the support of the government of this State, shall be entitled to ballot for the said Intendant and Wardens; and when the poll shall be closed, the managers of the election shall proclaim the said election, and give notice, in writing, to the persons elected, of their appointment; and Zachariah Cantey and William Lang shall be, and they are hereby appointed, managers of the ensuing election. And the Intendant for the time being shall appoint proper persons as managers of the elections to be held afterwards. And when the said Intendant and Wardens shall be elected, as aforesaid, and before entering upon his or their office, he or they shall, respectively, take the oaths of this State, prescribed by the Constitution, and take the following oath:

"As Intendant or Warden of the town of Camden, 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 carry into effect the purposes for which I have been appointed. So help me God."

III. And be it further enacted by the authority aforesaid, That in case of the death of the Intendant, his resignation, removal from office, or absence from the State, the Wardens shall thereupon appoint a time for choosing another, and give ten days public notice of the same; and in case of vacancy in any of the wards, by death or otherwise, the Intendant shall issue a summons to the ward for filling up such vacancy, giving five days notice of the same. And in case the Intendant or any of the Wardens, whilst in office, shall be guilty of any wilful neglect, mal-practices or abuses, on information being filed of the same, in the court of general sessions, and conviction thereof, he shall forfeit and pay a sum, not exceeding fifty pounds sterling, for every such wilful neglect, mal-practice or abuse; the money to be recovered by the Solicitor-General, for the northern circuit, and lodged with the clerk of the county of Kershaw, for the use and benefit of the said town. And in case of the sickness, temporary absence, or other occasion of non-attendance of the Intendant, the Town Council shall be empowered to elect one of the Wardens to act in his room on any such occasion.

IV. And be it further enacted by the authority aforesaid, That the said Intendant shall and may, as often as occasion may require, summon the Wardens to meet together; any two of whom, with the Intendant, may constitute a quorum to do business, and they, with the Intendant, shall be known by the name of, and are hereby declared to be, the Town Council of Camden; and they, and their successors hereafter to be elected, may have a common seal, and may purchase, have, hold, possess, receive, enjoy and retain, to them and their successors, in perpetuity or for any term of years, any estate or estates, real or personal, of what nature or kind soever, not exceeding in value ten thousand pounds sterling, and may sell, alien, exchange or lease the same, or any part thereof, as they may think proper; and by the same name may sue or be sued, answer or be answered unto, implead or be impleaded, in any court of law or equity within this
Acts relating to Corporations. A.D. 1791.

State; and they shall also have full power to make and establish all such rules, by-laws and ordinances, respecting the streets, markets, buildings, carriages, wagons, carts, drays and police of the said town that shall appear to them requisite and necessary for the security, welfare and convenience of the said town, or for preserving health, peace, order and good government within the same. And the said Town Council of Camden may affix fines for offences against their by-laws, not exceeding twenty pounds for any one offence; which fines, when they exceed five pounds sterling, may be recovered in the county court of Kershaw; and when they are under the sum of five pounds, before the Intendant and wardens, or any two of them. All which fines, when recovered, shall be applied to the use of the said town; and the said Town Council may assess a tax on the inhabitants of the said town, not exceeding one third part of the amount of the general tax which is paid by such inhabitants for property being within the limits of said town. Provided, that nothing herein contained shall authorize the said Town Council to make any bye-laws inconsistent with or repugnant to the laws of the land; and provided, also, that all bye-laws and ordinances they may make, shall, at all times, be subject to the revision or repeal of the Legislature.

V. And be it further enacted by the authority aforesaid, That the said wardens, shall each of them, have full power and authority, and they are hereby, required to keep peace and good order in their respective wards, to issue warrants and cause all offenders against law to be brought before them, and on examination, either to release, admit to bail, (if the offence aforesaid, be bailable,) or commit to the custody of the Sheriff of Camden District, or of Kershaw county, as the case may require, who is hereby, required and commanded to receive the same, and keep the person so committed in safe custody, until discharged by due course of law; and the said wardens, or any two of them, shall, in rotation, meet twice every month, or oftener, if occasion requires, at some convenient and public place in Camden, to hear and determine all small and mean causes agreeably to the directions of the Act of the General Assembly, and all other matters of complaint arising within the said town; and the intendant, and each and every of the said wardens for the time being, shall be vested with all the powers and authorities, that justices of the peace are vested with by the laws of this State, and shall and may exercise the same, in every part of the said town, for the preservation of the peace and good order thereof.

VI. And be it further enacted by the authority aforesaid, That in case of tumults or riots, or appearance, or probability of tumult or riot in the said town, the intendant shall immediately summon together the Town Council, and order the constables of the town, to attend the Town Council, and such measures shall thereupon be taken, as shall appear most advisable, for preventing or suppressing such riot or tumult; and if any constable shall neglect or refuse to obey the order for attendance from the intendant, he shall forfeit a sum not exceeding five pounds sterling, for every such offence; and any other inhabitant refusing to obey the orders of the intendant, for the purpose of suppressing any riot or tumult, he shall forfeit a sum not exceeding two pounds sterling, for every such offence.

VII. And be it further enacted by the authority aforesaid, That the said Town Council, shall have full power and authority, from time to time, to commit to close prison in the jail of Kershaw county, all such person and persons, who shall incur any penalties and forfeitures intended to be inflicted by any of the by-laws of the said corporation, passed conformable to the powers vested in them by this Act.
STATUTES AT LARGE

Acts relating to Corporations.

VIII. And be it further enacted by the authority aforesaid, That the said corporation shall be, and they are hereby, fully authorized and empowered, from time to time, to erect and proceed to the drawing, and finally to conclude any lottery or lotteries, that they may think necessary to establish for the use and benefit of the said town.

IX. And be it further enacted by the authority aforesaid, That this Act shall be deemed a public Act, and if any person or persons shall be sued for any thing done by virtue of this Act, he may plead the general issue, and give this Act and the special matter in evidence.

In the Senate House, the nineteenth day of February, in the year of our Lord one thousand seven hundred and ninety one, and in the fifteenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives.

No. 1533. AN ACT TO MAKE AND ESTABLISH THE VESTRIES AND CHURCH WARDENS OF THE EPISCOPAL CHURCHES OF THE PARISHES OF ST. PHILIP AND ST. MICHAEL, IN CHARLESTON, TWO SEPARATE AND DISTINCT BODIES POLITICAL AND CORPORATE, AND TO ENLARGE THEIR POWERS.

WHEREAS, the vestries and church wardens of the Episcopal churches of the parishes of Saint Philip and Saint Michael, in Charleston, are desirous that they should be made, established, and incorporated, as two separate and distinct bodies politic and incorporate, and that each, should respectively, have and possess the same authority, powers and privileges, which are by an Act of the General Assembly of this State, passed on the twenty-fourth day of March, in the year one thousand seven hundred and eighty-five, granted to and vested in the said two churches conjointly, and that they shall have, severally, certain powers in addition to those granted to them in the said Act; and it is expedient and proper, that such their desires shall be effected.

I. Be it therefore enacted, by the honorable the Senate and House of Representatives of this State, now met and sitting in General Assembly, and by the authority of the same, That the said vestries and church wardens of the Episcopal churches of the Parishes of St. Philip and St. Michael, in Charleston, be, and they are hereby, made, established and incorporated, as two separate and distinct bodies, politic and corporate, in name and in law; and that each of them separately, shall thereafter, have, possess and enjoy, their respective properties severally, and shall also have, possess and enjoy, the same authority, powers and privileges, which by the Act of the General Assembly aforesaid, are granted to, and vested in them conjointly; and that the said vestry and church wardens of the Episcopal church of the parish of St. Philip, in Charleston, and their successors in office for ever hereafter, shall be and they are hereby, declared to be incorporated, as a body politic and corporate, in deed and in law, by the name of "The Protestant Episcopal Church, of the Parish of Saint Philip, in Charleston, in the State of South Carolina." And that the said vestry and
church wardens of the Episcopal Church of the parish of St. Michael, in Charleston, and their successors in office forever hereafter, shall be, and they are hereby declared to be, incorporated as a body politic and corporate, in deed and in law, by the name of "The Protestant Episcopal Church, of the Parish of St. Michael, in Charleston, in the State of South Carolina."

II. And be it further enacted by the authority aforesaid, That the said two churches, by their respective names before mentioned, shall severally, and from time to time, and at all times hereafter, have perpetual succession, and a common seal, and be capable in law, to have, hold, take, receive, possess and enjoy, all the lands, tenements and hereditaments, and the rents and income thereof, which now are, or hereafter shall be, vested in them, respectively, by gift, devise or purchase, to them and their respective successors in office for ever, not exceeding the annual income of one thousand pounds each; and that the said two churches, by their said respective names, shall and may, severally, sue and be sued, implead and be impleaded, answer and be answered unto, in any court of judicature in this State, in all actions or suits of what nature or kind soever, which to them shall in any wise belong or appertain, in or about the premises.

III. And be it further enacted by the authority aforesaid, That the said corporations, and each of them, shall have full power and authority, by their respective names above mentioned, either at law or in equity, to sue for, recover and receive, all and every such sum and sums of money, goods, chattels, houses, lands, real estate, or other property, as now is, or are, or hereafter shall be due to, or kept and detained from them, or any of them, by any one or more of their, or either of their own body, sect, fraternity or society, or any other person or persons whomsoever; any law, usage or custom to the contrary thereof in any wise notwithstanding.

IV. And be it further enacted by the authority aforesaid, That if any person or persons shall neglect or refuse to pay the sum or sums of money, at which his, her or their pew or pews in either of the said two churches, is or are already rated or assessed, according to the directions of the Act of the General Assembly hereinbefore mentioned, within six months after the passing of this Act; or in case any person or persons shall refuse or neglect to pay the sum or sums of money, at which his, her or their pew or pews, in either of the said two churches, shall at any time hereafter be rated or assessed, according to the directions of the said Act of the General Assembly, within six months after such assessment as aforesaid, then, and in either of the said two cases, it shall and may be lawful for the vestries and church wardens, or a majority of them, of the said churches, respectively, to let out and hire the said pew or pews, to any person or persons who may be willing to rent or hire the same, for such term or length of time as may be necessary to make up such sum or sums of money as may be due or owing on account of assessments as aforesaid, or otherwise, by the owner or owners thereof to the church in which such pew or pews is or are situated.

V. And be it further enacted by the authority aforesaid, That the agreement made and entered into, by the vestries and church wardens of the said two churches, relative to the glebe lands, and all and every act, matter, transaction, thing and deed, done or executed by virtue or in consequence of any agreement made by or between them, relative to the said glebe land, or any joint property belonging to them, shall be, and the same is
and are hereby declared to be, valid, firm and effectual; any law, custom or usage to the contrary thereof in any wise notwithstanding.

VI. And be it further enacted by the authority aforesaid, That so much of the Law or Act for incorporating the said churches, passed on the twenty-fourth day of March, in the year of Lord one thousand seven hundred and eighty-five, as is repugnant to this Act, shall be, and the same is hereby, repealed.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand seven hundred and ninety-one, and in the sixteenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.
JACOB READ, Speaker of the House of Representatives.

No 1535. AN ACT TO INCORPORATE THE GRAND LODGE, AND THE SEVERAL LODGES UNDER THE JURISDICTION THEREOF, OF SOUTH CAROLINA ANCIENT YORK MASONs.

WHEREAS, Brigadier General Mordecai Gist, Grand Master, and others the officers and members of eighteen Lodges of Ancient York Masons, represented in Grand Lodge in the city of Charleston, have petitioned the Legislature to be incorporated a body politic, by the name and style of "The Grand Lodge of the State of South Carolina Ancient York Masons, and its Masonic Jurisdiction." And whereas, it is expedient to grant the prayer of the said petition.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said society abovementioned, and the subordinate lodges aforesaid, composing the same, and the several persons who now are or shall hereafter be members, respectively, and their successors, members and officers thereof, respectively, shall be, and are hereby declared to be, a body politic and corporate, in name and in deed, by the name and style of "The Grand Lodge of the State of South Carolina Ancient York Masons, and its Masonic Jurisdiction," and by the same 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. Be it also enacted by the authority aforesaid, That the said society and the Lodges constituting the same, shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to itself, or each or any of them, in perpetuity or for any term of years, any lands, tenements or hereditaments, of what kind or nature soever, not exceeding the value of five thousand pounds; and to sell, alien, exchange or demise or lease the same, or any part thereof, as the said corporation shall think proper; and by the same name, to sue and be sued, impleaded and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules, orders and by-laws, (not repugnant to the laws of this State,) as may be necessary, for the order, rule, good government and management thereof; and it shall and may be lawful to and for the said society to constitute subordinate Lodges, and to do all other things concerning the government, estate, monies and revenues of said Grand Lodge and subordinate Lodges.
OF SOUTH CAROLINA.

Acts relating to Corporations. A.D. 1791.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said corporation, to take and hold forever, any charitable donations or devises, and bequests of land, not exceeding the value of five hundred pounds sterling, per annum, and to appropriate the same, for the benefit of said corporation, in such manner as may be determined by the same.

IV. And be it further enacted by the authority aforesaid, That the said corporation shall be capable in law, to have, hold, receive, enjoy and possess, all such estates, real and personal, money, goods, chattels and effects, which they now possess, or are entitled unto, or which have been already given, devised, or bequeathed thereto, by whatever name such gift, devise or bequest may have been made, and to receive subscriptions and other contributions.

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

In the Senate House, the twentieth day of December, in the year of our Lord one thousand seven hundred and ninety one, and in the sixteenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.
JACOB READ, Speaker of the House of Representatives.

AN ACT FOR INCORPORATING THE SOCIETY OF FREE AND ACCEPTED MASON IN THIS STATE.

WHEREAS, John Faucheraud Grimke, Esqr. Grand Master, and other officers of the Grand Lodge of the society of Free and Accepted Masons, constituted in this State, in the year of our Lord one thousand seven hundred and thirty-six, as well for themselves, as for and in name and behalf of all and singular, the masters, wardens, other officers and members of the several Lodges throughout the State, holding of and under, and acknowledging the jurisdiction of the said Grand Lodge, by their petition to the General Assembly have set forth,—That they had, from time to time, since their being constituted, held frequent meetings within this State, at their usual and stated times and places of forming, and have ever conducted themselves with respect and obedience to the laws of the land, and kindness and good will, not only towards their brethren, but also towards their fellow citizens, and had distributed, from time to time, to all without distinction, who had the single claim of wretchedness, sums to a great amount, by voluntary contributions amongst themselves. That several Lodges throughout the State, besides their charitable donations towards the relief and support of the widows, orphans and children of their deceased brethren, had accumulated and were possessed of several sums of money, and also real estate, and were willing and desirous to be incorporated, the better to enable them to answer the humane ends of their institution, and therefore most humbly prayed that a law might be passed for incorporating them as a society, by the name and style of "The Grand Lodge of the Society of Free and Accepted Masons for this State."
I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the society above mentioned, and the persons who now are or shall hereafter be members thereof, and their successors, officers and members of it, shall be, and they are hereby declared to be, a body corporate, in deed and in law, by the name of "The Grand Lodge of the Society of Free and Accepted Masons;" and that the said society shall consist of a Grand Master, and such officers, and with such style or title of office, as the said Grand Lodge may by virtue of any resolutions or by-laws direct and appoint; and the master and wardens of the several subordinate Lodges, who, together, may compose the said Grand Lodge; and by the said name, shall have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same. And the said Grand Lodge shall be able and capable in law, to purchase, have, take, hold, receive, enjoy, possess and retain, to itself and its successors, in perpetuity, any charitable donations and personal estates, and for any term of years or life, any estate or estates, lands, tenements or hereditaments, of what kind or nature soever, not exceeding the annual income of five hundred pounds; and to sell, alien, exchange, demise or lease the same, or any part thereof, as it shall be thought proper; and by the said name, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant and contrary to the laws of the land,) for the benefit and advantage of the said Grand Lodge, and for the order, rule, good government and management of the same, and for the promotion of the prosperity, interest, benefit and advantage of the craft in general.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said Grand Master, or his deputy, his or their successor or successors, for the time being, to issue warrants for the constituting of subordinate Lodges, and the said Lodges, warranted aforesaid, shall be, and they are hereby declared to be, legal and regular; provided, notice thereof be given once every year; and that it shall and may be lawful for the said Grand Lodge and subordinate Lodges, already constituted and hereafter to be constituted, to have and to hold meetings of themselves, for the better management of their respective and several charitable funds, and the application of them to proper purposes, and the transactions of all other business relating to the said Grand Lodge, and other subordinate Lodges, when and as often as it may be necessary, at any time and place wheresoever and wheresoever it may be deemed expedient to assemble, assemble and meet together. And the said Grand Master, or his Deputy Grand Master, and other members constituting the said Grand Lodge for the time being, and the officers of the said subordinate and inferior Lodges already constituted or hereafter to be constituted aforesaid, shall and may, from time to time, assemble and meet together, as the Grand Master or Deputy Grand Master, (by the Grand Master's authority,) shall appoint by summons or other notice, which he is hereby empowered timely to issue for that purpose to all the said members; and that they being so met, shall have full power to make, constitute and ordain, such rules [and] by-laws, as shall appear to them to be good, necessary and expedient, for the government, order and regulation of said Grand Lodge, and subordinate and inferior Lodges, and every member thereof; which rules and by-laws (not being repugnant to the laws of the land,) shall and may be effectually observed.
and kept; and to do all other things concerning the government and revenues of said Grand Lodge, and subordinate and inferior Lodges.

III. *And be it further enacted* by the authority aforesaid, That it shall and may be lawful, from time to time, and at all times hereafter, for the officers for the time being, and for their successors, and the members of the aforesaid society, to assemble and meet together, at such stated times and places of forming, as in and by the constitutions of said society, are appointed and declared concerning the same.

IV. *And be it further enacted* by the authority aforesaid, That this Act shall be deemed and taken as a public Act, and notice shall be taken thereof, in all courts of justice and elsewhere within this State, and shall be given in evidence on the trial of any cause, without specially pleading the same.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand seven hundred and ninety-one, and in the sixteenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.
JACOB READ, Speaker of the House of Representatives.

---

AN ACT TO INCORPORATE THE GERMAN FRIENDLY SOCIETY. No. 1539.

WHEREAS, sundry persons, citizens of this State, have petitioned the Legislature to be admitted a body politic and corporate, in name and in deed, by the name and style of "The German Friendly Society." And whereas, from the objects and nature of the institution, it is expedient to grant the prayer of the said petition.

I. *Be it therefore enacted*, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the German Friendly Society, the authority of the same, That the said society above mentioned, and the several persons who now are or shall hereafter be members thereof, and their successors, members and officers thereof, shall be, and they are hereby declared to be, a body corporate and politic, in deed and in name, by the name and style of "The German Friendly Society;" 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 necessary.

II. *Be it also enacted* by the authority aforesaid, That the said corporation shall be able and capable in law, to purchase, have, hold, receive, enjoy and retain, to itself, in perpetuity or for any term of years, any lands, tenements or hereditaments, of what kind or nature soever, not exceeding the annual income of five hundred pounds; and to sell, alien or [lease] the same, as they shall think proper; and by its said name, to sue and be sued,本领 and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant and contrary to the laws of the land,) as for the order, rule, good government and management thereof, may be thought necessary.

III. *And be it further enacted* by the authority aforesaid, That it shall and may be lawful for the said corporation, to take and hold for ever, any charitable donations or devises, and bequests of land, not exceeding, five thousand pounds, and personal estates, and to appropriate the same to the benefit of the said corporation.
IV. And be it further enacted by the authority aforesaid, That the said corporation shall be capable in law, to have, hold and receive, enjoy, possess and retain, all such estates, real and personal, money, goods, chattels and effects, which they now possess, or are entitled to, or which have been already given, devised or bequeathed thereto, by whatever name such gift, devise or bequest may have been made.

V. And be it further enacted by the authority aforesaid, That this Act shall be deemed and taken as a public Act, and notice thereof shall be taken in all courts of justice and elsewhere in this State, and it shall be given in evidence without special pleading.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand seven hundred and ninety one, and in the sixteenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.
JACOB READ, Speaker of the House of Representatives.

No. 1540. AN ACT TO INCORPORATE THE SOCIETY FOR PROMOTING AND ENCOURAGING THE EDUCATION OF CHILDREN, AND ASSISTING AND ESTABLISHING SCHOOLS FOR THAT PURPOSE, IN BEAUFORT DISTRICT.

WHEREAS, John Smith, sr., John McPherson, Cornelius Dupont, and others, have petitioned the Legislature to be made a body corporate and politic, in deed and in law, by the name of "The Society for promoting and encouraging the education of children, and assisting and establishing schools for that purpose, in Beaufort District." And whereas, incorporation will greatly forward and extend their scheme of liberality and benevolence.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said John Smith, John McPherson and Cornelius Dupont, and the several persons who have now signed the petitions, or shall hereafter be members of the said society, and their successors, members and officers thereof, shall be, and they are hereby declared to be, a body corporate, in deed and in name, by the name and style of "The Society for promoting and encouraging the education of children, and assisting and establishing schools for that purpose, in Beaufort District;" 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. Be it further enacted by the authority aforesaid, That the said corporation shall be capable in law, to purchase, have, hold, receive and enjoy, possess and retain to itself, in perpetuity, or for any term of years, any lands, tenements or hereditaments, or other property, of what kind or nature soever, not exceeding the annual income of five hundred pounds sterling; and to sell or alien the same, as the said corporation shall think fit; and by its said name, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State;
OF SOUTH CAROLINA.

Acts relating to Corporations.

and to make such rules and by-laws, (not repugnant and contrary to the laws of the land,) as for the order, rule, good government and management thereof, may be thought necessary and expedient.

III. And be it further enacted, That this Act shall be deemed a public Act, and notice thereof taken in all courts of justice in this State, and shall be given in evidence without special pleading.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand seven hundred and ninety-one, and in the sixteenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.
JACOB READ, Speaker of the House of Representatives.

AN ACT RELATING TO THE RECOVERY OF ARREARS AND OTHER DEBTS, DUES AND DEMANDS, OWING TO BODIES CORPORATE BY THEIR MEMBERS.

WHEREAS, it is proper that bodies corporate should be enabled to recover from their members all arrears and other debts, dues and demands which may be owing to them, in like mode, manner and form, as one individual could recover the same from another, with whom he had no connection.

I. Be it therefore enacted, by the honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all bodies corporate, by any suit, bill or plaint, in any court in this State, may sue for, recover and receive, from their respective members, all arrears or other debts, dues and demands which now are, or hereafter may be, owing to them, in the like mode, manner and form as they might sue for, recover and receive the same, from any indifferent person, who might not be one of their body; any law, usage or custom to the contrary thereof in any wise notwithstanding.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety-two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.
JACOB READ, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE GENERAL COMMITTEE FOR THE CHARLESTON BAPTIST ASSOCIATION FUND.

WHEREAS, the Rev. Richard Furman, Edmond Botaford, Alexander Scott, Henry Holcombe, Benjamin Moseley, James Sweat, Bradley Rame, Isham Gardner, and Stephen Nixon, have, by their petition, prayed to be
incorporated, for certain pious and laudable purposes, by the name of "The General Committee for the Charleston Baptist Association Fund."

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said petitioners, and their successors, appointed or elected, or to be appointed or elected, according to the form and in the manner prescribed, or to be prescribed, by the rules and regulations of the said committee, shall be, and they are hereby, incorporated as a body politic and corporate, in deed and in law, by the name of "The General Committee for the Charleston Baptist Association Fund."

II. And be it further enacted by the authority aforesaid, That the said corporation, by their name aforesaid, shall have perpetual succession of officers and members, to be appointed or elected in such manner and according to such form as may be prescribed by the rules and regulations now existing, or hereafter to be made, for the government of the said corporation; and that they shall have a common seal, with powers to change, alter and make new the said rules and regulations and common seal, as often as they shall judge expedient.

III. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to purchase, have, hold, take, receive, possess, retain and enjoy, to itself, in perpetuity or for any term of years, any estate, real or personal, of what kind or nature soever; provided the same shall not produce an income exceeding one thousand pounds sterling per annum, and to sell, alien or otherwise dispose of the same, as they may think proper; and by its said name, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant or contrary to the laws of the land,) as for the good order and proper government of the said corporation, may by them be thought necessary and expedient.

IV. And be it further enacted by the authority aforesaid, That the said corporation shall and may have, hold, take, possess, retain and enjoy, all such estates, real and personal, money, goods, chattels and effects, as they are now entitled unto.

V. And be it further enacted by the authority aforesaid, That this Act shall be deemed and taken as a public Act, and all courts in this State shall take notice thereof as such, and the same may be given in evidence without special pleading.

In the Senate House, this twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety-two, and in the seventeenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to Corporations.

AN ACT TO ALTER AND AMEND AN ACT ENTITLED "AN ACT FOR INCORPORATING DIVERS RELIGIOUS SOCIETIES THEREIN NAMED," AS FAR AS THE SAME RELATES TO THE PRESBYTERIAN CHURCH ON EDISTO ISLAND.

WHEREAS, by an Act of the Legislature of this State, entitled "An Act for incorporating divers religious societies therein named," the members of the Presbyterian church on Edisto Island, and their successors, were declared to be, severally, one body corporate, by the name and style of the "Presbyterian Church on Edisto Island," and were made capable in law to purchase, have, hold, receive and enjoy, possess and retain, to them and their successors, in perpetuity or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or nature soever; and also to hold and receive, possess, enjoy and retain, all such other estates, real or personal, money, goods, chattels and effects, which they are now possessed of, or are entitled unto, or which have been already given, devised or bequeathed unto them, by whatever name such devise or bequest may have been made; as by the said Act, reference being thereunto had, will more fully and at large appear. And whereas, divers persons professing the Presbyterian religion, and members of the said incorporated Presbyterian church on Edisto Island, by their humble petition to the Legislature of this State, did set forth, that previous to their incorporation by the aforesaid Act, divers well disposed and charitable persons made considerable gifts of real and personal estates to trustees for the use and behoof of those professing the said Presbyterian religion, on said Island of Edisto, and that no power or authority being given by the said Act to the said corporation, to divest the said trustees of the property intrusted to them, as aforesaid; in consequence whereof, the same may be either greatly diminished or totally lost by their mismanagement or insolvency; they therefore prayed, that as the said corporation are fully competent to the direction and management of their own concerns, and the reason for appointing said trustees no longer existing, that the said corporation be authorized and empowered to call to account and compel all and every person or persons whomsoever, holding or retaining any estate, real or personal, in trust or otherwise for said corporation, to surrender, pay over and deliver up the same to such person or persons as the said corporation shall or may, from time to time, elect for that purpose, for the sole and particular use, benefit and behoof of the said corporation.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That it shall and may be lawful to and for the said corporation of the Presbyterian Church on Edisto Island, from time to time, as occasion may require, to elect, nominate and appoint such person or persons as the said corporation may think proper, who, in behalf of the said church or corporation, shall be, and are hereby, fully authorized and required to call to an account and compel, by suit or otherwise, all and every person or persons whomsoever, having, holding, retaining or possessing any estate, real or personal, in trust or otherwise for the use, benefit and behoof of the said Presbyterian church or corporation on Edisto Island, to surrender and deliver up the same; which said estates, real or personal, monies, goods or chattels, so to be accounted for and delivered up, shall be held by such corporation, to, for and upon the several trusts and confidences.
in the several devises, conveyances or trust deeds, giving or granting the same, expressed, and to and for no other trust, use or purpose whatsoever. And for the indemnification of said trustees, and all others concerned, who shall or may be elected for the purpose aforesaid, by the said corporation, be, and are hereby, empowered and required to execute sufficient releases and discharges for releasing and discharging all and every person or persons who may surrender and deliver up the estate or estates held by them in trust as aforesaid, for the use, benefit and behoof of the said church or corporation on Edisto Island.

II. And be it further enacted by the authority aforesaid, That this Act shall be deemed and taken as a public Act, and notice thereof shall be taken in all the courts of justice, and elsewhere in this State, and shall be given in evidence without special pleading.

In the Senate House, this twenty-first day of December, in the year one thousand seven hundred and ninety-two.

DAVID RAMSAY, President of the Senate.
JACOB READ, Speaker of the House of Representatives.

No. 1574. AN ACT TO INCORPORATE THE EPISCOPAL CHURCH ON EDISTO ISLAND, THE PRIMITIVE METHODISTS OF TRINITY CHURCH, CHARLESTON, AND THE PRIMITIVE METHODISTS OF EBENEZER CHURCH, GEORGETOWN.

WHEREAS, several of the citizens of Charleston, and several of the citizens of Georgetown, have, by their petitions, prayed to be incorporated for certain pious and laudable purposes, by the several names of “The Primitive Methodists of Trinity Church, Charleston,” and of “The Primitive Methodists of Ebenezer Church, Georgetown.”

I. Be it therefore enacted, by the Honorable Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the petitioners aforesaid, and their successors, appointed or elected, or to be appointed or elected, according to the manner prescribed or to be prescribed by the regulations of the said churches, shall be, and are hereby, incorporated as bodies politic and corporate, in deed and law, under the names of “The Primitive Methodists of Trinity Church, Charleston,” and of “The Primitive Methodists of Ebenezer Church, Georgetown.”

II. And whereas, sundry members of the Episcopal Church on Edisto Island, by their humble petition to the Legislature, have set forth that they were formerly incorporated with the other members of Saint John’s parish, Colleton county, professing the Episcopal religion, under the denomination of “The Episcopal Church in St. John’s Parish,” and joined with them in supporting a clergyman of their church; that the greater part of the inhabitants on John’s Island and Wadmalaw, professing the Episcopal religion, are either dead or have removed from the parish, and the said petitioners reduced to the necessity of specially providing for the support of a clergyman for their particular church, and praying that a law may be passed for
Acts relating to Corporations.

their distinct and separate incorporation, under the denomination of "The Episcopal Church on Edisto Island." **Be it therefore enacted** by the authority aforesaid, That the vestry and church-wardens of the said Episcopal church on Edisto Island, be, and they are hereby declared to be, established and incorporated as a separate and distinct body politic and corporate, in name and in law; and shall hereafter, separately, have, possess and enjoy the private or particular and special property of the said church; and shall also, in severalty, have, possess and enjoy the same authorities, powers and privileges which, by the Act of the General Assembly of this State, is or are granted to or vested in them conjointly with the other Episcopal churches of Saint John's parish, Colleton county; and that the said vestry and church-wardens of the Episcopal church of Edisto Island, and their successors in office forever hereafter, shall be, and they are hereby declared to be, incorporated as a body politic and corporate, in deed and in law, by the name of "The Protestant Episcopal Church of Edisto Island."

III. **And be it further enacted** by the authority aforesaid, That the corporations aforesaid, by their names aforesaid, shall have perpetual succession of members and officers, to be appointed or elected according to the manner prescribed or to be prescribed by the regulations now existing or hereafter to be made for the government of the said corporations; and that they shall have a common seal, with power to change or make new their said regulations and common seal as often as they may judge expedient.

IV. **And be it further enacted** by the authority aforesaid, That the said corporations shall be able and capable in law to purchase, have, hold, possess and enjoy, for themselves, in perpetuity or for any term of years, any estate, real or personal, of what kind or nature soever, (provided, the same do not exceed the sum of one thousand dollars in its clear annual income,) and to sell, alien or dispose of the same, as they may think proper; and by their said names to sue and be sued, implead or be impleaded, in any court of law or equity in this State; and to make such rules and by-laws, not repugnant or contrary to the laws of the land, as for their proper government, may by them be thought necessary or expedient.

V. **And be it further enacted** by the authority aforesaid, That this Act shall be taken and deemed to be a public Act, and all courts in this State shall take notice thereof as such, and the same shall be given in evidence without special pleading.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety-three, and in the eighteenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives.
AN ACT TO INCORPORATE THE UNITED INDEPENDENT CONGREGATIONAL CHURCH OF DORCHESTER AND BEACH HILL, IN THE PARISHES OF ST. GEORGE AND ST. PAUL.

WHEREAS, sundry members and others of the said church, have preferred their petition, praying to be incorporated:

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said church shall be, and is hereby, incorporated as a body politic and corporate, and shall be known; in deed and in law, by the name of "The United Independent Congregational Church of Dorchester and Beach Hill."

II. And be it further enacted by the authority aforesaid, That the said corporation, by their name aforesaid, shall have perpetual succession of officers and members, to be elected or appointed in such manner and according to such form, as may be prescribed by the rules and regulations now existing, or hereafter to be made, for the government thereof; and that they shall have a common seal, with power to change, alter or make new the said rules and regulations and common seal as often as they shall judge expedient.

III. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law to have, hold, receive, possess and enjoy all the lands, tenements and hereditaments, and also all donations, gifts, devises and bequests, of what nature soever, which are now vested, or of right ought to be vested, in the heir or heirs of the late trustee or trustees of the said church, or of either of the said churches; and shall also be able and capable in law to purchase, have, hold, take, receive, possess, retain and enjoy, to themselves, in perpetuity or for any term of years, any estate, real or personal, (not exceeding the annual income of one thousand dollars,) and to sell, alien or otherwise dispose of the same, as they may think proper; and by their said name and style, to sue and be sued, plead and be impleaded, answer and be answered unto, in any court in this State; and to make any such rules, regulations and by-laws, (not repugnant to the laws of the land,) as they may, from time to time, judge proper and expedient.

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

In the Senate House, this twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety-three, and in the eighteenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives.
AN ACT TO INCORPORATE THE VIGILANT FIRE COMPANY IN CHARLESTON.

WHEREAS, the Vigilant Fire Company in Charleston have, by their petition, prayed to be incorporated, and it appears that their views are laudable, and their association beneficial to the citizens of Charleston.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said company shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Vigilant Fire Company."

II. And be it further enacted by the authority aforesaid, That the said company, by their name aforesaid, shall have perpetual succession of officers and members, to be elected in such manner and according to such form as may be prescribed by the rules and regulations now existing, or hereafter to be made, for the government thereof; and that they shall have a common seal, with power to change, alter or make new the said rules and regulations and common seal, as often as they shall judge expedient.

III. And be it further enacted by the authority aforesaid, That the said company shall be able and capable in law to purchase, have, hold, take, receive, possess, retain and enjoy, to itself, in perpetuity or for any term of years, any estate, real or personal, (provided, the same shall not produce a clear income exceeding five thousand dollars per annum,) and to sell, alien, or otherwise dispose of the same, as they may think proper; and by their said name to sue and be sued, plead and be impleaded, answer and be answered unto, in any court in this State; and to make such rules, regulations and by-laws, (not repugnant to the laws of the land,) as they may judge proper. Provided, always, that nothing in this Act contained shall be deemed or construed to affect or operate to counteract the power and authority now or hereafter to be vested in the Intendant and Wardens of the city of Charleston, by the laws of this State; and that all and every regulation or by-law that may be made by the said corporation, called the Vigilant Fire Company, contrary to the rules or by-laws established, or to be established, by the corporation or City Council of Charleston, or the Fire Masters, shall be, and the same is hereby declared to be, null and void.

IV. And be it further enacted by the authority aforesaid, That the said company shall have, hold, possess, retain and enjoy all such estate, real or personal, money, goods, chattels and effects, as they are now entitled to; and that this Act shall be deemed and taken to be a public Act, and judicially noticed as such, without special pleading.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety-three, and in the eighteenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives.
No. 1585. AN ACT TO INTEGRATE THE PORT REPUBLIC BRIDGE COMPANY, AND TO AUTHORIZE THEM TO BUILD A BRIDGE AND CAUSEWAY.

WHEREAAS, Robert Barnwell, Stephen Elliott, William Elliott, John Barnwell and William Hazzard Wigg, Esqrs., the committee of the Port Royal Bridge Company, have, in behalf of the said company, petitioned that they be incorporated; and it appears that the plan of the said company, if executed, will be beneficial to the inhabitants of Port Royal and Beaufort, and the parts on the Main adjacent thereto.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said company, and their successors, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Port Republic Bridge Company."

II. And be it further enacted by the authority aforesaid, That the said company, by their name aforesaid, shall have perpetual succession of officers and members, to be appointed and elected in such manner, and according to such form, as may be prescribed by the rules and regulations now existing or hereafter to be made for the government of the said company; and that they shall have a common seal, with power to alter, change and make new the said rules and regulations, and common seal, as often as they shall judge expedient.

III. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to purchase, have, hold, receive, take, possess and enjoy, to itself, in perpetuity or for any term of years, any estate, real or personal, of what kind or nature soever, (provided, the same shall not produce a clear income exceeding three thousand five hundred dollars per annum,) and to sell, alien or otherwise dispose of the same, as they may think proper; and by their said name, to sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant or contrary to the laws of the land,) as for the good order and proper government of the said company, may by them be thought necessary; and that they shall and may retain, possess and enjoy, all such estates, real and personal, monies, goods, chattels and effects, as they are now entitled unto, whether the same be now held by them, or by any person or persons in trust for them.

IV. And be it further enacted by the authority aforesaid, That the said company shall have power to make causeways over the marsh land, and to erect a bridge over the channel, between Port Royal Island and the main land, at such place or places as they may think most fit.

V. And be it further enacted by the authority aforesaid, That the said company shall be entitled to demand and receive the same rates and tolls for passing over the said causeways and bridge, as are now legally demanded for passing over the ferry near the same place.

VI. And be it further enacted by the authority aforesaid, That no ferry or bridge shall be established or built, within five miles from the bridge to be erected by the said company, after the same shall be built and fit for use.

VII. And be it further enacted by the authority aforesaid, That after the said causeways and bridge are finished, the said company shall constantly keep the same in good and complete repair, and always have a
OF SOUTH CAROLINA.


The proper number of hands continually attending there to; and that this Act shall be deemed a public Act, and judicially noticed as such, without special pleading.

In the Senate House, this tenth day of May, in the year of our Lord one thousand seven hundred and ninety-four, and in the eighteenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE MEDICAL SOCIETY OF SOUTH CAROLINA.  No. 1588.

WHEREAS, Alexander Baron, Physician and President of the Medical Society of South Carolina, in behalf of the members now composing the said Society, hath petitioned the Legislature of this State, to be admitted a body corporate and politic, in name and in deed, by the name of "The Medical Society of South Carolina."

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all those who now belong to, and all those who shall be hereafter duly admitted or become members of that Society, according to the rules, orders and constitution of the said society, formed or to be formed, shall be, and they are hereby declared to be, one established body, corporate and politic, in deed and in name, by the name and style of "The Medical Society of South Carolina;" and by the same name shall have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as the said corporation shall judge expedient; and the said corporation and its successors, shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to itself and to its successors, in perpetuity or for any term of years, any estate or estates, lands, tenements, or hereditaments, of what nature or kind soever, not exceeding the annual income of three hundred pounds sterling; and to sell, alien, exchange, demesne, or lease the same, or any part thereof, as they shall think proper; and by the said name, to sue and be sued, impale and be impaled, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws (not repugnant to the laws of the land) for the benefit of the said corporation, and for the order, rule, good government and management of said corporation, as shall, from time to time, be agreed upon by a majority of the members of the said corporation.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said corporation hereby erected, to take and to hold, to it and its successors forever, any donations or devises of lands and personal estates, not exceeding, in the whole, the annual income of three hundred pounds sterling, and appropriate the same for the benefit of the said corporation, in such manner as may be determined on by a majority of the members thereof.
III. And be it further enacted by the authority aforesaid, That the said corporation shall be, and it is hereby declared, able and capable in law, to have, hold, receive, enjoy, possess and retain, all such estates, real and personal, money, goods, chattels and effects, not exceeding, in the whole, the annual income of three hundred pounds sterling, which it now possesses or is entitled to, or which have been already given, devised or bequeathed to it, by whatever name such devise or bequest may have been made.

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

In the Senate House, this tenth day of May, in the year of our Lord one thousand seven hundred and ninety-four, and in the eighteenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.
JACOB READ, Speaker of the House of Representatives.

No. 1591. AN ADDITIONAL ACT TO AN ACT ENTITLED "AN ACT FOR INCORPORATING THE SOCIETY OF FREE AND ACCEPTED MASON'S IN THIS STATE," PASSED THE TWENTIETH DAY OF DECEMBER, IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED AND NINETY-ONE.

WHEREAS, in and by the said Act, it is, amongst other things, enacted, "that the society above mentioned, and the persons who now are or hereafter shall be members thereof, and the successors, officers and members of it, shall be, and they are hereby declared to be, a body corporate, in deed and in law, by the name of 'The Grand Lodge of the Society of Free and Accepted Masons,' and that the said society shall consist of a Grand Master, and such officers, and with such style or title of office, as the said Grand Lodge may, by virtue of any resolution or by-law, direct and appoint, and of the masters and wardens of the several subordinate lodges, who, together, may compose the said Grand Lodge; and by the said name, shall have perpetual succession of officers and members; and a common seal, with power to change, alter, break and make new the same; and the said grand lodge shall be able and capable in law, to purchase, have, take, hold, receive, enjoy, possess and retain, to it and its successors, in perpetuity, any charitable donations and personal estates, and for any term of years, or life, any estate or estates, lands, tenements or hereditaments, of what kind or nature soever, not exceeding the annual income of five hundred pounds; and to sell, alien, exchange, demise or lease the same, or any part thereof, as it shall be thought proper; and by the said name to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant and contrary to the laws of the land,) for the benefit or advantage of the said Grand Lodge, and for the order, rule, and good government of the same, and for the promotion of the prosperity, interest, benefit and advantage of the craft in general. And it is further enacted, that it shall
OF SOUTH CAROLINA.


and may be lawful for the said Grand Lodge, and subordinate lodges already constituted, and hereafter to be constituted, to have and to hold meetings of themselves, for the better management of their respective and several charitable funds, and the application of them to proper purposes, and the transaction of all other business relating to the said Grand Lodge, and other subordinate lodges, when and as often as may be necessary, at any time and place whatsoever and wheresoever it may be deemed expedient, to associate, assemble and meet together"—As in and by the said (in part) recited Act, reference being thereunto had, may more fully and at large appear. And whereas, the masters, other officers and members of several of the subordinate and inferior lodges, are desirous that they should be also made, established and incorporated, as separate and distinct bodies politic and corporate, and it is expedient and proper that their desires should be effected.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the several lodges hereinafter particularly named, numbered and described, viz.:—Solomon’s Lodge, known by the number one. The Union Killiwinning Lodge, by number four. The Masters’ Lodge, by number six. The Jacksonville Lodge, by number seven. And Saint John’s Lodge, by number eleven. And the several persons who now are or hereafter shall be members, respectively, and their successors, members and officers thereof, respectively and separately, shall be, and they are hereby declared to be, made, established and incorporated, as several, separate and distinct bodies, politic and corporate, in name and in deed; and by the said names, shall have perpetual succession of officers and members; and a common seal, with power to alter, change, break and make new the same, as often as the said Lodges shall judge expedient.

II. And be it further enacted by the authority aforesaid, That the said lodges, severally and respectively, shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to itself, or each or any of them, in perpetuity or for any term of years, any lands, tenements or hereditaments, of what kind or nature soever, not exceeding the annual income of one thousand dollars; and to sell, alien, exchange, demesne or lease the same, or any part of them, as any or either of the said lodges shall think proper; and by the said names, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules, orders and by-laws, (not repugnant to the laws of the land,) as may be necessary for the order, rule, good government and management thereof; and that it shall and may lawfully, from time to time, and at all times hereafter, for the officers and members of the said lodges for the time being, and their successors, to assemble, congregate and meet together, at such stated times and places of forming, as in and by the constitutions, regulations and by-laws of said lodges, are appointed and declared concerning the same.

III. And be it further enacted by the authority aforesaid, That each and every of the said lodges, shall be capable in law, to have, hold, receive, enjoy and possess, separately and in severalty, all such estates, real or personal, money, goods, chattels and effects, which they now possess or are entitled unto, or which have already been given, devised or bequeathed to them, or either of them, by whatsoever name such gift, devise or bequest may have been made; and to sue for, recover and receive, all and
No. 1597. AN ACT TO INCORPORATE CERTAIN RELIGIOUS SOCIETIES THEREIN MENTIONED.

WHEREAS, sundry persons, inhabitants of this State, have, by their petition to the Legislature, prayed to be incorporated, by the name and designation of "The German Lutheran Congregation of St. John." And whereas, sundry other inhabitants, have petitioned the Legislature to be incorporated by the name and designation of "The Upper Baptist Church, on Dunkin's Creek." And whereas, sundry other inhabitants of this State, have petitioned the Legislature to be incorporated, by the name and designation of "The Lutheran Congregation of St. Peter." And whereas, sundry other inhabitants of this State, have petitioned the Legislature to be incorporated, by the name and designation of "The Episcopal Church of St. John's, Berkeley county.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all those who have subscribed the petition for incorporating the German Lutheran Congregation of St. John, who now are, and all those who shall be hereafter, duly admitted or become members of that society, according to the rules, orders and constitution of the same to be formed, shall be, and they are hereby also declared to be, a body corporate and politic, by the name and style of "The German Lutheran Congregation of St. John."

II. And be it further enacted by the authority aforesaid, That all those who have subscribed the petition for incorporating the Upper Baptist Church, on Dunkin's Creek, who are, and all those who shall be hereafter, duly admitted or become members of that society according to the rules, orders and constitution of the same to be formed, shall be, and they are hereby declared to be, a body corporate and politic, in deed and
OF SOUTH CAROLINA.


in name, by the name and style of "The Upper Baptist Church, on Dun-kin's Creek."

III. Add be it further enacted by the authority aforesaid, That all those who have subscribed the petition for incorporating the Lutheran Con-

gregation of St. Peter, who now are, and all those who shall be hereafter congregation duly admitted or become members of that society, according to the rules, of St. Peter. orders and constitution of the same to be formed, shall be, and they are hereby also declared to be, a body corporate and politic, by the name and style of "The Lutheran Congregation of St. Peter."

IV. And be it further enacted by the authority aforesaid, That the present vestry and church wardens of the Episcopal Church of St. John's, Episcopal

Berkley county, and their several and respective successors, duly elected, Church of St. for ever hereafter, shall be, and they are hereby also declared to be, a body corporate and politic, by the name and style of "The Vestry and Church Wardens of the Episcopal Church of St. John's, Berkeley county."

V. And be it further enacted by the authority aforesaid, That the aforementioned societies, bodies corporate and politic, shall be, and they are hereby, invested with all the powers, privileges, rights and immunities, which are usually invested in and enjoyed by religious societies or corporations.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand seven hundred and ninety-four, and in the nineteenth year of the Independance of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE AGRICULTURAL SOCIETY OF SOUTH CAROLINA. No. 1625.

WHEREAS, a petition has been presented, praying that the Agricultural Society in the city of Charleston shall be incorporated.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the au-

thority of the same, That those who are now members of the association in Charleston, commonly called the Agricultural Society of South Carolina, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Agricultural Society of South Carolina."

II. And be it further enacted by the authority aforesaid, That the said corporation, by their name aforesaid, shall have perpetual succession of offi-

cers and members, to be appointed or elected in such manner and according to such form as may be prescribed by the rules and regulations now existing, or hereafter to be made, for the government of the said society; and that they shall have a common seal, with power to change, alter and make new the said rules and regulations, and common seal, in such manner and as often as they shall judge expedient.

III. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to purchase, have, hold, use, take, receive, possess, retain and enjoy, to itself, in perpetuity or for any
May hold estate, &c.

term of years, any estate, real or personal, of what kind or nature soever; provided, the annual income or nett profits of such real estate shall not exceed three thousand dollars; and to let, lease, sell, alien, or otherwise dispose of the same, in fee simple, or for any term of years, as they may think proper; and by its said name, to sue and be sued, implead and be impaled, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant or contrary to the laws of the land,) as for the good order and proper government of the said corporation, may by them be thought necessary or expedient; and in like manner, to change, alter, amend or renew their present, or any of their future rules, by-laws and regulations.

IV. And be it further enacted by the authority aforesaid, That the said corporation shall and may have, hold, take, possess, retain and enjoy, all such estates, real or personal, money, goods, chattels and effects, as they now possess, or are in any wise entitled unto; and that this Act shall be deemed and taken to be a public Act, and all courts in this State shall take notice thereof as such, and the same may be given in evidence without special pleading.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand seven hundred and ninety-five, and in the twentieth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.
ROBT. BARNWELL, Speaker of the House of Representatives.

No. 1628. AN ACT TO INCORPORATE THE WILLIAMSBURGH ACADEMY, AND TO EMPOWER THE TRUSTEES OF THE SAME TO ESTABLISH A LOTTERY OR LOTTERIES.

WHEREAS, the Rev'd. James Malcolmson, Theodore Gourdin, Robert Witherspoon, James Davis, John Nesmith, and John Frierson, have, by their petition, prayed to be incorporated as Trustees, for the establishment of an Academy, to be called "The Williamsburgh Academy;" and also, that they may be authorized to raise by lotteries a sum not exceeding five thousand dollars, to enable them to defray the expense of necessary buildings for the same.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said petitioners and their successors, appointed or elected, or to be appointed or elected, according to the form and in the manner prescribed or to be prescribed, by the rules and regulations of the said Academy, shall be, and they are hereby, incorporated as a body politic and corporate, in deed and in law, by the name of "The Williamsburgh Academy."

II. And be it enacted by the authority aforesaid, That the said corporation, by their name aforesaid, shall have perpetual succession of officers and members, to be appointed or elected in such manner and according to such form as may be prescribed by the rules and regulations.
OF SOUTH CAROLINA.


now existing or hereafter to be made for the government of the said corporation; and that they may have a common seal, with power to change, alter and make new the said rules and regulations, and common seal, as often as they shall judge expedient.

III. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to purchase, have, hold, take, receive, possess, retain and enjoy, to itself, in perpetuity or for any term of years, any estates, real or personal, of what kind or nature soever; and to sell, alien and dispose of the same, as they may think proper; and by its name above mentioned, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by laws, (not repugnant or contrary to the laws of the land,) as for the good order and proper government of the said corporation, may by them be thought necessary or expedient; provided nevertheless, that the said real and personal estate shall not produce an income exceeding four thousand dollars per annum.

IV. And be it also enacted by the authority aforesaid, That the said trustees and their successors, shall have full power and authority, and they are fully authorized and empowered by virtue of this law, to erect and proceed to the drawing and finally to conclude one or more lotteries. Provided, they do not by the said lotteries raise a sum exceeding five thousand dollars.

V. And be it further enacted by the authority aforesaid, That this Act shall be deemed and taken to be a public Act, and all courts in this State shall take notice thereof as such, and the same may be given in evidence without special pleading.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand seven hundred and ninety-five, and in the twentieth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.
ROBT. BARNWELL, Speaker of the House of Representatives.

AN ACT to VEST CERTAIN LANDS IN THE DISTRICT OF BEAUFORT in Trustees, for the purpose of building and endowing a College in the Town of Beaufort, and to incorporate the same; and for other purposes therein mentioned.

WHEREAS, a petition has been presented to the Legislature, by sundry persons, inhabitants of the district of Beaufort, praying that certain lands in the said district, the property of the State, may be given for the purpose of erecting a College in the Town of Beaufort:

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all the confiscated property to which the State is now entitled, in the district of Beaufort, and all such property as hath
heretofore or may hereafter accrue to this State, in the said district, on account of property which, by an Act entitled "An Act to appoint escheaters and to regulate escheates," hath escheated to this State; provided, the same do not amount to more than five thousand pounds sterling; and all the vacant lots in the town of Beaufort, shall be, and they are hereby, vested in the trustees hereafter appointed, and for the purposes hereinafter mentioned. And the said trustees, for the receiving and disposal of the same, are hereby vested with all the powers heretofore vested in the commissioners for selling and disposing of the confiscated estates, in the person or persons heretofore appointed escheaters in the district aforesaid, and the commissioners heretofore appointed for the purpose of selling the vacant lots in the town of Beaufort.

II. And be it further enacted by the authority aforesaid, That the vestry of the church on Port Republic Island, are hereby vested with full power to convey, in such manner as they may deem proper, any such part of the lands which hath heretofore been appropriated for the use of the church, for the purpose of erecting a College thereon, and shall give the said lands such reasonable bounds as may be necessary for the same, and to use the remaining part of the lands in which the said church hath a right, in such manner as in their opinion will most conduci the interests of the church.

III. And be it further enacted by the authority aforesaid, That John Barnwell, Robert Barnwell, William Hazzard Wigg, William Elliott, Stephen Elliott, Henry Holcombe, Thomas Fuller, John M'Pheron, John A. Cuthbert, John Jenkins, sen., William Fripp, John Bull, and John M. Verdie, shall be, and are hereby appointed, trustees for the purposes herein mentioned; and that the said trustees and their successors, shall, forever hereafter, be one body politic and corporate, in deed and in name, by the style of "Trustees of the College of Beaufort;" 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.

IV. And be it further enacted by the authority aforesaid, That the said corporation shall be capable in law to purchase, have, hold, receive, enjoy, possess and retain, to itself, in perpetuity or for any term of years, any lands, tenements or hereditaments, or other property, of what 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 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 said corporation; and by its said name to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State. Provided, nevertheless, that all such purchases, donations, devise and bequests, of land or personal property, shall be exclusively appropriated for the purpose of erecting and endowing a College in the town of Beaufort, and of establishing such other schools and seminaries of learning as the said corporation shall deem expedient.

V. And be it further enacted by the authority aforesaid, That the said College at Beaufort be under the management and direction of the aforesaid trustees, or a quorum or board thereof, to be chosen, appointed and perpetuated as follows: the said trustees, and their successors, shall meet on the first Monday of March in every year, at said College, or such other place in Beaufort as may be thought more convenient, between the hours of nine in the forenoon and three in the afternoon, due and public notice
OF SOUTH CAROLINA.

Acts relating to Corporations.

thereof being given by the Secretary, at least ten days before, in writing, and the major part of those so met shall elect, by ballot, a President and such other officers as they shall think necessary, for the year ensuing. The said President and officers so chosen shall take an oath for the due and faithful execution of their office, to be administered to them by any judge or justice of the peace. On the death, resignation or removal from the State, of any trustee, the President, or in his absence the next presiding officer, shall, within three months thereafter, cause the other trustees to be summoned to meet at the College, or such other place in Beaufort as may be thought more convenient, after a notice of ten days; and the trustees who shall meet, not less than seven being present, or a majority of those so met, shall choose, 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.

VI. And be it further enacted by the authority aforesaid, That the said trustees of the College of Beaufort, or a majority of them, shall have full power and authority, from time to time, to make, constitute and establish such and so many by-laws, rules and orders, as to them shall seem necessary and convenient for the better regulation, government, well ordering and directing of themselves, as trustees aforesaid, as well as of the said College in Beaufort, and all officers, professors or other persons by them employed or to be employed in and about the same, and of all students in the said College, and for the better managing, limiting and appointing of all and singular the trusts and authorities in them and each of them reposed, and to be reposed, and for doing, managing and transacting all things necessary for and concerning the government of the same College; and the same by-laws, rules and orders to put in force and execution accordingly, and the same again, at their will and pleasure, to alter, change, revoke or annul; all which by-laws, rules and orders, so to be made, as aforesaid, shall be binding on each and every of the said trustees, and on all officers, professors and other persons by them employed, and on all students in the said College, and shall be, from time to time, by each and every of them, inviolably and punctually observed, according to the tenor and effect thereof, under the several pains, penalties and disabilities therein expressed, fixed, appointed or declared; provided, that the same shall be reasonable, and not contrary or repugnant to the laws of this State, or of the Congress of the United States of America.

VII. And be it further enacted by the authority aforesaid, That the said Trustees, or so many as shall be fixed on by their by-laws, as aforesaid, shall have full power, by the principal or professors of the said College, to grant or confer such degree or degrees in the liberal arts or sciences, to any of the students of the said College, or other persons by them thought worthy thereof, as are usually granted and conferred in other Colleges in Europe and America, and to give diplomas or certificates thereof, signed by them, and sealed with the common seal of the trustees of the College, to authenticate and perpetuate the memory of such graduation.

VIII. And be it further enacted, That no person shall be excluded from any privilege, immunity, office or situation in the said College, on account of his religious persuasion; provided, he demean himself in a sober, peaceable and orderly manner, and conform to the rules and regulations thereof.

IX. And be it further enacted, That this Act shall be deemed a public Act, and judicially taken notice of as such, without special pleading; that
the same shall be liberally construed for fully carrying into effect the beneficial purposes hereby intended; and if any person or persons shall be sued for any matter done in pursuance hereof, be, she or they may plead the general issue, give this Act and the special matter in evidence, and on discontinuance by a judgment against any plaintiff, shall recover treble costs.

X. And be it further enacted, That the said trustees shall keep an accurate account of all their proceedings in regard to the property granted as aforesaid, which, whenever required to do, they shall lay before the Legislature for their information.

XI. And be it further enacted by the authority aforesaid, That the Beaufort and St. Helena Societies are hereby authorized and empowered to convey to the trustees herein appointed, or their successors, for the purposes herein mentioned, any part or the whole of the funds now in their possession, or which they may hereafter possess; an Act to the contrary notwithstanding.

XII. And be it further enacted by the authority aforesaid, That all the confiscated property to which this State is now entitled, in the election districts of Prince George Winayw and All Saints, and all such other property as hath hertofoere accrued, or may hereafter accrue, to this State, in the said districts, under the operation of an Act entitled "An Act to appoint escheators and to regulate escheats," and all the vacant lots in the town of Georgetown, shall be, and are hereby, vested in the Winayw Indigo Society. Provided, the aforesaid property shall not exceed five thousand pounds sterling.

XIII. And be it further enacted by the authority aforesaid, That all the confiscated property to which this State is now entitled, in the circuit court district of Cheraw, as also all the property already escheated, and which may hereafter escheat, to this State, under the operation of the above recited Act, in the said circuit court district, shall be, and is hereby, vested in the incorporated society of St. David. And the said societies are hereby vested with all the powers which have been heretofore vested in the commissioners for selling and disposing of confiscated property, in the persons appointed escheators, in the several districts throughout this State, and in the commissioners heretofore appointed for selling the vacant lots in the town of Georgetown. Provided, the property shall not exceed five thousand pounds sterling.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand seven hundred and ninety-five, and in the twentieth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

ROBERT BARNWELL, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1795.

AN ACT TO INCORPORATE THE ACADEMY OF COLUMBIA; AND FOR OTHER PURPOSES THEREIN MENTIONED.

WHEREAS, Thomas Taylor, James Taylor, William Montgomery, George Wade, and Benjamin Waring, Trustees of the Academy of Columbia, have presented their petition to the Legislature, praying that they, as trustees for the said Academy, may be incorporated, and by law made a body politic, for the purpose of encouraging and promoting the education of youths; and praying for adequate funds to be granted them, for the above laudable purpose.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said Thomas Taylor, James Taylor, Geo. Wade, Wm. Montgomery, and Benj. Waring, shall be, and they hereby, appointed trustees, for the purpose herein mentioned; and that the said trustees and their successors, shall, for ever hereafter, be one body politic and corporate, in deed and in name, by the style of “The Trustees of the Academy of Columbia;” 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; and by its said name, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State.

II. And be it further enacted by the authority aforesaid, That the said corporation shall be capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to itself, in perpetuity or for any term of years, any lands, tenements or hereditaments, or other property, of what kind or nature soever; and to sell, alien or lease the same, as they shall think proper; and also, it shall and may be lawful for the said corporation, to take, accept, and hold for ever, any charitable donations, devises or bequests of lands or personal property, and to appropriate the same to the purposes of the said corporation; and also, that it shall and may be lawful for the said corporation to raise, by one or more lotteries, the sum of nine thousand dollars, to be appropriated by the said corporation to the use of the said corporation. Provided nevertheless, that all such purchases, donations, devises and bequests of land or personal property, or monies raised by lottery or lotteries, shall be exclusively appropriated for the purposes of erecting and endowing an Academy in the said town of Columbia.

III. And be it further enacted by the authority aforesaid, That the said Academy at Columbia shall be under the management and direction of five trustees, or a quorum or board thereof, to be chosen, appointed and perpetuated in manner following. The said trustees, and their successors, shall meet on the third Monday of November, in every year, in the said Academy, or at such other time and place in the town of Columbia as may be thought convenient, between the hours of nine in the forenoon and five in the afternoon; due and public notice thereof being given by the Secretary, at least ten days before such meeting, in writing; and the major part of those so met shall elect, by ballot, a president and such other officers as they shall think necessary, for the year ensuing; the said president and officers so chosen shall take the following oath or affirmation, before any magistrate or justice of this State.

“I, A B, do solemnly swear, (or affirm, as the case may be,) that I will VOL. VIII.—25.
duly and faithfully execute and perform the office to which I am appointed, to the best of my knowledge and ability. So help me God."

And on the death, resignation or removal out of the State of any trustee, the said trustees, at their next meeting, shall choose, by ballot, another trustee in the room of the one so dying, resigning or removing. Provided nevertheless, that no person shall be considered duly and legally elected, unless there be a majority of the votes of the trustees then present in his favor.

IV. And be it further enacted by the authority aforesaid, That the said trustees of the said Academy of Columbia, or a majority of them, shall have full power and authority, from time to time, to make, constitute and establish, such and so many by-laws, rules and orders, as to them shall seem meet, necessary and convenient, for the better regulating, governing, well ordering and directing of themselves as trustees aforesaid, as well as of the said Academy of Columbia, and all officers, professors, or other persons, by them employed or to be employed in and about the same; and to make, alter, change and make new, from time to time, any or all their said by-laws, rules and regulations, for the better regulating and governing themselves, as well as the institution under their charge and direction, and the officers, tutors, and scholars of the said Academy; which by-laws, rules and regulations shall be binding on each and every of the said trustees, and each and every of the officers, tutors and scholars of the said Academy, according to the tenor and effect thereof, under the several pains, penalties and disabilities therein expressed and declared; provided, the same be not repugnant to the laws of the land.

V. And be it further enacted by the authority aforesaid, That the commissioners of the town of Columbia shall forthwith make and execute legal and proper titles, and they are hereby commanded and directed to make and execute legal and proper titles, to the said trustees of the said Academy, of a certain square of land in the said town of Columbia, where the said trustees have erected a building for the use of the said Academy, which said square contains four acres; and also, that the said commissioners convey to the said trustees two other squares of land in the said town, each containing four acres, to be chosen and pointed out to the said commissioners by the said trustees; which said squares of land shall be, and they are hereby, vested in the said trustees for the use of the said Academy. Provided, the said squares of land shall be taken and received in lieu and instead of a public square granted them for the use of the said institution, in the year seventeen hundred and ninety-two.

VI. And be it further enacted by the authority aforesaid, That this Act shall be deemed and held a public Act, and judicially taken notice of as such, without special pleading; that the same shall be liberally construed for fully carrying into effect the purposes herein and hereby intended.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand seven hundred and ninety-five, and in the twentieth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.
ROBT. BARNWELL, Speaker of the House of Representatives.
AN ACT FOR ESTABLISHING A MUTUAL INSURANCE COMPANY IN CHARLESTON.

WHEREAS, a great number of the inhabitants of Charleston have petitioned for Legislative aid, in forming an Insurance Company against fire. And whereas, it is deemed practicable to form a company that may answer the wishes of the petitioners.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, in General Assembly now met and sitting, and it is hereby enacted by the authority of the same, That Henry William Desaussure, Intendant, Adam Gilchrist, Thomas Harrison McCalla, Seth Lothrop, William Allen Deas, William Robertson, Joseph Peace, John Ward, John Christian Martin, Robert Howard, Thomas Rhett Smith, Simon McIntosh, James Lowndes, John Casper Folker, Wardens of the city of Charleston, be commissioners to perform the duties required by this Act, that is to say:—they, or either of them, after ten days previous notice given, shall open books in Charleston, on the sixteenth day of January, in the year of our Lord one thousand seven hundred and ninety-eight, to receive subscriptions of persons offering to be assured. As soon as may be convenient, after the offerers for insurance shall amount to one hundred, the commissioners aforesaid shall, by public advertisement, call together the offerers, who, or a majority of whom, when convened, or a majority of such of them as may convene, shall have power and authority to conclude upon such rules and regulations, as they, or a majority of those who may convene, shall think best, and to appoint a committee for these purposes, and to adjourn from time to time; which rules and regulations so concluded upon, shall be subscribed by such offerers as are present when the same shall be concluded upon, and by such of the offerers or others as may subscribe the same within ten days thereafter; the persons so subscribing shall be deemed the original members of the society, and the rules adopted by them shall be binding on them and all such as shall associate with them, and insure their property in the said society, agreeably to the rules thereof. The society thus constituted shall proceed to elect their own officers, and appoint their agents, and shall thenceforth be considered as a body politic, incorporated by this Act.

II. And be it enacted by the authority aforesaid, That the said company shall be known by the name of “The Charleston Mutual Insurance Company;” and by the said name shall have a common seal, with power to change, alter and make new the same, as often as the said corporation shall judge necessary; and to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of Law or equity in this State; and to make such rules and by-laws, (not repugnant to the laws of the land,) as for the order, rule, good government and management thereof, may be thought necessary.

III. And be it further enacted by the authority aforesaid, That any real estate that may be pledged by the members of the society aforesaid, to make property, how good any losses that may happen by fire, agreeably to the rules of the society to be pledged, shall be protected for that purpose from all judgments and mortgages, which shall be obtained or given subsequent to the said pledge; provided, the amount so protected shall not exceed ten per cent of the estimated value of the property pledged as aforesaid; and provided further, that by the rules of the society, the names of the persons pledging, and a description of the property pledged, be recorded in the Secretary’s office in Charleston, within the time limited by law for recording deeds and mortgages.
IV. And be it further enacted by the authority aforesaid; That this Act shall be deemed a public Act, and notice thereof shall be taken in all courts or justice and elsewhere in this State, and shall be given in evidence without special pleading.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand seven hundred and ninety-seven, and in the twenty-second year of the American Independence.

DAVID RAMSAY, President of the Senate.
ROBT. BARNWELL; Speaker of the House of Representatives.

No. 1675. AN ACT TO INCORPORATE THE CHARLESTON INSURANCE COMPANY.

WHEREAS, it is conceived, that if a corporation with a competent capital were established in this State, for the purpose of effecting marine insurances, and transacting business connected therewith, advantages would result therefrom to the community in general, and to the mercantile interest in particular, by retaining in the State; as well the capital necessary for such purposes, as also, large sums of money which would otherwise be drawn from the country for premiums and commissions to foreign correspondents for effecting insurances; and also, by more effectually securing the assured from the risks and dangers incident to the policies and assurances of private and particular persons, for the most part in foreign countries; and also, that domestic insurances tend to place the interests of the mercantile class of citizens more under the guardianship of the laws of this country, and thereby, to secure a strict adherence to the true principles of insurance. And whereas, a number of the citizens of this State have already associated together for the said purposes of marine insurance, and have been doing business since the tenth day of June last, and have petitioned the Legislature to be incorporated by the name of "The Charleston Insurance Company," for the purposes aforesaid.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Daniel Desausure, Thomas Corbett, William Crafts, John Spatt Cripps, George Forrest, John Geyer, William Greenwood, James Gregorio, James Hamilton, Joshua Harrreaves, James Miller, Thomas Morris, Thomas Ogier, William Prentman, William Price, John Price, Nathaniel Russell, James Theus, Adam Tunno, Thomas Tunno, James Bulgin, James Gardner, Robert Hazleburet, and Casper C. Schutt, who have already formed an association or copartnership, under the said firm or name of "The Charleston Insurance Company," and their successors or assigns, according to the rules by them established and to be established for the purposes aforesaid, shall be, and they are hereby created into, a corporation or body politic, in law and in fact, under the name, style and title of "The Charleston Insurance Company;" and by the said name, style and title, shall have perpetual succession, and all the powers, privileges and franchises incident to a corporation; and shall be capable of taking, holding and disposing of their capital stock, to whatever amount they shall,
Acts relating to Corporations.

A. D. 1797.

(according to their own rules, regulations and institutions) judge proper; provided, the same be not limited at less than three hundred thousand dollars; and also, of taking, holding and disposing of, or investing, as the said corporation shall from time to time judge fit, the increase, profit and emolument of their said capital stock to their own proper use; and shall have full power and authority to make, have and use a common seal; with such device and inscription as they shall deem proper, and the same to break, alter and renew at their pleasure; and by the name, title and style aforesaid, 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 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 president and other officers and directors, in such numbers, at such periods, and with such duties, as they shall see fit; and also, to make rules, by-laws and ordinances; and to do every thing needful for the good government and support of the affairs of the said corporation. Provided always, that the said rules, by-laws and ordinances, shall not be repugnant to the constitution and laws of the United States, and of this State.

II. And be it further enacted by the authority aforesaid, That the said corporation shall have a right and power to purchase, acquire, take and hold, in their said corporate name, lands and real estates, and the same to devise, grant, sell, 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.

III. And be it further enacted by the authority aforesaid, That the said corporation shall have a right and power, 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, in and by their rules and by-laws ordain and appoint, to make contracts and underwrite policies of assurance and indemnity upon marine risks, whether of vessels or of goods and merchandizes, in whole or in part, foreign and domestic, whether lying in foreign ports, or shipped upon the high seas, or in any of the ports of the United States, or in any of the rivers, bays, creeks, canals or waters of this State lying or being, laden or to be laden; and also, to lend and advance money upon bottomry or respondencia; 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 capital stock.

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

V. And be it further enacted by the authority aforesaid, That this Act shall continue and be of force for and during the term of fourteen years,
and from thence to the end of the next session of the Legislature of this State thereafter; and this Act shall be deemed a public Act, and the judges in the courts of this State shall be bound to take judicial notice thereof, without the same being specially pleaded.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand seven hundred and ninety-seven, and in the twenty-second year of American Independence.

DAVID RAMSAY, President of the Senate.
ROBT. BARNWELL, Speaker of the House of Representatives.

No. 1693. AN ACT TO ESTABLISH AND INCORPORATE A COLLEGE IN PINCKNEY DISTRICT.

WHEREAS, the proper education of youth has always been considered as the most certain source of the tranquility, happiness and improvement of private families, States and nations; and all the seminaries of learning which have been established in the interior part of this State, being from some fatal cause become extinct, so that the rising youths, after obtaining a knowledge of the Latin and Greek languages, are obliged to resort to the Colleges in other States, to acquire a knowledge of the arts and sciences, to fit them for future life. And the Rev. Joseph Alexander, having taught a gramma school for many years, near Pinckneyville, in which a considerable number of students have made great proficiency in literary education, and it being thought by many pious and public spirited men, that great advantages would result, could it receive the encouragement and sanction of a law for its establishment as a College:

I. BE IT THEREFORE ENACTED by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, That the following gentlemen be, and they are hereby, appointed trustees, to wit: Joseph Alexander, James Templeton, John Simpson, Francis Cummins, Robert McCulloch, James White Stephenson, John Brown, Robert Wilson, William Williamson, Robert Becquem Walker, Samuel Whorwer Yongue, John Foster, John Kennedy, James Gilliland, William Smith, Abraham Nett, Andrew Love, Alexander Moore, Thomas Brandon, William Bratton, Samuel Dunlap. And the said trustees, and their successors, shall, forever hereafter, be one body politic and corporate, in deed and in name, by the name and style of "The Trustees of Alexandria College;" to have perpetual succession; capable, by its name, in law, to sue and be sued, to plead and be impleaded, in any court within this State; and to receive, possess, retain and enjoy, any lands, rents, tenements or hereditaments, of what kind soever, and to alien the same; and also to purchase any lands or estate, real or personal; to receive any charity or donation or bequest which may be made unto them, the said trustees, for the use of the said College; and be capable to sell or dispose of any lands or chattels, real or personal, of any kind whatsoever, that may come to them by purchase, gift or bequest, or in any other way whatsoever, or to hold the same in perpetuity or for term of years.
OF SOUTH CAROLINA.

Acts relating to Corporations. A.D. 1797.

II. Be it further enacted, That any five or more of the said trustees, or their successors, shall be a quorum to do business; and in case any of the said trustees should refuse to act, resign, die or remove, that the remainder of the trustees, or a majority of them, shall have power to elect others in their stead. And that the said trustees, or a majority or them, shall have full power and authority to make, alter or amend any by-laws for their own By-laws, government or regulation, that they may deem proper and necessary, which are not repugnant to the laws of this State, and have full power and authority to carry the same into effect.

III. Be it further enacted, That the said trustees of Alexandria College shall have a seal, have power to appoint or remove their tutors, and shall have power to make such rules and regulations therefor, as they, or a majority of them, may think proper and expedient. And that the said trustees shall make such rules and regulations for the admission or dismissal of students, as they may deem necessary; and at the public commencements to grant diplomas or any other testimonials, under the seal of the said Alexandria College, as they may appoint, to all such as they shall think worthy to receive the same.

IV. Be it further enacted, That the said Alexandria College shall have and possess the same powers of any College in this State; and the diplomas or testimonials from under the hands of the said trustees, with the seal of the said College affixed, shall be deemed and taken as such, in as full and ample manner as any diplomas or testimonials of any College heretofore established in this State.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand seven hundred and ninety-seven, and in the twenty-second year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate
ROBT. BARNWELL, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE SPARTANBURG PHILANTHROPIC SOCIETY. No. 1691.

WHEREAS, the Rev. James Templeton, James Jordan, and others, members of the Spartanburg Philanthropic Society, have petitioned the Legislature of this State, to be admitted a body corporate and politic, in name and deed, by the name of "The Spartanburg Philanthropic Society," for the purpose of erecting an Academy;

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by authority of the same, That all those who now belong to, and all those who shall be hereafter duly admitted or become members of that society, according to the rules, orders and constitution of the said society, formed or to be formed, shall be, and they are hereby declared to be, one established body corporate and politic, in deed and in name, by the name and style of "The Spartanburg Philanthropic Society," for the purpose of erecting an Academy; and by the same name shall have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as the said corporation shall judge expedient.
And the said corporation, and its successors, shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to itself and to its successors, in perpetuity or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or nature soever, not exceeding the annual income of one thousand dollars, and to sell, alien, exchange, demise or release the same, or any part thereof, as they shall think proper; and may, by the said name, sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant to the laws of the land,) for the benefit of the said corporation, as shall, from time to time, be agreed upon by a majority of the members of the said corporation.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said corporation hereby erected, to take and to hold, to it and its successors, forever, any donations or devises of lands and personal estates, not exceeding, in the whole, the annual income of one thousand dollars, and to appropriate the same for the benefit of the said corporation, in such manner as may be determined on by a majority of the members thereof.

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

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand seven hundred and ninety-seven, and in the twenty-second year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.
ROBT. BARNWELL, Speaker of the House of Representatives.

No. 1694. AN ACT TO INCORPORATE CERTAIN MECHANICS, MANUFACTURERS AND HANDICRAFTS OF THE CITY OF CHARLESTON, BY THE NAME OF THE "CHARLESTON MECHANIC SOCIETY."

WHEREAS, John Caspar Folker, Esq., president; Peter Smith, vice president, David Haig, senior warden, and John Johnson, junior warden, of the same, have petitioned the legislature to incorporate the said society, stating that from the nature of their employments, and the smallness of their capitals, they are more exposed than any other class of citizens to the inconveniences and distresses arising from sickness and such other unavoidable accidents as may deprive themselves and families of the benefit of their exertions, and that they have united into a society, for the purpose of raising a fund, by means of which such of them as are successful in the world will be enabled, without inconvenience, to afford relief to the unfortunate:

I. Be it therefore enacted, by the Honorable Senate and House of Representatives, now met and sitting in General Assembly, and by the
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1788.

authority of the same, That the said John Caspar Folker, Esq., and all those persons who now are, or who hereafter shall be, members and officers of their association in Charleston, commonly called "The Charleston Mechanic Society," shall be, and they are hereby, incorporated as a body politic and corporate, for the purposes above mentioned, and shall be known in deed and in law, by the name of "The Charleston Mechanic Society."

II. And be it further enacted by the authority aforesaid, That the said corporation, by its name aforesaid, shall have a "particular" succession of Rights and powers. according to such form; as may be prescribed by the rules and regulations now existing; or hereafter to be made, for the government of the said society; and that they shall have a common seal, with power to change, alter and make new the said rules and regulations and common seal in such manner and as often as they shall judge necessary and expedient.

III. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law to purchase, have, hold, use, take, receive, possess, retain and enjoy, to itself, in fee simple or for any term of years, any estate, real and personal, of what kind or nature soever, (provided, the amount thereof shall not exceed the sum of fifteen thousand dollars,) and to let, lease, sell, alien, or otherwise dispose of the same, in fee simple, or any term of years, as they may think proper; and that it shall and may be lawful for the said corporation to take, accept and hold forever, any charitable donations, gifts, devises and bequests of lands or personal property, not exceeding the sum of fifteen thousand dollars, and to appropriate the same to the purposes of the said corporation.

IV. And be it further enacted by the authority aforesaid, That the said corporation shall and may, by its name aforesaid, sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity of this State; and shall and may make such rules and by-laws, (not repugnant or contrary to the laws of the land,) as for the good order and proper government of the said corporation may by them be thought necessary or expedient, and in like manner may change, alter, amend or renew their present or any of their future rules, by-laws and regulations.

V. And be it further enacted by the authority aforesaid, That the said corporation shall and may have, take, possess, retain and enjoy, all such estates, real and personal, money, goods, chattels and effects, as they now possess, or are in any wise entitled unto, not exceeding the sum aforesaid; and that this Act shall be deemed a public Act; and judicially taken notice of as such, and the same may be given in evidence without special pleading.

VI. And be it further enacted by the authority aforesaid, That this Act be and remain in force for five years, from and after the passing of this Act, and from thence to the expiration of the next session of the Legislature, and no longer.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety-eight, and in the twenty-third year of the Independence of the United States of America.

JOHN WARD, President of the Senate.

WILLIAM JOHNSON, Jr.; Speaker of the House of Representatives.

VOL. VIII.—20.
AN ACT TO INCORPORATE THE SAINT ANDREW'S SOCIETY, OF THE CITY OF CHARLESTON, IN THE STATE OF SOUTH CAROLINA.

WHEREAS, Doctor Alexander Baron, president of the said society, for himself and the other officers and members of the same, hath petitioned the Legislature to incorporate the said society, for the purpose of purchasing lands in the city of Charleston, and erecting a school-house thereon, and for the education, clothing and maintenance of poor and orphan children, and for the more completely carrying into effect the matters and things set forth in their said petition:

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said Alexander Baron, and all those persons who now are, or hereafter shall be, members and officers of the association in Charleston, commonly called "The Saint Andrew Society of the City of Charleston," shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Saint Andrew Society of the City of Charleston."

II. And be it further enacted by the authority aforesaid, That the said corporation, by its name aforesaid, shall have a succession of officers and members, to be appointed or elected in such manner and according to such form, as may be prescribed by the rules and regulations now existing or hereafter to be made for the government of the said society; and that they shall have a common seal, with power to change, alter and make new the said rules and regulations and common seal, in such manner and as often as they shall judge necessary and expedient.

III. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to purchase, have, hold, use, take, receive, possess, retain and enjoy, any estate, real and personal, of what kind or nature soever, (provided, the amount thereof shall not exceed the amount of thirty thousand dollars,) and to let, lease, sell, alien or otherwise dispose of the same, in fee simple or for any term of years, as they may think proper; and that it shall and may be lawful for the said corporation to take, accept and hold forever, any charitable donations, gifts, devises and bequests of lands or personal property, and to appropriate the same to the purposes of the said school only; and provided that such charitable donations, gifts, devises and bequests, aforesaid, shall not exceed the sum of thirty thousand dollars

IV. And be it further enacted by the authority aforesaid, That the said corporation shall and may, by its name aforesaid, sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity of this State; and shall and may make such rules and by-laws, (not repugnant or contrary to the laws of the land,) as for the good order and proper government of the said corporation, may by them be thought necessary or expedient; and in like manner may change, alter, amend or renew their present or any of their future rules, by-laws and regulations.

V. And be it further enacted by the authority aforesaid, That the said corporation shall and may have, hold, take, possess, retain and enjoy, all such estates, real or personal, money, goods, chattels and effects, as they now possess, or are in any wise entitled unto, subject to the limitation aforesaid to the sum of thirty thousand dollars; and that this Act shall be deemed and held a public Act, and judicially taken notice of as such, and the same may be given in evidence without special pleading.
OF SOUTH CAROLINA.


VI. And it is further enacted by the authority aforesaid, That this Act shall remain and be in force for five years from the passing of this Act, and from thence to the expiration of the next session of the Legislature, and no longer.

VII. And be it further enacted by the authority aforesaid, That from and after the expiration of the aforesaid term of five years, or any other legal provision in case of dissolution of this Act of incorporation, it shall and may be lawful for the officers or trustees of the said society, for the time being, to have, hold, possess and enjoy, all and singular the real estates belonging to the said society, in trust for the use of the said society, and subject to the rules, regulations and by-laws of the said society; and that the said officers or trustees shall have full power and absolute authority to grant, bargain, sell and convey the said real estates to any person or persons who may purchase the same; any law, usage or custom to the contrary thereof, in any wise, notwithstanding.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety-eight, and in the twenty-third year of the Independence of the United States of America.

JOHN WARD, President of the Senate.
WILLIAM JOHNSON, Jr., Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE GEOFORTOWN FIRE COMPANY. No. 1700.

WHEREAS, the Georgetown Fire Company have, by their petition, prayed to be incorporated, and it appears their views are laudable, and their association is beneficial to the citizens of Georgetown:

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That William Heriot, Abraham Cohen, Paul Trapier, and the other members of the said company, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Georgetown Fire Company."

II. And be it further enacted by the authority aforesaid, That the said company, by their name aforesaid, shall have perpetual succession of officers and members, to be elected in such manner and according to such form as may be prescribed by the rules and regulations now existing, or hereafter to be made, for the government thereof; and that they shall have a common seal, with power to change, alter or make new the said rules and regulations and common seal, as often as they shall judge expedient.

III. And be it further enacted by the authority aforesaid, That the said company shall be able and capable in law, to purchase, hold, take, receive, possess, retain and enjoy, to itself, in perpetuity or for any term of years, any estate, real or personal; provided, the same shall not produce a clear income exceeding five hundred dollars per annum; and to sell, alien, or otherwise dispose of the same, as they may think proper; and by their said name, to sue and be sued, plead and be impleaded, answer and be answered unto, in any court in this State; and to make such rules, regulations and by-laws, (not repugnant to the laws of the land,) as they may judge proper.
STATUTES AT LARGE

A.D. 1799.

Acts relating to Corporations.

IV. And be it further enacted by the authority aforesaid, That the said company shall have, hold, possess, retain and enjoy, all such estate, real and personal, money, goods, chattels and effects, as they are now entitled to; and that this Act shall be deemed and taken to be a public Act, and judicially noticed as such, without special pleading.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety-eight, and in the twenty-third year of the Independence of the United States of America.

JOHN WARD, President of the Senate.
WILLIAM JOHNSON, Jr., Speaker of the House of Representatives.

No 1725. AN ACT TO INCORPORATE THE BAPTIST CHURCH AT THE HEAD OF ENCOREE RIVER, BY THE NAME OF "THE HEAD OF ENCOREE BAPTIST SOCIETY."

WHEREAS, the Reverend Abraham Hargis, Isaiah Stephens, and Joseph Willis, Ministers of the Gospel, and William Thurston, Harden Camp, Benjamin Bridges, Thomas Cantrell, and John Tubb, officers of the said church, have petitioned the Legislature to be incorporated by the name of "The Head of Encoree Baptist Society," for the better regulation of their said church:

I. Be it therefore enacted by the Honorable the Senate and the House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Rev. Abraham Hargis, Isaiah Stephens, and Joseph Willis, Ministers of the Gospel, and the said William Thurston, Harden Camp, Benjamin Bridges, Thomas Cantrell, and John Tubb, officers of the said church, and all those persons who now are, or hereafter shall be, members and officers of the said Baptist church, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Head of Encoree Baptist Society."

II. And be it enacted by the authority aforesaid, That the said corporation, by its name aforesaid, shall have a succession of officers and members, to be appointed or elected in such manner and according to such form as may be prescribed by the rules and regulations now existing, or hereafter to be made, for the regulation of the said society; and that they shall have a common seal, with power to alter the same, together with the said rules and regulations, in such manner and as often as they shall deem necessary.

III. And be it enacted by the authority aforesaid, That the said corporation shall be capable in law, to purchase, have and to hold, any estate, real or personal, in fee or for a term of years, provided, the amount thereof shall not exceed the sum of five thousand dollars, and to lease, alien, or otherwise dispose of the same, in fee or for term of years, in any way they may deem proper; and that it shall be lawful for the said corporation to
OF SOUTH CAROLINA.

Acts relating to Corporations.

receive and hold forever, or for term of years, any donations of real or personal property, and to appropriate the same for the use of the said corporation. Provided, such donation shall not exceed the aforesaid sum of five thousand dollars.

IV. And be it enacted by the authority aforesaid, That the said corporation may sue and be sued, implead and be impleaded, by their name aforesaid, in any court of justice in this State; and may make such by-laws, not repugnant to the laws of the land, as they shall deem necessary; and that this Act shall be deemed a public Act, and taken notice of and given in evidence as such, without special pleading.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety-nine, and in the twenty-fourth year of the Independence of the United States of America.

JOHN WARD, President of the Senate.
WILLIAM JOHNSON, Jr., Speaker of the House of Representatives

AN ACT TO INCORPORATE THE CHARLESTON WATER COMPANY. No. 1726.

WHEREAS, sundry inhabitants of the city of Charleston; by their petition to the Legislature, have set forth, that manifold advantages would result from the introduction of pure wholesome fresh water into the city from the adjacent country; and that they, and many other of their fellow citizens, are willing to engage in a scheme for that purpose, and to advance money for the same; provided, they were incorporated by law, and vested with such privileges as would be necessary to secure them the emoluments which may arise from their undertaking.

II. And be it further enacted by the authority aforesaid, That the said company, or such one third part of their members, or other persons, who shall choose to subscribe to the said undertaking, as shall for the first time assemble at any place in Charleston, after notice thereof shall have been given for six successive days, in one or more of the gazettes of that city, or the majority of such one third, shall have power to organize themselves as a company, and to make rules and regulations for their own government, and for the admission of other members; and to exclude from the said company, all such other of the persons hereinafter named, as shall not attend their meetings and associate themselves with them, within three calendar months after their first meeting, according to such rules and regulations as shall have been adopted.

III. And be it further enacted by the authority aforesaid, That the said company shall have a common seal, and shall have power to alter, change and renew the same as often as they shall think fit to do so, by any rule or resolution; and that they shall have full power to change, alter or amend their rules and by-laws, and each of them, as often as they may deem expedient; and that the said company, and every member thereof, shall be bound by every such rule and by-law, so long as the same shall remain in any wise in force, according to the constitution and government of the said company; provided, the same be not repugnant to the laws of the land; and that the said company shall have perpetual succession of members and officers, according to such rules and regulations as they may, from time to time, adopt, for the admission of members and the election of officers.

IV. And be it further enacted by the authority aforesaid, That the said company shall have power to have, hold and possess, a capital to the amount of fifty thousand dollars; and also, any real estate, not exceeding the annual value of twenty thousand dollars; and for these purposes, to purchase or buy, and to sell, barter or exchange, such estates, real or personal, as they may think fit; and to accept, take and receive, any gift, grant, legacy or devise, or any loan that may be given, granted, bequeathed, devised, or loaned to them; and they may sue and be sued, impleaded and be impleaded, answer and be answered unto, in any court of law or equity in this State, or elsewhere; and generally, they shall have, hold, use, exercise, practice and enjoy, all the rights, privileges, powers and franchises, incident to corporations.

V. And be it further enacted by the authority aforesaid, That the said company shall have full power to run, erect and construct their water pipes and other works necessary for conducting and conveying the water to Charleston, from such place, source or spring, or places, sources or springs, as they may fix upon, in such direction and course as they may find most expedient, through, under, across or upon, any such public or private lands as they may find it necessary or most advisable to use for their purposes; and in all cases where the same shall interfere with the high roads, streets or public property, the said company shall complete their work with all possible expedition; and shall, without loss of time, repair the injury that they may have done, and remove the obstructions that they may have caused in the same. Provided always, that before any private property shall be used for the purposes aforesaid, the owners thereof shall first receive and be paid a just equivalent or compensation.

VI. And be it further enacted by the authority aforesaid, That the said company, upon completing the said works, shall, at proper places, to be appointed by the city council, have pipes prepared, and always ready to be
OF SOUTH CAROLINA.


opened in cases of fire in the city, and also to wash and cleanse the streets thereof; and that upon such occasions, they shall be opened free of all expense, either to the public or citizen or citizens, to save whose property the same may be used.

VII. And be it further enacted by the authority aforesaid, That if any person or persons willfully and knowingly put therein, or cast into any of the water which is to be conducted into the city, or into any pipe or conductor intended to convey the same, any poisonous or other matter capable of destroying the lives or injuring the health of those who may use or drink the said water, or any part thereof, such person or persons shall suffer death without the benefit of clergy.

VIII. And be it further enacted by the authority aforesaid, That if any person or persons shall wilfully and maliciously break, destroy or in any wise injure or hurt any part of the said works, such person or persons shall forfeit to the company a sum equal to ten times the value of the damage done; to be recovered by bill, plaint or indictment, in any court having sufficient jurisdiction; wherein, no impeachment or dilatory plea shall be allowed. And that the offender or offenders shall be committed, on conviction thereof, and shall remain in close confinement until the same be paid; and shall also be subject to such other corporal and ignominious punishment as the court may think fit to order.

IX. And be it further enacted by the authority aforesaid, That this Act shall be deemed a public Act, and may be given in evidence without special pleading.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety-nine, and in the twenty-fourth year of the Independence of the United States of America.

JOHN WARD, President of the Senate.

WM. JOHNSON, Jr., Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE UPPER LONG CREEK SOCIETY, IN ABBEVILLE DISTRICT.

WHEREAS, William Lesly, President, John Miller, Vice President, Samuel Watt, Treasurer, James Wardlaw, Secretary, of the said Society, and others, inhabitants of Abbeville district, have petitioned the Legislature, setting forth, that the petitioners and others who have joined them, being deeply impressed with the difficulty of supporting permanently a regular Gospel Ministry, and the great want of schools for the education of orphans and the children of poor parents, have formed themselves into a society, and raised a considerable sum of money, which they have loaned out on interest, with the intention, as soon as the funds will admit, of building a church for divine worship, and from the produce of their funds, pay the salary or stipend of a regular Presbyterian Minister, and endow one or more schools, where orphans and the children of the poor may be taught gratis, and otherwise assisted, as the society may be able, and poor or decayed members relieved. And whereas, it is deemed proper and expedient to carry their laudable and pious purposes into effect.

Preamble.
I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all those persons who now are, or may hereafter be, members and officers of the Upper Long Cane Society, in Abbeville district, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Upper Long Cane Society of Abbeville, District."

II. And be it enacted by the authority aforesaid, That the said corporation, by its name aforesaid, shall have a succession of officers and members, to be appointed or elected in such manner and according to such form as may be prescribed by the rules and regulations now existing or hereafter to be made for the government of the said society; and that they shall have a common seal, with power to change, alter and make new the said rules and regulations and common seal, in such manner and as often as they shall judge necessary and expedient.

III. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to purchase, have, hold, use, take, receive, possess, retain, and enjoy, any estate, real or personal, of what kind or nature soever; provided, the amount thereof shall not exceed the sum of thirty thousand dollars; and to let, lease, sell, alien, or otherwise dispose of the same, in fee simple, or for any term of years, as they may think proper; and that it shall and may be lawful for the said corporation to take, accept and hold for ever, any charitable donations, gifts, devises and bequests of lands or personal property, and to appropriate the same to the purposes of their said institution only. And provided, that such charitable donations, gifts, devises, and bequests as aforesaid, shall not exceed the aforesaid sum of thirty thousand dollars.

IV. And be it further enacted by the authority aforesaid, That the said corporation shall and may, by its name aforesaid, sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity of this State; and shall and may make such rules and by-laws, not repugnant or contrary to the laws of the land, as for the good order or proper government of the said corporation may by them be thought necessary or expedient; and in like manner may change, alter, amend or renew their present or any of their future rules, by-laws and regulations.

V. And be it further enacted by the authority aforesaid, That the said corporation shall and may have, hold, take, possess, retain and enjoy, all such estates, real or personal, money, goods, chattels and effects, as they now possess, or are in any wise entitled unto, subject to the limitation aforesaid, of the sum of thirty thousand dollars. And that this Act shall be deemed and held a public Act, and judicially taken notice of as such, and the same may be given in evidence without special pleading.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety-nine, and in the twenty-fourth year of the Independence of the United States of America.

JOHN WARD, President of the Senate.

WM. JOHNSON, Jr., Speaker of the House of Representatives.
AN ACT to INCORPORATE a COMPANY for opening a Canal from No. 1735.

BACK RIVER to CHAPEL BRIDGE.

1. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Seaman Deas, James Graham, Sanders Glover, George Keckerly, and John Readhemer, and all those persons who now are, or who hereafter shall be, members or officers of the company for opening a Canal from Back River to Chapel Bridge, shall be, and they are hereby, incorporated as a body politic and corporate, for the purpose of opening the said canal and keeping the same in repair; and shall be known, in deed and law, by the name of "The Company for opening a Canal from Back River to Chapel Bridge".

II. And be it enacted by the authority aforesaid, That the said corporation, by its name aforesaid, shall have a particular succession of officers and members, to be appointed or elected in such manner as may be prescribed by the by-laws and regulations of the said company; and that the said company shall have a common seal, and shall have power to make such by-laws and regulations as they may deem necessary, and to alter and amend the same; provided, such by-laws and regulations be not contrary to the laws of the land.

III. And be it enacted by the authority aforesaid, That after the first day of January, in the year of our Lord one thousand eight hundred, a canal shall be opened, by locks or otherwise, as the commissioners appointed by the said company shall determine, from Back River to Chapel Bridge; and that the same shall be thus opened and kept in repair at the expense of the said company. And the said company shall appoint an Engineer to fix upon the course in which it shall be the most proper for the said canal to run; and should the said canal run through the lands of any person unwilling to give up the same, or to furnish timber for the use of the said canal, the said company shall have power to purchase the said lands or timber for their use and benefit; and should the said person or persons require an unreasonable price for the said lands or timber, the value of the same shall be fixed by four arbitrators, two of whom shall be chosen by the said company, and two by the person or persons respectively, whose lands are to be valued, or the damages which they are liable to sustain, estimated; and if such person or persons shall refuse to appoint arbitrators, when called upon by the said company to do so, the Judges of the Court of Common Pleas, or any three of them, shall have power to nominate four disinterested persons to assess the value of such lands, or amount of such damages; and in case of disagreement, the arbitrators or persons thus nominated, shall have power to choose an umpire to decide on the value of such lands, or amount of such damages; which arbitration or umpirage, shall be final between the parties. Provided nevertheless, that the said company shall not have power or authority to carry the said canal through the lands of any person or persons whomsoever, without having first made such person or persons full satisfaction for the same, agreeably to such assessment.

IV. And be it enacted by the authority aforesaid, That the said company shall, from time to time, appoint such toll to be taken for boats and other vessels passing through the said canal, as they may deem reasonable; and if any boat or other vessel attempt to pass through the said canal without paying such toll, the same shall be liable to be seized by the proper
officer of such company having authority to receive the said toll; and the said boat or vessel, or any part of the cargo thereof, may be sold for the payment of the said toll, having been first duly advertised for the space of ten days.

V. And be it enacted by the authority aforesaid, That if the said canal should pass through any public or private road of resort, that the said company shall be obliged to build a bridge over the same, and to keep it in repair at their own expense; and that the said company shall be obliged to keep a book of their proceedings and expenses, which shall, when necessary, be open to the inspection of the Legislature, and of the courts of justice; and that the shares in the said canal shall be exempt from taxes, and be considered as personal property.

VI. And be it enacted by the authority aforesaid, That John Ball, his heirs, executors, administrators or assigns, shall, at all times, be at liberty to flow his fields from the said canal, and to run the same, free from toll, to any part of his plantation, but not elsewhere.

VII. And be it enacted by the authority aforesaid, That in case the said canal be not commenced within five years after the passing of this Act, that then, and in such case, the law shall be null and void.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety-nine, and in the twenty-fourth year of the Independence of the United States of America.

JOHN WARD, President of the Senate.

WM. JOHNSON, Jr., Speaker of the House of Representatives.

---

No. 1741. AN ACT TO INCORPORATE THE GEORGETOWN LIBRARY SOCIETY.

WHEREAS, several inhabitants of Georgetown and its vicinity, have, by their petition, set forth, that they have, some time since, entered into an association for the purpose of forming a Library Society, which they conceive will be ultimately of great benefit to themselves and the community at large, and have prayed that a law may be passed for incorporating them as a society, by the name of "The Georgetown Library Society."

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the society above mentioned, and the persons who now are, or hereafter shall be, members thereof, and the successors, officers and members of it, shall be, and they are hereby declared to be, one corporate body, in deed and in law, by the name of "The Georgetown Library Society;" 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; and the said corporation and its successors shall be able and capable in law, to hold and possess any real and personal estate, not exceeding the yearly value of four thousand dollars, and to sell, alien,
OF SOUTH CAROLINA.

Acts relating to Corporations.

or lease the same, or any part thereof, as it shall think proper; and by its
said name, to sue and be sued, implead and be impleaded, answer and be
answered unto, in any court of law or equity in this State; and to make
such rules and by-laws, (not contrary or repugnant to the laws of the land,) for the benefit and advantage of the said corporation, and for the order and
good government of the same, as shall, from time to time, be agreed upon
by a majority of the members, or of such a number as the rules of the said
society shall constitute a quorum.

II. And be it further enacted by the authority aforesaid, That it shall
and may be lawful for the said corporation hereby erected, to take and to
hold, to itself and its successors for ever, any charitable donations or devi-
ves of land and personal estate, and to appropriate the same for the be-
fit of the said corporation, in such way as by their rules shall be agreed
upon; provided, the said donations and devises, together with their other
funds, do not exceed the yearly value of four thousand dollars aforesaid.

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

In the Senate House, the twentieth day of December, in the year of our Lord one thou-
sand eight hundred, and the twenty-fifth year of the American Independence.

JOHN WARD, President of the Senate.

THEO. GAILLARD, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE JOHN’S ISLAND SOCIETY, OF THE PARISH No. 1751.
of Saint John’s, Colleton.

WHEREAS, Joshua Ward, President, James Legare, Vice President,
Joseph Rush and James Brown, Stewards, and other members of the John’s
Island Society, have petitioned the Legislature, setting forth, that the
objects of the said society, which was formed for benevolent and chari-
table purposes, would be promoted by their incorporation.

I. Be it therefore enacted, by the Honorable the Senate and House of
Representatives, now met and sitting in General Assembly, and by the
authority of the same, That all those persons who now are, or may here-
after become, members of the said John’s Island Society, shall be, and they
are hereby, incorporated as a body politic and corporate, and shall be known,
in deed and in law, by the name of “The John’s Island Society.”

II. And be it further enacted by the authority aforesaid, That the said cor-
poration, by its name aforesaid, shall have a succession of officers and mem-
bers, to be appointed or elected in such manner or according to such
form as may be prescribed by the rules and regulations now existing or
hereafter to be made for the government of the said society; and that they
shall have a common seal, with power to change, alter and make new the
said rules and regulations and common seal, in such manner and as often
as they shall judge necessary and expedient.
III. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to purchase, have, hold, use, take, receive, possess, retain and enjoy, any estate, real and personal, of every nature or kind soever; provided the amount thereof shall not exceed the sum of thirty thousand dollars; and that the funds of the said corporation shall be always and at all times exclusively applied by them to charitable and benevolent purposes, either in relation to the education, maintenance and support of youth, or to the support and maintenance of sick or distressed persons, such as the said corporation may at any time hereafter be inclined to relieve or befriend; and to let, lease, sell, alien, or otherwise dispose of their present or future acquisitions of real or personal property, in fee simple, or for any term of years, as they may think proper; and that it shall be lawful for the said corporation to take, accept and hold for ever, any charitable donations, gifts, devises and bequests of land or personal property, and to appropriate the same to the purposes of their said institution only; provided, that such charitable donations, gifts, devises and bequests as aforesaid, shall not exceed the aforesaid sum of thirty thousand dollars.

IV. And be it further enacted by the authority aforesaid, That the said corporation shall and may, by its name aforesaid, sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and shall and may make such rules and by-laws, (not repugnant or contrary to the laws of the land,) as for the good order and proper government of the said corporation may by them be thought necessary and expedient; and in like manner, may change, alter, amend or renew their present, or any of their future rules, by-laws and regulations.

V. And be it further enacted by the authority aforesaid, That the said corporation shall and may have, hold, take, possess, retain and enjoy, all such estates, real and personal, money, goods, chattels and effects, as they now possess, or are in any wise entitled unto, subject to the limitation aforesaid, of the sum of thirty thousand dollars; and that this Act shall be deemed and held a public Act, and judicially taken notice of as such, and that the same may be given in evidence without special pleading.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred, and in the twenty-fifth year of the Independence of the United States of America.

JOHN WARD, President of the Senate.

THEO. GAILLARD, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to Corporations. A.D. 1801.

AN ACT to incorporate the Antipedo Baptist Church, in the town of Georgetown.

WHEREAS, Edmund Botsford, John Bossard, William Cuttino, sen., Savage Smith, Cornelius Dupre, William Grant, William Cuttino, jun., John Waldo, John Davis, John Evans, Jeremiah Cuttino, James Mackray, William H. Lide, William Murray, Samuel Blackwell, James Lane, Michael Blackwell, John P. Dunnan, William Dunnan, William B. Johnson, and William Walker, have petitioned the Legislature to be made a body politic and corporate, in deed and in law, by the name of "The Antipedo Baptist Church of the town of Georgetown." And whereas, it would greatly forward their religious views, should they be incorporated as such:

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said Edmund Botsford, and the several persons above mentioned, who have petitioned, as aforesaid, and their successors, who shall hereafter be members of the said church, shall be, and are hereby declared to be, a body corporate, in deed and in law, by the name and style of "The Antipedo Baptist Church of the town of Georgetown," 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 think proper.

II. And be it further enacted by the authority aforesaid, That the said corporation shall be capable in law to purchase, have, hold, receive and enjoy, forever, or for any term of years, any lands, tenements or hereditaments, or personal property, (slaves, negroes, mestizoes and mulattoes, excepted,) not exceeding the annual income of five thousand dollars, and to sell or alien the same, as the said corporation shall think proper; and that the said corporation may, by its said name, sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and may make such rules and by-laws, (not repugnant to the laws of the land,) as for the good government of the said corporation may be deemed expedient; and may change, alter, amend or renew any of their present or future rules and by-laws, from time to time, as by the said corporation may be thought necessary or expedient.

III. And be it further enacted by the authority aforesaid, That no persons, except free white persons, be allowed to be members of the said corporation.

IV. And be it further enacted by the authority aforesaid, That this Act shall be of force for the term of ten years, and from thence to the end of the next session of the Legislature, and no longer; that from and after the expiration of the aforesaid term of ten years, or any other legal repeal of this Act, or dissolution of the said corporation, it shall and may be lawful for the officers or trustees of the said society, for the time being, to have, hold, possess and enjoy, all and singular the estate, real and personal, which did belong to the said corporation, in trust for the use of the said congregation, and subject to the rules and regulations of the said society; and that the said officers or trustees shall have full power and authority to sell and convey the said estates, for the benefit of the members of the said society, to any person or persons who may purchase the same; any law, usage or custom to the contrary thereof, in any wise, notwithstanding.

V. And be it enacted by the authority aforesaid, That this Act shall
be deemed a public Act, and notice thereof shall be taken in all courts of justice in this State, and may be given in evidence without special pleading.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and one, and in the twenty-sixth year of the Independence of the United States of America.

JOHN WARD, President of the Senate.

THEO. GAillard, Speaker of the House of Representatives.

No. 1739. AN ACT TO INCORPORATE THE MARLBOROUGH ACADEMY, THE PHILOMATIC SOCIETY OF MARION DISTRICT, AND THE JEFFERSON MONTICELLO SOCIETY OF FAIRFIELD DISTRICT.

WHEREAS, the members of the Marlborough Academy, the members of the Marion Philomatic Society, and the members of the Jefferson Monticello Society, have, by their petitions, prayed to be incorporated; and the views of the said institutions appearing to be laudable, and likely to produce benefit to the public:

I. Be it therefore enacted, by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the members of the said Academy and Societies shall be, and they are hereby, severally incorporated as bodies politic and corporate, and shall be known, in deed and law, by the names of “The Marlborough Academy,” “Marion Philomatic Society,” and “The Jefferson Monticello Society.”

II. And be it enacted by the authority aforesaid, That the members of the said corporations shall, by their names aforesaid, respectively, have perpetual succession of officers and members, to be elected in such manner and after such form as may be prescribed by the respective laws and regulations of the said corporations, now existing, or hereafter to be made, for the government of the same; and that they shall, respectively, have a common seal, with power to change and alter the same as often as they, respectively, may deem it expedient.

III. And be it enacted by the authority aforesaid, That the said corporations, respectively, shall be able and capable in law to purchase, hold, possess and enjoy, either in perpetuity or for a term of years, any estate, real or personal; provided, the same do not exceed ten thousand dollars; and to sell, alien, or otherwise dispose of the same, as they, from time to time, may deem expedient; and by their name, respectively, to sue and be sued, plead and be impleaded, answer and be answered unto, in any court of this State.

IV. And be it enacted by the authority aforesaid, That this Act shall be deemed and taken to be a public Act, and judicially taken notice of as such, without special pleading.

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

JOHN WARD, President of the Senate.

ROBERT STARK, Speaker of the House of Representatives.
AN ACT TO INCORPORATE THE SEVERAL SOCIETIES THEREIN MENTIONED.

WHEREAS, the Rev. Thomas Deloach, and others, have petitioned the Legislature of this State, to be incorporated as a society, under the name of "The Baptist Church of Christ, on Clamd's Creek." And whereas, Thomas Dozier, and others, have petitioned, in like manner, to be incorporated under the name of "Red Bank Church." And whereas, the Rev. Henry Kix, and others, have petitioned, in like manner, to be incorporated under the name of "The Baptist Church of Christ, on Little Stephen's Creek."

1. Be it therefore enacted, by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the certain churches incorporated: That the said Thomas Deloach, and others, and all those persons who now are, or hereafter may be, members and officers of the said first mentioned Baptist church on Clamd's creek, being free white persons, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Baptist Church of Christ, on Clamd's Creek." And that the said Thomas Dozier, and others, and all those persons who now are, or hereafter may be, members and officers of the said second mentioned Baptist church of the Red Bank creek, being free white persons, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Red Bank Church." And that the said Henry Kix, and others, and all those persons who now are, or hereafter may be, members and officers of the said third mentioned Baptist church, on Little Stephen's creek, being free white persons, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Baptist Church of Christ on Little Stephen's Creek."

III. And whereas, also, Malachi Howell, and others, have petitioned, in like manner, to be incorporated under the name of "The Minerva Society:"

Be it therefore enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said Malachi Howell, and others, and all those persons, being free white persons, who now are, or hereafter may be, members and officers of the said Minerva Society, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Minerva Society;" and that the said Malachi Howell, and others, being free white persons, and all those persons who now are, or hereafter may be, members and officers of the said Minerva Society, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Minerva Society."

IV. And be it enacted by the authority aforesaid, That the said corporations, respectively, by their names aforesaid, shall have a succession of their powers, officers and members, to be appointed or elected in such manner and according to such form, as may be prescribed by the rules and regulations of the said societies, being not contrary to the laws of the land; and that they, respectively, shall have a common seal, with power to alter the same, together with the said rules and regulations, in such manner and as often as they may deem necessary.

V. And be it enacted by the authority aforesaid, That the said corporations shall be capable in law, to purchase, have and to hold, any estate, real or personal, in fee or for a term of years, to lease, alien, or otherwise
dispose of the same, in fee or for a term of years, in any way they may deem proper; and that it shall be lawful for the said corporations to receive and hold forever, or for a term of years, any donation of real or personal property, and to appropriate the same for the use of the said corporations; provided, such estates and donations, as aforesaid, shall not exceed the sum of ten thousand dollars each.

VI. And be it further enacted by the authority aforesaid, That the said corporations, by their names aforesaid, may sue and be sued, impleaded and be impleaded, in any court of law or equity in this State; and may make such by-laws, not repugnant to the laws of the land, as they shall deem necessary; and that this Act shall be deemed a public Act, and take notice of, and given in evidence, as such, without special pleading.

In the Senate House, the eighteenth day of December, in the year of our Lord one thousand eight hundred and two, and of the Independence of the United States of America, the twenty seventh.

JOHN WARD, President of the Senate.
ROBERT STARK, Speaker of the House of Representatives.

No. 1799. AN ACT TO INCORPORATE THE "ABEE YETOMIM UBBE EBYONIM," OR THE SOCIETY FOR THE RELIEF OF ORPHANS AND CHILDREN OF INDIGENT PARENTS.

WHEREAS, David Lopez, and others of the Hebrew nation, citizens of the United States and of this State, have petitioned the Legislature of this State, to be incorporated by the name of the "Abbe yetomim ubbe ebyonim," or Society for the relief of Orphans and Children of indigent parents:

I. Be it therefore enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said David Lopez and others, and all those persons who now are, or hereafter may be, officers and members of the said society, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and law, by the name of the "Abbe yetomim ubbe ebyonim," or the Society for the relief of Orphans and Children of indigent parents.

II. And be it further enacted by the authority aforesaid, That the said corporation, by its name aforesaid, shall have a succession of officers and members, to be appointed or elected in such manner and according to such form as may be prescribed by the rules and regulations of the said society, now existing or hereafter to be made; and that they shall have a common seal, with power to alter the same, as well as their said rules and regulations, in such manner and as often as they shall deem necessary.

III. And be it further enacted by the authority aforesaid, That the said corporation shall be capable in law to purchase, to have and to hold any estate, real or personal, in fee, or for a term of years, in any way they may deem proper; and that it shall be lawful for the said corporation to receive and hold, forever or for a term of years, any donations of real or
personal property, and to appropriate the same to the use of the said corporation. Provided, such estate or donation shall not exceed the sum of ten thousand dollars.

IV. And be it enacted by the authority aforesaid, That the said corporation may sue and be sued, impleaded and be impleaded, by their name aforesaid, in any court of law or equity within this State; and may make such by-laws, not repugnant to the laws of the land, as they shall deem necessary; and that this Act shall be deemed a public Act, and taken notice of and given in evidence as such, without special pleading.

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

JOHN WARD, President of the Senate.
ROBERT STARK, Speaker of the House of Representatives.

AN ACT TO CONTINUE, FOR FOURTEEN YEARS, AN ACT ENTITLED "AN Act to incorporate certain Mechanics, Manufacturers and Handicrafts of the City of Charleston, by the name of the Charleston Mechanic Society;" AND TO ALTER AND AMEND THE SAME.

WHEREAS, an Act entitled "An Act to incorporate certain mechanics, manufacturers and handcrafts, of the city of Charleston, by the name of the Charleston Mechanic Society," will expire with the adjournment of the present session of the Legislature. And whereas, William Rausse, president, David Haig, vice president, John Hotbeck, senior warden, Thomas Bass, junior warden, and others, the members of the said society, have petitioned the Legislature that the said Act may be rendered perpetual, and that the said society may be enabled to hold such funds as shall be probably adequate to the objects of the said institution.

I. Be it therefore enacted, by the Honourable the Senate and House of Representatives, now met and sitting in General Assembly; and by the Charter existing, the authority of the same, That the said Act entitled "An Act to incorporate certain mechanics, manufacturers and handcrafts, of the city of Charleston, by the name of the Charleston Mechanic Society," be, and the same is hereby declared to be, in force for fourteen years from the passing of this Act, and no longer. Provided, that any funds belonging to the society at the expiration of that term, shall be vested in the members of the said society.

II. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law to purchase, have, hold, use, Powers, take, receive, possess, retain and enjoy; to itself, in fee simple, or for any term of years, or otherwise, any estate, real or personal, of what kind or nature soever; Provided, the annual interest or income thereof shall not exceed the sum of five thousand dollars, over and above such suitable and convenient buildings, and the lands wherein the same shall or may be

VOL. VIII.—28.
erected, as shall be necessary for the accommodation of the said society; and to let, lease, alien, or otherwise dispose of the same, in fee simple or for any term of years, as they may think proper; and that it shall and may be lawful for the said corporation to take, accept and hold forever, any charitable donations, gifts, devises and bequests of lands or personal property, not exceeding the sum aforesaid, over and above such lands or buildings, as aforesaid, and to appropriate the same to the purposes of the said corporation.

III. And be it further enacted by the authority aforesaid, that so much of the said Act entitled "An Act to incorporate certain mechanics, manufacturers and handicrafts, of the city of Charleston, by the name of the Charleston Mechanic Society," as is repugnant to this Act, shall be, and the same is hereby, repealed.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and three, and of the American Independence the twenty-eighth.

JOHN GAILLARD, President of the Senate.
ROBERT STARK, Speaker of the House of Representatives.

No. 1820. AN ACT TO INCORPORATE THE TOWN OF BEAUFORT; AND FOR OTHER PURPOSES THEREIN MENTIONED.

WHEREAS, the inhabitants of Beaufort, by their petition to the General Assembly, have represented that great convenience and advantage would arise to them by incorporating the said town, as thereby they would be enabled to institute and carry fully into effect many salutary and beneficial regulations for the preservation of good order, and for the support of many charitable and useful institutions within the same:

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passing of this Act, all persons, citizens of the United States, and residing one year within the town of Beaufort, or having a freehold for that term within the same, shall be deemed, and they are hereby declared to be, a body politic and corporate, and the said town shall hereafter be deemed, and is hereby declared to be, a town corporate, and shall be called and known by the name of the "Town of Beaufort."

II. And be it further enacted by the authority aforesaid, That on the first Monday in April next, and on the first Monday in April in every year thereafter, an election, by ballot, for an Intendant and six Wardens shall be held, at some convenient and public place in Beaufort, and that all free white inhabitants of the said town, citizens of this State or of the United States, who shall have resided therein twelve months previous to the said election, and who shall be also qualified to vote for members to represent this State in either branch of the Legislature thereof, shall be entitled to ballot for the said Intendant and Wardens; and when the poll shall be
OF SOUTH CAROLINA.

Acts relating to Corporations.

A. D. 1803.

Closed, the managers of the election shall proclaim the said election, and give notice, in writing, to the persons elected, of their appointment; and John Rhodes, Stephen Laurence, and John Mark Verdier, shall be, and are hereby appointed, managers of the ensuing elections; and the Intendant for the time being shall appoint proper persons as managers for the elections to be held afterwards; and when the said Intendant and Wardens shall be elected, as aforesaid, and before entering upon his or their office, he or they shall, respectively, take the oaths prescribed by the Constitution of this State, and the following oath:

"As Intendant (or Warden) of the town of Beaufort, 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 carry into effect the purposes for which I have been appointed. So help me God."

III. And it be further enacted by the authority aforesaid, That in case of the death of the Intendant, his resignation, removal from office, or absence from the State, the Wardens shall themselves appoint a time for choosing another, and give ten days public notice of the same; and in case of vacancy in any of the wards, by death or otherwise, the Intendant shall issue a summons to the ward for filling up such vacancy, giving five days notice of the same. And in case the Intendant or any of the Wardens, whilst in office, shall be guilty of any wilful neglect, mal-practices or abuses, on information being filed of the same, in the court of general sessions, and on conviction thereof, he shall forfeit and pay a sum not exceeding two hundred dollars, for every such wilful neglect, mal-practice or abuse, the money to be recovered by the Attorney General, and lodged with the clerk of the district court, for the use and benefit of the said town. And in case of sickness, temporary absence, or other occasion of non-attendance of the Intendant, the town council shall be empowered to elect one of the Wardens to act in his room on any such occasion. And if any person, on being elected Intendant, shall refuse to act, he shall forfeit and pay to the proper officer for the use of the town, the sum of thirty dollars; and if any person, on being elected Warden, shall refuse to act, he shall also pay to the proper officer of the town, the sum of fifteen dollars. Provided, that no person who has attained the age of fifty years shall be compelled to serve in either of the said offices; nor shall any other person be obliged to serve more than one year in any term of three years.

IV. And it be further enacted by the authority aforesaid, That the said Intendant shall and may, as often as occasion may require, summon the Wardens to meet together; any two of whom, with the Intendant, may constitute a quorum to do business; and they, with the Intendant, shall be known by the name of, and are hereby declared to be, "The Town Council of Beaufort;" and they and their successors, hereafter to be elected, may have a common seal; and may purchase, have, hold, possess, receive, enjoy and retain, to them and their successors, in perpetuity or for any term of years, any estate or estates, real or personal, of what nature or kind soever, not exceeding in value forty thousand dollars; and may sell, alien, exchange, or lease the same, or any part thereof, as they may think proper; and, by the same name, may sue and be sued, answer and be answered unto, implead or be impleaded, in any court of law or equity in this State; and they shall also be vested with full power and authority, from time to time, under their common seal, to make and establish such by-laws, rules and regulations, respecting the harbor, streets,
lanes, public buildings, work-houses, markets, wharves, public houses, carriages, wagons, carts, drays on hire, pumps, buckets, fire engines, the care of the poor, the regulation of seamen or disorderly people, negroes, and in general, every other by-law or regulation that shall appear to them requisite and necessary, for the security, welfare and convenience of the said town, or for preserving peace, order and good government within the same. And the said town council of Beaufort may affix fines for offences against their by-laws, not exceeding eighty dollars for any one offence, which fines, when they exceed thirty dollars, may be recovered in the district court of Beaufort, and when they are under the sum of thirty dollars, before the said Intendant and Wardens, or any four of them; all which fines, when recovered, shall be applied to the use of the said town. And the said town council may assess a tax upon all such negro slaves, between the ages of fifteen and fifty, as usually reside during the fall months in the said town; provided, that no such assessment shall, in any one year, exceed the sum of seventy-five cents for each such slave; and may also assess all the lots in the said town; provided, that no such assessment shall, in any one year, be less than fifty cents, nor more than two dollars, upon any unimproved lots, nor less than fifty cents, nor more than five dollars, for each improved lot, at the discretion of the town council. Provided, that nothing herein contained shall authorize the said town council to make any by-laws inconsistent with or repugnant to the laws of the land; and provided also, that all by-laws and ordinances they may make, shall at all times be subject to the revial or repeal of the Legislature.

V. And be it further enacted by the authority aforesaid, That the said Wardens shall each of them have full power and authority, and they are hereby required, to keep peace and good order in their respective wards, to issue warrants and cause all offenders against law to be brought before them, and, on examination, either to release, admit to bail, (if the offence aforesaid be bailable,) or commit to the custody of the Sheriff of Beaufort district, who is hereby required and commanded, to receive and keep the person so committed in safe custody, until discharged by due course of law. And the said Wardens, or any four of them, shall meet whenever occasion may require, at some convenient and public place in Beaufort, to hear and determine all small and mean causes, agreeably to the directions of the Act of the General Assembly, and all other matters of complaint arising within the said town; and the Intendant, and each and every of the said Wardens, for the time being, shall be vested with all the powers and authorities that Justices of the Peace are invested with by the laws of this State, and shall and may exercise the same in every part of the said town, for the preservation of the peace and good order thereof.

VI. And be it further enacted by the authority aforesaid, That in case of tumult or riot, or appearance or probability of tumult or riot, in the said town, the Intendant shall immediately summon together the town council, and order the constables of the town, (whom the said council are hereby authorized to nominate and appoint,) to attend, and who shall not exceed six, and such measures shall thereupon be taken as shall appear most advisable for preventing or suppressing such riot or tumult; and if any town constable shall neglect or refuse to obey the order for attendance from the intendant, he shall forfeit a sum not exceeding twenty dollars for every such offence; and any other inhabitants refusing to obey the orders of the Intendant, for the purposes of suppressing any riot or tumult, he shall forfeit a sum not exceeding eight dollars for every such refusal.
VII. And be it further enacted by the authority aforesaid, That immediately after the first meeting of the town council under this Act, they shall proceed to divide the town of Beaufort into six wards; and each warden appointed as aforesaid, shall, respectively, preside over the ward to which he may be appointed, and execute all the duties therein, as are required herein.

VIII. And be it further enacted by the authority aforesaid, That the said town council shall have full power and authority, from time to time, to commit to close prison, (after conviction,) in the jail of Beaufort district, or the jail in Beaufort, all such person and persons who shall incur any penalties or forfeitures, intended to be inflicted by any of the by-laws of the said corporation, passed conformably to the powers vested in them by this Act; subject, nevertheless, to all the benefits of the insolvent debtor's Act.

IX. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, the sole and exclusive privilege of granting licenses for keeping taverns, retailing spirituous and other liquors, and for keeping billiard tables, within the limits of the said town of Beaufort, shall be, and are hereby, vested in the town council thereof, who are hereby authorized to grant the said licenses, upon the same terms and conditions, and liable to the same penalties, that the commissioners of the roads are at present authorized to grant them upon; and the monies arising therefrom shall be applied, in all cases, towards the benefit and improvement of the said town.

X. And be it further enacted by the authority aforesaid, That the town council shall hereafter be possessed of all the rights and powers, and be liable to perform all the duties at present appertaining to the commissioners of the poor of Port Royal Island; and there shall be no future elections of roads.

XI. And be it further enacted by the authority aforesaid, That this Act shall be deemed a public Act, and if any person or persons shall be sued for any thing done by virtue of this Act, he may plead the general issue and give this Act and the special matter in evidence.

XII. And be it enacted by the authority aforesaid, That this Act shall continue and be of force for and during the term of fourteen years, and no longer.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and three, and in the twenty-eighth year of the Independence of the United States of America.

JOHN GAILLARD, President of the Senate.
ROBERT STARK Speaker of the House of Representatives.
No. 1831. AN ACT FOR EXTENDING THE INCORPORATION ON THE ST. ANDREW'S SOCIETY.

WHEREAS, an Act to incorporate the Saint Andrew's Society, was passed on the twenty-first day of December, one thousand seven hundred and ninety-eight, the time limited for the duration of which is now about to expire; and whereas, the said society, by its proper officers, have petitioned the continuance of the same.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the aforesaid Act to incorporate the Saint Andrew's Society, shall remain and be in force for fourteen years from the passing of this Act, and from thence to the expiration of the next session of the Legislature, and no longer.

II. And whereas, it is expedient that the said society be permitted to increase their funds, to enable them to carry into effect the charitable purposes of the said society. Be it therefore enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to purchase, have, hold, use, take, receive, possess, retain, and enjoy, any estate, real and personal, of what kind or nature soever; provided, the amount thereof shall not exceed the sum of eighty thousand dollars; and to let, lease, sell, alien or otherwise dispose of the same, in fee simple, or for any term of years, as they think proper; and it shall and may be lawful for the said corporation, to take, accept, and hold for ever, any charitable donations, gifts, devises and bequests of lands or personal property, and to appropriate the same to the purposes of the said society only; and provided, that such charitable donations, gifts, devises and bequests as aforesaid, shall not exceed the aforesaid sum of eighty thousand dollars.

III. And be it further enacted by the authority aforesaid, That the said corporation shall and may have, hold, take, possess, retain and enjoy, all such estates, real or personal, money, goods, chattels and effects, as they now possess, or are in any wise entitled unto, subject to the limitation aforesaid.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand eight hundred and four, and of the Independence of the United States of America the twenty-ninth.

JOHN WARD, President of the Senate.

W. C. PINCKNEY, Speaker of the House of Representatives.

No. 1834. AN ACT TO INCORPORATE THE SEVERAL RELIGIOUS SOCIETIES THEREIN MENTIONED.

WHEREAS, divers religious societies have petitioned the Legislature to be incorporated.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all those free white persons now belonging
to, and all those free white persons who shall be hereafter admitted or become members of "The Independent Church of Beaufort," according to the rules, orders and constitution of the said society, formed or to be formed, shall be, and they are hereby declared to be, one established body corporate and politic, in deed and in law, by the name and style of "The Independent Church of Beaufort," for the purposes of religious worship. And all those free white persons now belonging to, and all those free white persons who shall be hereafter admitted or become members of the Baptist Church of Beaufort, according to the rules, orders and constitution of said society, formed or to be formed, shall be, and they are hereby declared to be, one established body, corporate and politic, in deed and in law, by the name of "The Baptist Church of Beaufort," for the purposes of religious worship; and by their names, respectively, shall have perpetual succession of officers and members; and a common seal, with a power to change, alter, break and make new the same, as often as the said corporations, respectively, shall judge expedient; and the said corporations, respectively, and their successors, shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to themselves, and their successors, respectively, in perpetuity or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or nature soever, not exceeding the annual income of seven thousand dollars; and to sell, alien, exchange, as they, respectively, shall think proper; and may by their said names, respectively, sue and be sued, implead and be implored, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant to the laws of the land,) for the benefit of the said corporations, respectively, as shall from time to time be agreed upon by a majority of the members of the said corporations, respectively.

II. And be it enacted by the authority aforesaid, That it shall and may be lawful for the said corporations hereby created, to take and to hold, to them and their successors for ever, any donations or devises of lands and personal estates, not exceeding the annual income of seven thousand dollars for each, and to appropriate the same for the benefit of the said corporations, respectively, in such manner as may be determined on by a majority of the members, respectively.

III. And be it further enacted by the authority aforesaid, That all the free white persons who at present, or may hereafter, compose the congregation of the Baptist Bethel Church, in the district of Spartanburgh, be, and the same are hereby declared to be, a body politic and corporate, under the denomination of "The Baptist Bethel Church."

IV. And be it further enacted by the authority aforesaid, That all the free white persons who at present or may hereafter, compose the congregation of the Columbian Baptist Church of Christ, on the Lower Three Runs, in Barnwell district, be, and the same are hereby declared, a body politic and corporate, under the name and style of "The Columbian Baptist Church of Christ, on the Lower Three Runs, in Barnwell district."

V. And be it further enacted by the authority aforesaid, That all the free white persons who at present or may hereafter compose the congregation of the Spring Town Baptist Church, be, and the same are hereby declared, incorporated, under the denomination of "The Spring Town Baptist Church."

VI. And be it further enacted, That all the free white persons who now or may hereafter compose the congregation of the Baptist Church of Christ, Church of
A.D. 1804.

Acts relating to Corporations.

Christ, at the Healing Springs, incorporated.

at the Healing Springs, be, and the same are hereby declared, incorporated under the name of "The Baptist Church of Christ, of the Healing Springs, in Barnwell District."

VII. And be it enacted by the authority aforesaid, That all the free white persons who at present or may hereafter compose the congregation of the Barnwell Baptist Church of Christ, be, and the same are hereby, incorporated by the denomination of "The Barnwell Baptist Church of Christ."

VIII. And be it further enacted by the authority aforesaid, That the free white persons who at present or may hereafter compose the congregation of the Friendship Baptist Church, in the district of Spartanburg, be, and the same are hereby, incorporated under the denomination of "The Friendship Baptist Church of Christ, in the District of Spartanburg."

IX. And be it further enacted by the authority aforesaid, that the said Baptist Bethel Church, in the district of Spartanburg, and the said Columbian Baptist Church on the Lower Three Runs, in Barnwell district, and the said Springtown Baptist Church, and the said Baptist Church of Christ, at the Healing Springs, the Friendship Baptist Church in the district of Spartanburg, and the said Barawell Baptist Church of Christ, their several and respective free white members, and successors in office, according to their several and respective rules, orders and constitutions of the said several and respective societies, be, and the same are hereby declared, respectively, to have perpetual succession of officers and members, and a common seal, with a power to change, alter, break and make new the same, as often as the said corporations, respectively, shall judge expedient; and that the said corporations, respectively, and their successors, shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to themselves and their successors, either in perpetuity or for any term of years, any estate or estates, lands, tenements and hereditaments, of what kind or naturesoever, not exceeding an annual income of seven thousand dollars, and the same to sell, alien, exchange, as they, respectively, shall think proper; and may, by their said names, respectively, sue and be sued, implead or be impleaded, answer or be answered unto, in any court of law or equity in this State; and make such rules and by-laws, (not repugnant to the laws of the land,) for the benefit of the said corporations, as from time to time, be agreed upon by a majority of the members of the said corporations, respectively.

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

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand eight hundred and four, and of the Independence of the United States of America, the twenty-ninth.

JOHN WARD, President of the Senate.

W. C. PINCKNEY, Speaker of the House of Representatives.
AN ACT TO ALTER AND AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF BEAUFORT; AND FOR OTHER PURPOSES THEREIN MENTIONED."

WHEREAS, the Intendant and Wardens of the town of Beaufort, have, by their petition, stated sundry inconveniencies under which they at present labor; in remedy thereof,

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of Beaufort, or a majority of them, shall be, and they are hereby, authorized, during the existence of their corporation, to fix and regulate the price and the assize of bread, in the said town.

II. And be it further enacted by the authority aforesaid, That when any vacancies in the office of Wardens shall hereafter occur in the said town, that an election to fill up the said vacancy shall be held in the same manner, and the choice be made by persons possessed of the same qualifications, as in the annual election of Wardens, under the Act for incorporating the said town.

III. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, three Wardens, or a majority of them, shall be competent to hold a court, with the same power heretofore vested in the court of Wardens, in the said town.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and five, and in the thirtieth year of the Independence of the United States of America.

ROBT. BARNWELL, President of the Senate
JOSEPH ALSTON, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE TRUSTEES OF THE PINEVILLE ACADEMY. No. 1845.

WHEREAS, John Palmer, Thomas Palmer, Peter Gaillard, Samuel Porcher, and Philip Porcher, have, by their petition, pray’d to be incorporated as trustees for the establishment of an Academy, to be called "The Pineville Academy:"

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said petitioners, and their successors, appointed or elected, or to be appointed or elected, according to the form and to the manner prescribed or to be prescribed by the rules and regulations of the said Academy, shall be, and they are hereby, incorporated as a body politic and corporate, in deed and in law, by the name of "Pineville Academy."

II. And be it enacted by the authority aforesaid, That the said corporation, by their name aforesaid, shall have perpetual succession of officers and members, to be appointed or elected in such manner and according to

VOL. VIII.—29.
such form, as may be prescribed by the rules and regulations now existing or hereafter to be made, for the government of the said corporation; and that they may have a common seal, with power to change, alter and make new the said rules and regulations and common seal, as often as they shall judge expedient.

III. And be it enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to purchase, have, hold, take, receive, possess, retain and enjoy, to itself, in perpetuity or for any term of years, any estate, real or personal, of what kind or nature soever, and to sell, alien and to dispose of the same, as they may think proper; and by its name above mentioned, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant or contrary to the laws of the land,) as for the good order and proper government of the said corporation, may by them be thought necessary or expedient; provided, nevertheless, that the said real or personal estate shall not produce an income exceeding five thousand dollars per annum.

IV. And be it enacted by the authority aforesaid, That all such property as hath heretofore or may hereafter accrue to this State, in the parish of St. Stephens, on account of property which, by an Act entitled "An Act to appoint escheators and to regulate escheats," hath escheated to this State, shall be, and they are hereby, vested in John Palmer, Peter Galliard, Samuel Porcher, Thomas Palmer, and Philip Porcher, trustees of the Pineville Academy, for the use and benefit of the said Academy.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and fifty, and in the thirtieth year of the Independence of the United States of America.

ROBT. BARNWELL, President of the Senate.
JOSEPH ALSTON, Speaker of the House of Representatives.

No. 1669. AN ACT TO INCORPORATE THE BOTANIC SOCIETY OF SOUTH CAROLINA.

WHEREAS, James Simons, Esq., and Joseph Johnson, Alexander Garden, Frederick Dalch, and Robert Pringle, Doctors of Medicine, a committee for the management of the Botanic Garden, in behalf of the members of the Botanic Society of South Carolina, have petitioned the Legislature to be admitted a body corporate and politic, in name and deed, by the name and style of "The Botanic Society of South Carolina." And whereas, from the object and nature of the institution, it is expedient to grant the prayer of the said petition:

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said society above mentioned, and the several free white persons who now are, or shall hereafter be, members thereof, their successors, officers and members, shall be, and are hereby declared to be, a body corporate and politic, in deed and in law, by the name and style of "The Botanic Society of South Carolina;" and by the said name,
OF SOUTH CAROLINA.

Acts relating to Corporations.

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 necessary.

II. Be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to purchase, have, hold, receive, enjoy and retain, to itself, in perpetuity or for any term of years, any lands, tenements or hereditaments, of what kind or nature soever, and to sell, alien or lease the same, as they shall think proper; and by its said name to sue and be sued, implead and be impleaded, answer and be answer-ed unto, in any court of law or equity of this State; and to make such rules and by-laws, not repugnant and contrary to the laws of the land, as for the order, rule, good government and management thereof, may be thought necessary.

III. And be it further enacted by the authority aforesaid, That the said corporation shall be capable in law, to have, hold and receive, enjoy, possess and retain, all such estates, real or personal, money, goods, chattels and effects, which they now possess, or are entitled to, or which have been already given, devised or bequeathed thereto, by whatever name such gift, devise or bequest may have been made.

IV. And be it further enacted by the authority aforesaid, That this Act shall be deemed and taken as a public Act, and notice thereof shall be taken in all the courts of justice and elsewhere in this State, and shall be given in evidence without special pleading.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and five, and in the thirtieth year of the Independence of the United States of America.

ROBT. BARNWELL, President of the Senate.
JOSEPH ALSTON, Speaker of the House of Representatives.

AN ACT FOR THE INCORPORATION OF GEORGETOWN.

WHEREAS, from the increase of the trade, and from the growing importance of the town of Georgetown, it is indispensably necessary that many regulations should be made for the preservation of the health of the inhabitants, and for the security of the property within the said town, and its vicinity; and also for the maintenance of peace and good order within the limits of the same. And whereas, from the many weighty and important matters that occupy the attention of the Legislature, whenever they meet, it is found impracticable for them to devise, consider and deliberate upon all such laws and regulations as the local circumstances of the said town may, from time to time, require: therefore,

1. Be it enacted, by the Honorable the Senate and House of Representa-tives, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the commencement of the operation of this Act, all persons, citizens of the United States, having resided one year within the said town, or having a freehold for that term,
within the same, shall be deemed, and is hereby declared to be, a body politic and corporate, and the said town shall hereafter be deemed, and is hereby declared to be, a town corporate, and shall be called and known by the name of Georgetown, and shall be divided into the following wards, viz: first; all that part of the said town which lies south-eastwardly of Queen street, shall constitute the first ward: second; all that part of the said town which lies between the south-east side of Queen street, and the south-east side of Scriven street, shall constitute the second ward: third; all that part of the said town which lies between the south-east side of Scriven street, and the south-east side of Broad street, shall constitute the third ward: fourth; and the remaining part of the said town shall constitute the fourth ward. And the Town Council hereafter mentioned, shall have power, from time to time, to alter the limits of the said wards, so as that they do not diminish the number thereof.

II. Be it enacted by the authority aforesaid, That an election, by ballot, for an Intendant and four Wardens, shall be held on the first Monday of March next; and that Thomas Chapman and John Shackelford, be managers thereof; and on the first Monday of March, in every year thereafter, at some convenient public place in Georgetown; and that every free white inhabitant of the State, a citizen of the United States, of the age of twenty-one years, or upwards, who has resided over one year within the said town, or who has, at the time of the election, a freehold within the same, shall be entitled to vote for the said Intendant and Wardens, who shall be residents and freeholders within the said town.

III. Be it enacted by the authority aforesaid, That the Intendant and Wardens for the time being, shall give ten days public notice of such election, as aforesaid, and appoint the place for holding it, and proper persons for managing and conducting the same; and the said managers, after the election is closed, shall make a return to the Intendant for the time being, of the persons chosen as Intendant and Wardens, for the ensuing year; and the said Intendant for the time being, shall give immediate notice to the several persons elected, of their respective election; and when and as often as the said Intendant and Wardens shall be elected, as aforesaid, and before entering upon the discharge of the duties of his or their office, he or they shall, respectively, take the oaths prescribed by the Constitution of this State, and the following oath or affirmation, viz:

“As Intendant (or Warden) of the town of Georgetown, 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 carry into effect the purposes for which I have been elected. So help me God.”

And the official powers of the Intendant and Wardens for the time being, shall not cease and determine until the oaths of qualification shall have been taken by a quorum of their successors in office.

IV. Be it enacted by the authority aforesaid, That in case of the death of the intendant, his resignation, refusal to serve, removal from office, or absence from the State, or in case of any irregularity in, or failure of the election, the wardens shall thereupon appoint a time for choosing another, and give ten days public notice of the same; and in case of the death, resignation, refusal to serve, removal from office, absence from the State, or irregularity in, or failure of the election of any or all the wardens, the intendant shall give the like notice of an election for the purpose of filling such vacancy; and if any person on being elected intendant, shall refuse to act as such, he shall forfeit and pay to the town council, for the use of
OF SOUTH CAROLINA.


the said town, the sum of one hundred dollars; and if any person on being elected warden, shall refuse to act as such, he shall pay to the town council for the use of the town, the sum of seventy-five dollars. Provided nevertheless, that no person who has attained the age of sixty years, shall be compelled to serve in either of the said offices; nor shall any other person be obliged to serve more than one year in any term of three years. And provided also, that no person shall be re-eligible to either of the said offices, oftener than five successive years in any term of seven years. And in case the intendant or any of the wardens, while in office, shall be guilty of any wilful neglect, malpractice or abuse, on information being lodged of the same in the court of general sessions, and on conviction thereof, he shall forfeit and pay a sum not exceeding five hundred dollars; and for every such wilful neglect, malpractice or abuse, to be recovered by the prosecution. Attorney-general for the use of the said town, and his office shall thereupon be vacated. And in case of the sickness, temporary absence, or other occasion of non-attendance of the intendant, the wardens shall be empowered to elect one of their number to act in his room on any such occasion.

V. Be it enacted by the authority aforesaid, That the said intendant shall and may, as often as occasion may require, summon the wardens to meet together, any two of whom, with the intendant, shall constitute a quorum to transact business; and they, with the intendant, shall be known by the name of, and are hereby declared to be, "The Town Council of Georgetown," and they and their successors hereafter to be elected, may have a common seal; and may purchase, have, hold, possess, receive, enjoy and retain, to them and their successors, in perpetuity or for any term of years, any estate or estates, real or personal, of what nature or kind soever, not exceeding the sum of fifty thousand dollars; and may sell, alien, exchange, or lease the same, or any part thereof, as they may think proper; and by the same name, may sue or be sued, answer or be answered unto, implead or be impleaded, in any court of law or equity within this State.

VI. Be it enacted by the authority aforesaid, That the said town council shall also have full power to make and establish, and when they see fit, to alter, all such rules, by-laws and ordinances, respecting the harbor, streets, lanes and alleys, public buildings, markets, weights and measures; the assize, prices and inspection of bread; the cordage and measuring of fire wood; the regulation of the docks and lots; the draining and filling up of low-lands; the regulation of wharves, wharfage and storage; the landing and weighing of goods, wares and merchandise; public houses, billiard tables, retailing of spirituous liquors; carriages, waggons, carts, drays, pumps, fire engines and buckets; the regulation of seamen, boatmen and disorderly people; slaves, free people of color; and in general, every other by-law and regulation, that shall appear to them requisite and necessary, for the health, security, welfare, good government and convenience of the said town. Provided nevertheless, that nothing herein contained shall authorize the said town council to make any by-laws inconsistent with or repugnant to the laws of the land; and provided also, that all the by-laws and ordinances they may make, shall at all times be subject to the recall or repeal of the Legislature.

VII. And be it also enacted by the authority aforesaid, That the said town council shall have power and authority to regulate the rates of wharfage, and the storage, landing and weighing of any goods, wares and merchandise, which shall or may be stored, landed or weighed, on the peninsula opposite to Georgetown; to license and regulate the retailing of spirituous
liquore thereon; to remove therefrom all nuisances, and to guard against and provide for the extinguishment of fire thereon.

VIII. And be it enacted by the authority aforesaid, That the said town council of Georgetown may impose fines for offences against their by-laws, not exceeding one hundred dollars for any one offence; which fines, when they exceed the sum of twelve dollars, may be recovered in the district court; and when they are of the amount of twelve dollars or under, before the said intendant and any two or more wardens; which fines when recovered, shall be applied to the use of the said town; and the town council shall have power and authority, from time to time, to commit to close prison, (after conviction,) in the jail of Georgetown; and the Sheriff of Georgetown district is hereby required to receive and keep, till discharged by due course of law, all persons who shall incur any penalties, when the same does not exceed their jurisdiction, intended to be inflicted by any of the by-laws of the said corporation, made in conformity with the powers vested in them by this Act; subject, nevertheless, to all the benefits of the Acts passed for the relief of insolvent debtors.

IX. Be it enacted by the authority aforesaid, That the intendant and each of the wardens for the time being, shall be vested with all the powers and authority with which, by the laws of the State, justices of the peace are invested in criminal cases, and shall exercise the same in every part of the said town, so far as the same shall be necessary for the preservation of the peace and good order thereof.

X. And be it further enacted by the authority aforesaid, That the said town council shall have full power and authority, annually, to assess and levy a tax upon all the real property within the same; provided the said tax shall not exceed one per centum upon the value thereof; to be assessed annually by three freeholders of the said town, who shall be appointed by the town council aforesaid.

XI. And be it also enacted by the authority aforesaid, That the said town council shall have full power, annually, to lay and collect a tax, not exceeding two dollars, on each free male inhabitant of the said town, of the age of twenty-one years or upwards, who shall not be a freeholder within the same; provided, he shall have resided within the said town for the three months next preceding the period at which the said tax shall be laid.

XII. And be it further enacted by the authority aforesaid, That the said town council shall or may appoint, under such regulations as they deem proper, a treasurer, clerk, clerk of the market, harbor master, fire masters, town constables, and all such other officers as shall appear to them requisite and necessary, for carrying into effectual execution all the by-laws, rules and ordinances they may make for the good government of, and the preservation of good order in the said town, and shall affix the salaries and fees of such officers, respectively.

XIII. Be it enacted by the authority aforesaid, That in case of tumult or riot, or appearance or probability of tumult or riot, in the said town, the intendant shall immediately summon together the town council, and order the constables and other town officers to attend the town council, and such measures shall thereupon be taken, as shall appear most advisable for preventing or suppressing such riot or tumult; and if any town officer shall neglect or refuse to obey the order for attendance from the intendant, he shall forfeit a sum not exceeding fifty dollars for every such offence; and any other inhabitant refusing to obey the orders of the intendant for the purpose of suppressing any riot or tumult, shall forfeit a sum not exceeding thirty dollars for every such refusal; to be recovered as aforesaid.
Acts relating to Corporations.

XIV. And whereas, by an Act of the Legislature, passed on the twenty-seventh day of March, in the year of our Lord one thousand seven hundred and eighty-seven, the powers and authorities given to the trustees named in the grant of Georgetown, by John Cleland and others, were vested in the commissioners of the streets of said town, whose powers by this Act have become extinct. Be it enacted, by the authority aforesaid, That all and singular the said powers and authorities, are hereby divested out of the said commissioners, and the same shall hereafter be vested in the said town council, in as full and ample a manner as they before were vested in the said commissioners. And the said town council shall also be vested with all the powers and authorities which, by law, are vested in the commissioners of the streets and markets, and which have not been hereinbefore particularly specified; and also, all the powers and authorities heretofore vested in the commissioners of the pilotage; and shall take such effectual measures for carrying into execution all laws now in force respecting the said town, harbor and pilotage, as to them shall appear expedient and necessary.

XV. And whereas, the powers and authorities heretofore vested in the commissioners of the streets of Georgetown, relative to quarantine, have been found insufficient to compel masters of vessels to perform the same. Be it therefore enacted, by the authority aforesaid, That all the powers and authorities vested in the Governor, for the purpose of enforcing obedience to the laws of this State, requiring the performance of quarantine, shall be, and the same are hereby, vested in the Town Council of Georgetown, so far as the same may be found necessary for the preservation of the health of the inhabitants of the port and harbor of Georgetown. Provided nevertheless, that these powers and authorities shall not be exercised by the said town council, except in cases of the absence of the Governor therefrom, or in case of such an emergency as may render it impossible for him to act.

XVI. Be it also enacted, by the authority aforesaid, That it shall and may be lawful for the said town council, and they are hereby required, to Inspectors and appoint one or more public packers or inspectors of rice, pitch, tar, rosin, turpentine, beef and pork, in the said town of Georgetown; which said public packers or inspectors shall have all the powers, discharge all the duties, and be subject to and observe all the regulations, which are prescribed for such packers, in and by an Act of the Legislature, entitled "An Act to prevent fraud and deceit in selling rice, pitch, tar, rosin, turpentine, beef, pork, shingles, staves and fire wood, and to regulate the weighing of the several commodities and merchandise in this Province," passed the seventeenth day of June, one thousand seven hundred and forty-six; and the said town council shall also have power and authority, and they are hereby required, to sell and dispose of all rice, tar, turpentine, pitch and rosin, which shall be declared to be deceitfully and fraudulently packed, agreeable to the directions of the said Act, and shall apply the proceeds thereof in the same manner, and to the same uses and purposes, as in and by the said Act are directed.

XVII. And be it further enacted, by the authority aforesaid, That no produce which shall or may be landed in the town of Georgetown, shall be liable to the inspection of the officer or officers of said incorporation, unless the same be sold therein or shipped to a foreign market.

XVIII. And whereas, the fees heretofore allowed to the said packers or inspectors, have been found insufficient to secure the services of persons properly qualified for carrying the provisions of the said Act into effect;
Be it therefore enacted by the authority aforesaid, That the said packers and inspectors, to be appointed for the town of Georgetown, shall be entitled to receive from the seller or owner of any tar or pitch, the sum of four cents for each barrel, for packing and marking the same with a hot iron; and for every barrel of turpentine or rosin, which he or they shall mark or brand, four cents; and for every barrel of beef or pork which he or they shall pack and mark, as aforesaid, the sum of twenty-five cents. And in case the said packer or packers shall be called upon to determine any dispute between the buyer and seller of any staves or shingles, agreeably to the direction of the last-mentioned Act, he shall receive from the party against whom he shall decide, the sum of one dollar for each thousand staves, and fifty cents for each thousand shingles, which he shall so inspect. Provided, he shall not be called upon to inspect a less or greater quantity than one thousand of either article.

XIX. And be it also enacted by the authority aforesaid, That all the powers and authority vested in certain commissioners, by an Act of the Legislature, passed on the thirtieth day of March, in the year of our Lord one thousand seven hundred and eighty-nine, entitled "An Act for regulating the inspection and exportation of tobacco, and for other purposes therein mentioned," be, and the same are hereby, vested in the said Town Council of Georgetown, in as full and ample a manner as they were before vested in the said commissioners; and in addition to the fees allowed by the aforesaid Act, the Town Council are hereby authorized to receive the sum of twenty-five cents for the first four months, for the storage of each and every hoghead of tobacco that shall be stored, and also twelve and one half cents for every month each and every hoghead of tobacco that shall be stored longer than the time aforesaid.

XX. Be it also enacted by the authority aforesaid, That the said Town Council shall have power and authority to appoint one or more measurers of boards, plank, scantling or other timber which may be sold in the said town of Georgetown; and that the said measurer or measurers shall be entitled to receive from the seller thereof, the sum of twenty-five cents for every thousand feet of scantling, boards or plank, and for every thousand feet of scantling or other timber, which he or they may, from time to time, inspect.

XXI. Be it further enacted by the authority aforesaid, That the powers and authority vested in certain commissioners, of appointing an inspector of flour and bread, at the town of Georgetown, in and by an Act of the Legislature, passed the nineteenth day of December, one thousand seven hundred and ninety-six, be, and the same are hereby, vested in the said Town Council of Georgetown.

XXII. And be it also enacted by the authority aforesaid, That from and after the first day of March next, the commissioners of the streets and markets, the commissioners of pilotage, the commissioners of the flour and tobacco inspection of Georgetown, and all other officers whose powers are by this Act transferred to and vested in the Town Council aforesaid, shall cease to exercise the powers heretofore vested in them, and shall deliver over to the said Town Council all such records and other property, as have or shall come into their possession, by virtue of the aforesaid offices, respectively; and from thenceforth there shall be no future elections of the commissioners of the streets and markets of said town, except agreeably to the provisions of this Act.
AN ACT TO INCORPORATE THE SEVERAL SOCIETIES THEREIN MENTIONED; AND FOR OTHER PURPOSES THEREIN MENTIONED.

WHEREAS, the divers associations herein after mentioned, have petitioned the Legislature, praying to be incorporated:

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all free white persons now belonging to, or who shall hereafter be admitted or become members of the Cambridge Association, according to the rules, orders and constitution of the said society, formed or to be formed, shall be, and they are hereby declared to be, one established body, corporate and politic, in deed and in law, by the name and style of "The Cambridge Association," for the purposes of encouraging and promoting literature. And all those free white persons who now belong to, or shall hereafter be admitted or become members of the Saint George's Society, now established in Charleston, according to the rules, orders and constitution of the said society, formed or to be formed, shall be, and they are hereby declared to be, one established body, corporate and politic, in deed and in law, by the name and style of "The St. George's Society of Charleston," for charitable purposes.

II. And whereas, sundry persons have heretofore petitioned the Legislature of this State, to be incorporated as a society, under the name of "The Columbia Library Society:" and whereas, sundry other persons have, in like manner, petitioned to be incorporated, under the name of "Camden Library Society:" and whereas, sundry persons have heretofore petitioned in like manner, to be incorporated, under the name of "The Hibernian Society:" Be it therefore enacted by the authority aforesaid, That all those persons who now are, or hereafter may be, members and officers of the said first mentioned society, being free white persons, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Columbia Library Society." And that all those persons who now are, or hereafter may be, members and officers of the second mentioned society, being free white persons,
shall be, and they are hereby, incorporated a body politic and corporate, and shall be known, in deed and in law, by the name of "The Camden Library Society." And that all those persons who now are, or hereafter may be, members and officers of the said third mentioned society, being free white persons, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Hibernian Society."

III. And whereas, sundry persons have petitioned the Legislature of this State to be incorporated as a society, under the name of "The Baptist Church of Antioch:" and whereas, sundry other persons have petitioned, in like manner, to be incorporated under the name of "The Cambridge Baptist Church:" Be it therefore enacted by the authority aforesaid, That all those persons who now are, or hereafter may be, members and officers of the said first mentioned society, being free white persons, shall be, and they are hereby, incorporated as a body corporate and politic, and shall be known, in deed and in law, by the name of "The Baptist Church of Antioch." And that all those persons who now are, or hereafter may be, members and officers of the said second mentioned society, being free white persons, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Cambridge Baptist Church." And shall each have succession of officers and members, and a common seal, with a power to change, alter, break and make new the same, as often as the said corporations, respectively, shall judge expedient. And that the said corporations, respectively, and their successors, shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to themselves and to their successors, respectively, in perpetuity or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or nature soever, not exceeding the annual income of five thousand dollars, and to sell, alien and exchange, as they, respectively, shall think proper; and may, by their respective names aforesaid, severally, sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant to the laws of the land,) for the benefit of the said corporations, respectively, as shall, from time to time, be agreed upon by a majority of the members of the said corporations, respectively.

IV. And be it enacted by the authority aforesaid, That the Act to authorize Richard A. Rapley, Julius Nichols, Henry Wilson, and John Bowie, to sell and dispose of all the lands, town lots, and buildings of the College of Cambridge, be, and the same is hereby repealed.

V. And be it enacted by the authority aforesaid, That the College and the lands belonging thereto, the court house and goal, and the public lots in the village of Cambridge, be, and they are hereby, vested in the Cambridge Association, and the trustees thereof are hereby authorized and required to sell and dispose of the said court house, goal and public lots, and to appropriate the money arising therefrom, in such manner as may most conduce to the interest of the Association. But that the college and lands belonging thereto, shall be held without the power of alienation, for the purposes of the institution contemplated to be established by the said Association.

VI. And be it further enacted by the authority aforesaid, That the said Cambridge Association shall be, and they are hereby made, liable for all
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1805.

the debts due by the trustees of the Cambridge College, and shall be authorized to sue for and recover all debts due to them.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and five, and in the thirtieth year of the Independence of the United States of America.

ROBT. BARNWELL, President of the Senate.
JOSEPH ALSTON, Speaker of the House of Representatives.

AN ACT TO REPEAL AN ACT OF THE GENERAL ASSEMBLY OF THIS STATE, ENTITLED "AN ACT FOR THE BETTER REGULATING THE STREETS AND MARKETS OF THE TOWN OF COLUMBIA;" AND TO INCORPORATE THE SAID TOWN.

WHEREAS, the Act of the General Assembly of this State, passed in the year of our Lord one thousand seven hundred and ninety-eight, for the better regulating the streets and markets in the town of Columbia, is inadequate to the purposes contemplated therein:

I. Be it therefore enacted, by the Honorable the Senate and the House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and after the first Monday in April next, the said Act shall be, and the same is hereby, repealed.

II. And whereas, from the growing population and importance of the said town, it is indispensably necessary that many local regulations should be made for the preservation of peace and good order within the same, about which the Legislature, at their general meetings, cannot be conveniently occupied: Be it therefore enacted, by the authority aforesaid, That Columbia is from and immediately after the first Monday in April next, all and every person and persons whatsoever, who are constitutionally qualified to vote for members of the Legislature of this State, and who may have resided within the limits of the said town for one year, are hereby declared to be members of the said corporation.

III. And be it further enacted by the authority aforesaid, That the said corporation shall hereafter become a body politic and corporate, and shall be known and called by the name of "The Corporation of the Town of Columbia;" shall have a common seal; and may sue and be sued, implead and be impleaded, in any court of law or equity in this State; and may purchase, hold, possess and enjoy, to them and their successors, in perpetuity or for any term of years, any estate, real, personal or mixed; provided, the same shall not exceed the sum of ten thousand dollars.

IV. And be it further enacted, That the municipal powers of the said town shall be, and are hereby, vested in one Intendant and six Wardens, to be chosen as hereinafter mentioned and directed, and be denominated "The Intendant and Municipal Wardens of the Town of Columbia."

V. And be it further enacted, That on the first Monday in April next, and on the first Monday of April in every succeeding year, an election, for Intendant Wardens, by ballot, shall be held, at some convenient public place.
place in the said town; and that all such persons as have been herein before declared members of the said corporation, shall be entitled to vote for such Intendant and Wardens, as aforesaid; and that Claiborne Clifton, Burriss Purvis, and Col. Thomas Taylor, shall be, and they are hereby directed to manage the said election, and to notify, in writing, within ten days, the persons elected, of such their election.

VI. And be it further enacted, That the Intendant and Wardens, so elected as before directed, shall, before they enter into the duties of their office, take the following oath, to wit:

"I, A B, as Intendant or Warden of the town of Columbia, do solemnly swear (or affirm, as the case may be,) that I will, equally and impartially, to the best of my skill and judgment, exercise and discharge the trust reposed in me, and will endeavor to carry into effect the purposes for which I have been appointed. So help me God."

And that the said intendant and any four or more of the Wardens, shall constitute a quorum to do the business of the board, and appoint managers for each succeeding election. And in case of death, resignation or removal from town of the Intendant, aforesaid, the said Wardens, or a majority of them, shall elect from among themselves an Intendant, to fill such vacancies, occasioned as aforesaid; and that in case of the death, removal from office, or resignation, of any of the said Wardens, then, and in such case, the Intendant and any two or more of the said Wardens shall appoint a time and place for electing another Warden to fill up such vacancy, so occasioned, after having given ten days previous notice of such election.

VII. And be it further enacted by the authority aforesaid, That the said Intendant may, as often as occasion may require, summon the Wardens to meet together; and they shall have, and are hereby vested with, full and ample power, from time to time, under their common seal, to make all such ordinances, rules and regulations, relative to the streets and markets of the said town, as they may think proper and necessary, and establish such by-laws as may tend to preserve the quiet, peace, safety and good order of the inhabitants thereof; and that they may fix and impose fines and penalties for the violation thereof, which may be recovered, in a summary way, by the said Intendant and Wardens, or a majority of them, who, and each and every one of them, shall be justices of the peace, ex-officio, within the limits of the said town, and shall be otherwise vested with all the power and authority that justices of the peace are vested with, throughout this State. Provided nevertheless, that all such by-laws, rules and regulations, so made, be duly promulgated, and the fines and penalties imposed do not exceed twelve dollars for one and the same offence.

VIII. And be it further enacted, That the Intendant and Wardens of the said town, in addition to all such fines and penalties as may be incurred and recovered, and the tax on all licences for taverns, billiard-tables and retailers of spirituous liquors, within the said town, all of which the said Intendant and Wardens shall have a right to grant, in the same manner they have heretofore been granted by the commissioners of the streets and markets, shall, annually, within ten days after entering on the duties of their office, appoint some fit and proper person as an assessor, who, after taking the following oath, to be administered by the Intendant or any one of the said Wardens, to wit: ("I, A B, do swear, or affirm, as the case may be, that I will, well and truly, to the best of my knowledge and judgment, fairly and impartially assess and value all the real taxable property within
the limits of the town of Columbia, and make returns, as well of such property as also of the several proprietors and occupant{s}, to the said board of Wardens. So help me God; it shall proceed to assess and value all the real taxable property within the said town; and shall, within one month after his appointment, make a full and true return of all the property so assessed by him, together with a list of the proprietors and occupant{s} of the same, to the board of Wardens, whose duty it shall be to lay a tax on the same, sufficient to discharge and defray all the expenses of carrying into effect the rules, regulations and by-laws, made and established, as above mentioned; provided, such tax does not exceed twelve and one half cents for every hundred dollars worth of property so assessed; which said tax shall be collected as the said Wardens may direct.

IX. And be it further enacted, That the said Intendant and Wardens shall have a right to sell and dispose of all timber and timber trees growing or lying on any unsold lots or squares, or in the streets of the said town, and also sell and convey so much of the square of land reserved for a burying ground, as has not been made use of for that purpose, and with the amount of sales purchase another square of land, for the same purpose, in some part of the town which will be more suitable; and that the residue of the said square of land remain for the site of a church, to be built under the directions of the said Intendant and Wardens, when their funds may be sufficient to meet the expense. And that the said Intendant and Wardens shall, in the month of March, annually, publish in the Columbia gazette a true and accurate account of the receipts and expenditures of the said corporation.

X. And be it further enacted by the authority aforesaid, That this Act shall be deemed and taken as a public Act, and may be given in evidence in any court of law or equity in this State, without being specially pleaded.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and five, and in the thirtieth year of the Independence of the United States of America.

ROBT. BARNWELL, President of the Senate.
JOSEPH ALSTON, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE SOUTH CAROLINA INSURANCE COMPANY. No. 1868.

WHEREAS, it is conceived that if a corporation, with a competent capital, were established in this State, for the purpose of effecting marine insurances, and transacting business connected therewith, advantages would result therefrom to the community in general, and to the mercantile interest in particular, by retaining in the State, as well the capital necessary for such purposes, as also large sums of money which would otherwise be drawn from the country for premiums and commissions to foreign correspondents, for effecting insurances; and also, by more effectually securing
the assured from the risks and dangers incident to the policies and assurances of private and particular persons, for the most part in foreign countries; and also, that domestic insurance tends to place the interests of the mercantile class of citizens more under the guardianship of the laws of this country, and thereby, to secure a strict adherence to the true principles of insurance. And whereas, a number of the citizens of this State have already associated together for the said purposes of marine insurance, and have been doing business since the twenty-third day of June, one thousand eight hundred and four, and have petitioned the Legislature to be incorporated, by the name of "The South Carolina Insurance Company," for the purposes aforesaid.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Thomas Corbett, Nathaniel Russell, Adam Gilchrist, David Alexander, Thomas Ogier, John Price, Adam Tanno, Christopher Fitzsimmons, Nathaniel Ingraham, John Woddrop, William Boyd, and Joseph Winthrop, and a number of others, citizens and residents of this State, who have already formed an association or copartnership, under the said firm or name of "The South Carolina Insurance Company," and their successors and assigns, according to the rules by them established and to be established for the purposes aforesaid, shall be, and they are hereby, erected into a corporation or body politic, in law and in fact, under the name, style and title, of "The South Carolina Insurance Company;" and by the said name, style and title, shall have perpetual succession of officers and members, and all the powers, privileges and franchises incident to a corporation; and shall be capable of taking, holding and disposing of their capital stock, according to their present or future rules, regulations and institutions; provided, the same be not limited at less than three hundred and fifty thousand dollars; and also, of taking, holding, disposing of, or investing, as the said corporation shall, from time to time, judge fit, the increase, profit and emolument of their said capital stock, to their own proper use; and shall have full power and authority to make, have and use a common seal, with such device and inscription as they shall deem proper, and the same to break, alter and renew at their pleasure; and by the name, title, and style aforesaid, 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 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 president and other officers and directors, in such numbers, at such periods, and with such duties, as they shall see fit; and also, to make rules, by-laws and ordinances; and to do every thing needful for the good government and support of the affairs of the said corporation; 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.

II. And be it further enacted by the authority aforesaid, That the said real corporation shall have a right and power to purchase, acquire, take and hold, in their said corporate name, lands and real estate, and the same to demise, grant, sell, assign and convey, in fee simple or otherwise; provided, the clear yearly income of the real estate so to be held, shall not at any time exceed ten thousand dollars.

III. And be it further enacted by the authority aforesaid, That the said corporation shall have a right and power, by their said name, and by the
signatures of their president for the time being, or by the signatures of such other persons or persons, and with such ceremonies of authenticity, as they shall, from time to time, in and by their rules and by-laws, ordain and appoint, to make contracts and underwrite policies of assurance and indemnity upon marine risks, whether of vessels or of goods and merchandise, in whole or in part, foreign and domestic, whether lying in foreign ports, or shipped upon the high seas, or in any parts of the United States, or within any of the rivers, bays, creeks, canals or waters of this State, lying or being, or laden or to be laden; and also, to lend and advance money upon bottomry or respondentia; 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 capital stock.

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

V. And be it further enacted by the authority aforesaid, That this Act shall continue and be of force for and during the term of fourteen years. This Act to be and from thence to the end of the next session of the Legislature of this of force for 14 years. And this Act shall be deemed a public Act, and the judges in the courts of this State shall be bound to take judicial notice thereof, without the same being specially pleaded.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and five, and of the Independence of the United States of America, the thirtieth.

ROBERT BARNWELL, President of the Senate.
JOSEPH ALSTON, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE SEVERAL SOCIETIES THEREIN MENTIONED; No. 1882.

AND FOR OTHER PURPOSES THEREIN MENTIONED.

WHEREAS, the divers associations hereinafter named, have petitioned the Legislature praying to be incorporated.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That James Boon, William Postell, William Washington, Robert McKown Haige, Robert Miles, John Boyle, and Thomas
Farr, Vestrymen; and Jeremiah Miles and Thomas Osborn, Jr., Church Wardens, who are members and officers of the Episcopal Church of Saint Paul's Parish, shall be, and they are hereby, incorporated, as a body corporate and politic; and shall be known, in deed and in law, by the name of "The Vestry and Church Wardens of Saint Paul's Parish;" and shall have 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; and the said corporation, and members and officers of the same, and their successors, shall be able and capable in law, to have, hold, receive, possess, and enjoy, all the lands, tenements and hereditaments, and personal property, and the rents and incomes thereof, which are now vested in the said vestry and church wardens; and to sell, alien, exchange or lease the same, or any part thereof; and to have, receive, possess and retain, all the monies and other personal estate, and all securities for the same, and the interest and proceeds thereof; and, at discretion, to call in and replace at interest the said monies, or any part thereof; and shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to themselves and their successors, in perpetuity or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or naturesoever, not exceeding the annual income of five thousand dollars; and to sell, alien and exchange, as the said corporation shall think proper; and may, by their said corporate name, sue and be sued, implead and be imploade, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant to the laws of the land,) for the benefit of the said corporation, as shall, from time to time, be agreed upon by a majority of the said vestry and church wardens.

II. And whereas, sundry persons, members of the German Fusilier Society, established at Charleston, have petitioned the Legislature of this State to be incorporated, under the name of "The German Fusilier Society," for charitable purposes; and whereas, sundry other persons have petitioned, in like manner, to be incorporated, under the name of "The Charleston Marine Society," in the city of Charleston and State of South Carolina. Be it therefore enacted by the authority aforesaid. That all those persons who now are, or hereafter may be, members and officers of the said first mentioned society, being free white persons, shall be, and they are hereby, incorporated, as a body corporate and politic; and shall be known, in deed and in law, by the name of "The German Fusilier Society." And that all persons who now are, or hereafter may be, members and officers of the said second mentioned society, being free white persons, shall be, and they are hereby, incorporated, a body politic and corporate; and shall be known, in deed and in law, by the name of "The Charleston Marine Society," in the city of Charleston, and State of South Carolina; and shall each have succession of officers and members; and a common seal, with power to change, alter and make new the same, as often as the said corporations, respectively, shall judge expedient. And the said corporations, respectively, and their successors, shall be able and capable in law, to purchase, have, hold, receive, possess and retain, to themselves and their successors, respectively, in perpetuity or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or nature soever, not exceeding the annual income of five thousand dollars, and to sell, alien and exchange, as they, respectively, shall think proper; and may, by their respective names, severally, sue and be sued, implead and be
impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant to the laws of the land,) for the good government of the said corporations, respectively, as shall from time to time be agreed upon, by a majority of the members of the said corporations, respectively.

III. And whereas, by an Act of the Legislature, heretofore passed for incorporating the Charleston Library Society, the number of members necessary to constitute a quorum is fixed at thirty-one, which hath been found a great inconvenience, and tends to impede the business of the said society; for remedy thereof, Be it enacted by the authority aforesaid, That so much of the said Act as relates to the fixing the number of members necessary to constitute a quorum, to thirty-one, be, and the same is hereby, repealed; and that hereafter the said society have full power and authority to fix and determine upon the number of members necessary to constitute a quorum to proceed to business.

IV. And whereas, sundry persons, inhabitants of Darlington District, have petitioned the Legislature of this State to be incorporated, under the name of “The Washington Society.” Be it therefore enacted by the authority aforesaid, That all persons who now are, or hereafter may be, members and officers of the Washington Society, in the district of Darlington, being free white persons, shall be, and they are hereby, incorporated, as a body corporate and politic, and shall be known, in deed and in law, by the name of “The Washington Society;” and shall have a succession of officers and members; and a common seal, with power to alter, change and make new the same, as often as the said corporation shall judge expedient; and the said corporation shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to themselves and their successors, respectively, in perpetuity or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or nature soever, not exceeding the annual income of five thousand dollars, and to sell, alien and exchange, as they shall think proper; and may, by their corporate name, sue and be sued, implead and be impleaded, answer and be answered, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant to the laws of this State,) for the benefit of the said corporation, as shall, from time to time, be agreed upon, by a majority of the members of the said corporation.

V. And be it further enacted by the authority aforesaid, That all those persons who now are, or hereafter may become, members and officers of the Winnsborough Library Society, being free white persons, shall be, and they are hereby, incorporated, as a body corporate and politic; and shall be known, in deed and in law, by the name of “The Winnsborough Library Society;” and shall have a succession of officers and members; and a common seal, with a power to alter, change and make new the same, as often as the said corporation shall judge expedient; and shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, in perpetuity or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or nature soever, not exceeding the annual income of five thousand dollars, and to sell, alien and exchange, as the said corporation shall think proper; and may, by such corporate name, sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant to the laws of the land,) for the benefit of the said

VOL. VIII.—31.
A. D. 1807.

May fix their own quorum.

Duration.

corporation, as shall from time to time be agreed upon by a majority of the members thereof.

VI. And whereas, many inconveniences have arisen, in consequence of the Act of incorporation of the Columbia Library society, requiring a majority of the whole society to constitute a quorum to do business. Be it therefore enacted, that the said society be authorized to fix and determine their own quorum for doing business.

VII. And be it further enacted, That the above mentioned incorporations shall not continue for a longer term than fourteen years, from and after the passing of this Act.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and six, and in the thirty-first year of the Independence of the United States of America.

WM. SMITH, President of the Senate.

JOSEPH ALSTON, Speaker of the House of Representatives.

---

AN ACT TO INCORPORATE THE UNION INSURANCE COMPANY.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Stephen Lacost, Christopher Fitzsimons, David Bailey, John Potter, John S. Adams, Francis D'Paw, Joseph S. Baker, J. E. A. Stemmitz, John Haslet, Samuel Grave, Langdon Cheves, and John Williamson, of the city of Charleston, and others, who have formed an association or copartnership, under the firm or name of "The Union Insurance Company," and their successors and assigns, according to the rules by them established or to be established, for the purposes aforesaid, shall be, and they are hereby, erected into a corporate or body politic, in law and in fact, under the name, style and title of "The Union Insurance Company," and by the said name, style and title, shall have perpetual officers and members, and all the powers, privileges and franchises incident to a corporation; and shall be capable of taking, holding and disposing of their capital stock, according to their present or future rules, regulations and institutions; and also, of taking, holding, disposing of, or investing, as the said corporation shall, from time to time, judge fit, the increase, profit and emolument of their said capital stock, to their own proper use; and shall have full power and authority to make, have and use a common seal, with such device and inscription as they shall deem proper, and the same to break, alter and renew at their pleasure; and by the name, title and style aforesaid, shall be able and capable in law and 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 president, and other officers and directors, in such numbers, at such periods, and with such duties, as they shall see fit; and also, to make rules,
by-laws and ordinances; and to do every thing needful for the good government and management of the affairs of the said corporation. 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.

II. And be it further enacted by the authority aforesaid, That the said corporation shall have a right and power to purchase, acquire, take and may hold, pro-hold, in their said corporate name, lands and real estate, and the same to perty. demise, grant, sell, assign and convey, in fee or otherwise; provided, the yearly income of the real estate to be held, shall not at any time exceed ten thousand dollars.

III. And be it further enacted by the authority aforesaid, That the said corporation shall have a right and power, by their said name, and by the signature of the president for the time being, or by the signature of such other person or persons, and with such ceremonies of authenticity, as they shall, from time to time, in and by their rules and by-laws, ordain and appoint, to make contracts, and underwrite policies of insurance and indemnity upon marine risks, of vessels or of goods and merchandize, in whole or in part, foreign or domestic, whether lying in foreign ports or shipped upon the high seas, or in any ports of the United States, or within any of the rivers, bays, creeks, canals or waters of this State, lying or being, or laden or to be laden; and also, in like manner, to make contracts and underwrite policies of insurance and indemnity against fire, on all buildings, goods, wares and merchandizes, or other property liable to destruction or accident by or from fire or the effects thereof, situate, lying, being or deposited in this State or elsewhere; and also, in like manner, to endorse bills of exchange, foreign and inland, and promissory notes; and also, to lend and advance money upon bottomry, [or] respondentia; 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 capital stock.

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

V. And be it further enacted by the authority aforesaid, That this Act shall continue in force for and during the term of fourteen years from the passing of this Act, and from and after the expiration thereof to the end of the next session of the Legislature of this State thereafter; and this Act shall be deemed a public Act, and the several courts of law and equity of this State shall be bound to take judicial notice thereof, without the same being specially pleaded.

VI. And be it further enacted by the authority aforesaid, That on the expiration of this Act, and the neglect of said corporation to require a renewal of the charter hereby intended to be granted, or the refusal of the Legislature to renew and continue said charter, that then, and in such case,
the estate by said corporation possessed, shall not escheat, but be vested in
the several members of said corporation, in average and proportion to their
several and respective shares in the capital stock aforesaid, after the pay-
ment of the debts of the said corporation.

In the Senate House, the nineteenth day of December, in the year of our Lord one
thousand eight hundred and seven, and of the Independence of the United States
of America the thirty-second.

WM. SMITH, President of the Senate.
JOSEPH ALSTON, Speaker of the House of Representatives.

No. 1904. AN ACT TO INCORPORATE THE BEAUFORT LIBRARY SOCIETY; AS
ALSO, THE NEWBERRY LIBRARY SOCIETY.

WHEREAS, Stephen Elliott, President, Milton Maxcy, Secretary, and
others, members of the Beaufort Library Society, have petitioned the Legis-
lature, praying to be incorporated.

I. Be it therefore enacted, by the Honorable the Senate and House
of Representatives, now met and sitting in General Assembly, and by the
authority of the same, That all those persons who now are, or hereafter
may be, members and officers of the Beaufort Library Society, being free
white persons, shall be, and they are hereby, incorporated as a body corpo-
rate and politic, and shall be known, in deed and in law, by the name of
"The Beaufort Library Society;" and shall have a succession of officers
and members; and a common seal, with a power to change, alter and make
new the same, as often as the said corporation shall judge expedient; and
shall be able and capable in law, to purchase, have, hold and receive, enjoy,
possess and retain, in perpetuity or for any term of years, any estate or
estates, lands, tenements or hereditaments, of what kind or nature soever,
not exceeding the annual income of five thousand dollars; and to sell,
alien and exchange the same, as the said corporation shall think proper;
and may, by such corporate name, sue and be sued, implead and be implea-
ded, answer and be answered unto, in any court of law or equity in this
State; and to make such rules and by-laws, (not repugnant to the laws of
the land,) for the benefit of the said corporation, as shall, from time to time,
be agreed upon by a majority of the members thereof.

II. And be it further enacted by the authority aforesaid, That the said
above mentioned corporation shall not continue for a longer term than
fourteen years, from and after the passing of this Act.

III. And whereas, the President and Vice President of the Newberry
Library Society, on behalf of the officers and members of the said society,
have petitioned the Legislature of this State to incorporate them, under the
name of "The Newberry Library Society." Be it therefore enacted by
the authority aforesaid, That all those persons who now are, or who here-
after may be, members or officers of the aforesaid society, shall be, and
they are hereby, incorporated as a body corporate and politic, and shall be
known, in deed and in law, by the name of "The Newberry Library
Society;" and shall have succession of officers and members; and a com-
mon seal, with power to change, alter and make new the same, as often as
the said corporation shall judge expedient; and the said corporation and its
OF SOUTH CAROLINA.

Acts relating to Corporations.

successors shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to themselves and their successors, in perpetuity or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or nature soever, not exceeding the annual income of two thousand dollars, and to sell, alien and exchange, as they shall think proper; and may, by their corporate name, sue and be sued, plead and be impleaded, answer and be answered, in any court of law or equity in this State; and make such rules and by-laws, (not repugnant to the laws of the land,) for the benefit of the said corporation, as shall, from time to time, be agreed upon by a constitutional majority of the members of the said corporation. Provided, the charter herein granted to the said Newberry Library shall not endure longer than fourteen years.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and seven, and of the Independence of the United States of America, the thirty-second.

WM. SMITH, President of the Senate.
JOSEPH ALSTON, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE SOUTH CAROLINA HOMESPUN COMPANY. No. 1917.

WHEREAS, the establishment and encouragement of domestic manufactures is conducive to the interest of a State, by adding new incentives to industry, and as being the means of disposing to advantage the surplus production of the agriculturist. And whereas, in the present unexampled state of the world, their establishment in our country is not only expedient but politic, in rendering us independent of foreign nations. And whereas, J. L. E. W. Shecut, President of the South Carolina Homespun Company, for himself; and in behalf of the directors of said company, has petitioned the Legislature to be incorporated by the name of "The South Carolina Homespun Company," that they may be enabled the better to effect the above laudable purposes.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said J. L. E. W. Shecut, Chas. B. Cochran, John Johnson, jr., Joseph Kirkland, Isaac Neufville, John Horlbeck, jr., Robert Howard, Jonathan Lucas, jr., and Thomas Bennett, jr., directors, and their successors in office, with all such persons who now are, or hereafter may become, stockholders in the said company, be, and they are hereby, incorporated and made a corporation and body politic, by the name and style of "The South Carolina Homespun Company," and so shall continue for twenty-one years; and by that name be known in deed and law; and be capable to purchase, have, receive, possess, enjoy and retain, to them and their successors, such lands and hereditaments, in fees simple or otherwise, and such personal and other property, of what nature or quality soever, as they may deem necessary for establishing and carrying on the said manufactory, and the same to grant, sell, demise, alien, or otherwise dispose of, as they, from time to time, may deem expedient; to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any
court whatsoever; and also, to make, have and use a common seal, and the
same to alter and renew at their pleasure; and also, to ordain, establish
and put in execution, such by-laws, ordinances and regulations, as shall
seem necessary and convenient for the government of the said corporation;
for which purpose, general meetings of the stockholders shall and may be
called by the directors for the time being, or by any number of the stock-
holders representing at least one thousand shares, due notice thereof being
given in the public papers for three weeks previous thereto; and genera-
ly, to do and execute all and singular such acts, matters and things, which
to them it shall or may appertain to do.

Whereas, it is necessary to the success of this establishment, that a
proper site should be obtained contiguous to navigation, and upon which
the necessary works, to be impelled by water, may be erected. And where-
as, the Legislature did, in and by their "Act to incorporate Charleston,"
passed the thirteenth day of August, in the year of our Lord one thousand
seven hundred and eighty-three, vest in the city council of Charleston the
marsh land granted as a common, situate, lying and being, at the west end
of Broad-street, which has ever since that period remained a useless and
unproductive property. And whereas, the city council of Charleston are
willing and desirous to sell or lease the same to the South Carolina Home-
spun Company, but do not consider themselves authorized to do, without
the sanction of the Legislature. Be it therefore enacted by the authority
aforesaid, That the city council of Charleston be, and they are hereby,
authorized and fully empowered to sell, in fee simple, or lease for any
term of years, to the said Homespun Company, as they may think proper,
all that piece of marsh land, situate aforesaid, at the west end of Broad-
street, containing about fifty acres, more or less.

In the Senate House, the fifteenth day of December, in the year of our Lord one thou-
sand eight hundred and eight, and of the Independence of the United States of
America, the thirty-third.

SAMUEL WARREN, President of the Senate.

THEO. GAILLARD, Speaker of the House of Representatives.

No. 1924. AN ACT AMENDING THE CHARTER OF THE WINYAW INDIgo SOCIETY; AND FOR OTHER PURPOSES THEREIN MENTIONED.

I. Be it enacted, by the Senate and House of Representatives of South
Carolina, now met and sitting in General Assembly, and by the authority of
the same, That so much of the charter incorporating the Winyaw Indigo
Society, as fixes the annual meeting of the said society on the first Friday
of November, in each year, and requires ten days public notice of every
other meeting, and of the business to be transacted thereat, be, and the
same is hereby, repealed; and that the said Winyaw Indigo Society be,
and it is hereby, empowered to fix, by its laws, the times of its annual and
other meetings, and to transact, at any meeting, all such business as shall
be deemed by the society necessary and proper.

II. And be it further enacted by the authority of the same, That so much
of a charter amending the charter incorporating the aforesaid Winyaw In-
digo Society, as authorizes nine members, at any other than an annual
meeting, to transact business, but subjects their proceedings to revision at the next annual meeting, at which there shall be fifteen or more members, be, and the same is hereby, repealed; and that nine members be, and they are hereby, empowered to transact business at any other than an annual meeting, subject to revision at the first subsequent meeting, whether annual or not, at which there shall be fifteen or more members.

III. Whereas, the members of the Palmetto Society of Charleston, have, by their petition, prayed to be incorporated, and the views of the said institution appearing to be laudable; Be it therefore enacted by the authority aforesaid, That the members of the said society shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of “The Palmetto Society of the City of Charleston;” and shall have perpetual succession of officers and members, to be elected in such manner and after such form as may be prescribed by the laws and regulations of the said corporation, now existing or hereafter to be made for the government of the same; and shall have a common seal, with power to change and alter same, as often as they may deem it expedient; and shall be able and capable in law, to purchase, hold, possess and enjoy, either in perpetuity or for a term of years, any estate, real or personal; provided, the same do not exceed two thousand dollars; and to sell, alien, or otherwise dispose of the same, as they, from time to time, may deem expedient; and, by their said corporate name, to sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity within this State.

IV. And whereas, Charles Lowrey, William Miller, James Huston, Samuel Guilou, Alexander Douglais, Archibild Brehner, Gardner Hadden, Benjamin Dupre, and William Inglesby, the president, warden and members of the incorporated Master Tailors Society, have, by their petition, prayed that the Ordinance for incorporating the said society, passed the 24th day of March, 1785, may be repealed, and the petitioners be permitted to transfer the funds of the said incorporation to such other charitable institution in this State as they may determine on hereafter, and under such conditions as they may think fit to impose. Be it therefore enacted by the authority aforesaid, That it shall and may be lawful for the president, wardens and members of the Master Tailors Society to transfer the funds of the said society to such other charitable institution within this State as they shall hereafter determine on, upon such conditions as they may think fit to impose, if they should deem any condition necessary, in order to make them members of such charitable institution; and that immediately upon the transfer of the funds of the said society being so made, the Ordinance for incorporating the Master Tailors Society, passed the 24th March, 1785, shall be, and the same is hereby, repealed.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and eight, and in the thirty-third year of the Sovereignty and Independence of the United States of America.

SAMUEL WARREN, President of the Senate.

THEODORE GAILLARD, Speaker of the House of Representatives.
WHEREAS, the members of divers associations for useful and benevolent purposes, that is to say: the members of the Mount Bethel Academy, in Newberry district; the members of the Ancient Artillery Society of Charleston; the Carpenters's Society of the City of Charleston; and the members of other associations for religious purposes, to wit: the members of the Coosawhatchie Baptist Church; and the members of the Saltcatcher Independent Presbyterian Church—have petitioned the Legislature, praying to be incorporated:

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the members of the Mount Bethel Academy, in Newberry district, shall be, and they are hereby, incorporated as a body corporate and politic, and shall be known, in deed and in law, by the name of "The Mount Bethel Academy in Newberry District;" that the members of the Ancient Artillery Society of Charleston shall be, and they are hereby, incorporated as a body corporate and politic, and shall be known, in deed and in law, by the name of "The Charleston Ancient Artillery Society;" that the members of the Carpenters's Society of the City of Charleston, shall be, and they are hereby, incorporated as a body corporate and politic, and shall be known, in deed and in law, by the name of "The Carpenters's Society of the City of Charleston;" that the members of the Coosawhatchie Baptist Church shall be, and they are hereby, incorporated as a body corporate and politic, by the name of "The Coosawhatchie Baptist Church Society;" and that the members of the Saltcatcher Independent Presbyterian Church shall be, and they are hereby, incorporated as a body corporate and politic, by the name of "The Saltcatcher Independent Presbyterian Church.

II. And be it further enacted, by the authority aforesaid, That the aforesaid several incorporated societies shall, each, respectively, have succession of officers and members; and a common seal, with power to change, alter and make new the same, as often as the said several corporations shall, respectively, judge expedient; and the said several corporations, and the members of each, and their successors, shall be able and capable in law, to have, hold, receive, possess and enjoy, all the lands, tenements, hereditaments and personal property, and the rents and incomes thereof, which now are vested in the said several corporations, respectively, and to sell, alien, exchange, or lease the same, or any part thereof; and to have, receive, possess and retain, all the monies and other personal estate, and all securities for the same, and the interest and proceeds thereof; and, at discretion, to call in and replace at interest the said monies, or any part thereof; and shall be, severally, able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to themselves and their successors, in perpetuity or for any term of years, any estate or estates, lands, tenements and hereditaments, of what kind or nature soever, not exceeding the annual income of ten thousand dollars, and sell, alien and exchange, as the said several corporations shall, respectively, think proper; and may, by their said several corporate names, respectively, sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law and equity in this State; and to make such rules and by-laws, (not repugnant to the laws of this State,) for the benefit of the respective
corporations, as the said several corporations shall, respectively, agree upon and devise.

III. Whereas, Zachariah Cantey, John Adamson, John Kershaw, R. L. Champion, Joseph Mickle, Abram Blanding, John Chesnut, James J. Deas, William Blanding, Turner Starke, Robert Coleman, John Reed, Chapman Levy, W. Vaughn, William Vaughan, William Adamson, William Nixon, E. Cureton, Joseph Doby, Francis S. Lee, John Doby, William Ancrum, Thomas H. Lane, Robert Prestwood, Thomas Whitaker, James Chesnut, and Reuben Arthur, have petitioned the Legislature to be incorporated by the name and style of "The Camden Protestant Episcopal Church;" Be it therefore enacted by the authority aforesaid, That all those persons who now are, or hereafter may become, members of the said church, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known in deed and in law, by the name of "The Camden Protestant Episcopal Church."

IV. And be it further enacted by the authority aforesaid, That the said corporation, by its name aforesaid, shall have a succession of officers and members, to be appointed or elected in such manner and according to such form as may be prescribed by the rules and regulations now existing or hereafter to be made for the regulation of the said church; and that they shall have a common seal, with power to alter the same, together with the said rules or regulations, in such manner and as often as they shall deem necessary.

V. And be it further enacted by the authority aforesaid, That the said corporation shall be capable in law, to purchase, have, hold and enjoy, any estate, real or personal, in perpetuity or for any term of years; provided, the annual rent or amount thereof shall not exceed the sum of one thousand dollars; and to sell, alien, or otherwise dispose of the same, in fee or for term of years, in any way it may deem proper; and that it shall be lawful for the said corporation to receive and hold forever, or for term of years, any donations of real or personal property, and to appropriate the same for the use of the corporation; provided, the rents or profits of the said donations shall not exceed the said annual sum of one thousand dollars.

VI. And be it further enacted by the authority aforesaid, That the said corporation may sue and be sued, implead and be implored, answer and sued, be answered unto, by their said name, in any court of law or equity in this State; and to make such by-laws, (not repugnant to the laws of this State, nor of the United States,) as the said corporation shall deem necessary.

VII. And be it further enacted by the authority aforesaid, That this Act shall continue and be of force for fourteen years, and from thence until the next meeting and sitting of the Legislature.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and eight, and in the thirty-third year of the Sovereignty and Independence of the United States of America.

SAMUEL WARREN, President of the Senate.
JOSEPH ALSTON, Speaker of the House of Representatives.

VOL. VIII.—32.
No. 1942. AN ACT TO INCORPORATE THE SEVERAL SOCIETIES THEREIN MENTIONED; AND FOR OTHER PURPOSES.

WHEREAS, the members of divers associations for useful and benevolent purposes, that is to say: the members of the South Carolina Marine Society, the members of the Bethany Church in Edgefield district, the trustees of Mount Sion Congregation, Thomas Caidin and John K. Ingram, in behalf of the Savannah River Literary and Polemic Society, the trustees of the Newberry Academy, the members of the Church on the Island of Hilton Head, in St. Luke's Parish, have petitioned the Legislature, praying to be incorporated.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the members of Mount Sion Congregation shall be, and they are hereby, incorporated as a body corporate and politic, and shall be known, in deed and in law, by the name of “Mount Sion Congregation.” That the trustees of Newberry Academy shall be, and they are hereby, incorporated as a body corporate and politic, and shall be known, in deed and in law, by the name of “The Trustees of Newberry Academy.” That the members of Bethany Church shall be, and they are hereby, incorporated as a body corporate and politic, and shall be known, in deed and in law, by the name of “Bethany Church.” That the members of the South Carolina Marine Society shall be, and they are hereby, incorporated as a body corporate and politic, and shall be known, in deed and in law, by the name of “The South Carolina Marine Society.”

II. Whereas, William Allen, Robert Hodges, Thomas Collins, Dempsey Collins, and William Rogers, have petitioned the Legislature of this State to be incorporated by the name of “The Gapway Antipoed Baptist Church on Little Pee Dee: Be it therefore enacted by the authority aforesaid, That the said William Allen, Robert Hodges, Thomas Collins, Dempsey Collins, and William Rogers, and all those who now are, or may hereafter be duly admitted, members of said society, according to the constitution, rules or orders of said society, shall be, and they are hereby declared to be, one established body, corporate and politic, in deed and in law, by the name and style of “The Gapway Antipoed Baptist Church on Little Pee Dee.” And the said corporate body, by its said name, shall have perpetual succession of officers and members, and to make, ordain and establish all such rules, regulations and by-laws, for the benefit, use and administration of the said corporate body, as may not be repugnant to the laws of the land. And the members and their successors, by their said corporate name, shall be able and capable in law, to have a common seal, and hold, occupy and possess, any real estate, not exceeding in value ten thousand dollars, and any monies, goods or chattels which they do now or hereafter may have or hold, or may be granted or conveyed to the same, and to sell, alien, demise, exchange or lease the same, as the said corporate body may deem most advisable; and that the said corporate body, by its corporate name aforesaid, shall be, and is hereby, authorized to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of judicature of this State.

III. And be it further enacted by the authority aforesaid, That this Act shall be given in evidence on the trial of any issue or cause, in any court of law or equity, without special pleading. That the president and members of the Savannah River Literary and Polemic Society shall be, and they are hereby, incorporated as a body corporate and politic, and shall be
known, in deed and in law, by the name of "The Savannah River Literary and Polemic Society."

IV. And be it enacted by the authority aforesaid, That the aforesaid several incorporated societies shall each, respectively, have succession of officers and members, and a common seal, with power to alter and make new the same, as often as the said several corporations shall, respectively, judge expedient; and the said several corporations, and the members of each, and their successors, shall be able and capable in law, to have, hold, receive, possess and enjoy, all the lands, tenements, hereditaments and personal property, and the rents and incomes thereof, which now are vested in the several corporations, respectively, and to sell, alien, exchange or lease the same, or any part thereof; and to have, receive, possess and retain all the monies and other personal estate, and all securities for the same, and the interest and proceeds thereof; and, at discretion, to call in and replace at interest the said monies, or any part thereof; and shall be, severally, able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to themselves and their successors, in perpetuity or for any term of years, any estate or estates, lands, tenements and hereditaments, of what kind or nature soever, not exceeding the annual income of ten thousand dollars, and sell, alien and exchange, as the said several corporations shall, respectively, think proper; and may, by their said several corporate names, respectively, sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law and equity in this State; and to make such rules and by-laws, (not repugnant to the laws of this State,) for the benefit of the respective corporations, as the said several corporations shall, respectively, devise and agree upon; and that it may be lawful for the said corporations to receive and hold forever, or for a term of years, any donations of real or personal property, and to appropriate the same for the use of the said corporations, respectively; provided, the rents or profits of the said donations shall not exceed the said annual sum of ten thousand dollars.

V. And be it enacted by the authority aforesaid, That the intendant and council of the town of Camden are hereby declared to possess, and are invested with, all the powers and privileges of the commissioners of the public roads, and are hereby empowered to exercise and enforce the same, within the limits of the said town of Camden, and no further.

VI. And be it enacted by the authority aforesaid, That the intendant and council of the said town of Camden are hereby authorized and empowered to class the retailers of spirituous liquors, who reside within the limits of the town of Camden, and to affix different rates to the licenses of the class of retailers of spirituous liquors. Provided, no class be assessed at a higher rate than fifty dollars for their license to retail.

VII. And be it further enacted by the authority aforesaid, That the intendant and council of the town of Camden be, and they are hereby, authorized and empowered to assess and levy a tax on all improved or occupied lots in the said town of Camden, sufficient to complete and keep in repair a good well of water. Provided, the person or persons owning such lots, do not have and keep a good well of water for each and every lot by them improved or occupied; and provided, also, that the sum or sums to be assessed, as aforesaid, does not exceed one per cent. on value of such lots.

VIII. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, all free white male inhabitants of the
Who may vote.

Boundary of the town of Beaufort.

Powers of Intendant and Wardens.

Elections, when to be held.

said town of Camden, of twenty-one years of age, who shall have paid a tax the preceding year, towards the support of the government of this State, or hath any lot or other taxable property within the said town, or pays any tax into the funds of the same, shall be entitled to ballot for intendant and wardens; any law, usage or custom to the contrary thereof notwithstanding.

IX. Whereas, the intendant and wardens of the town of Beaufort, by their petition to the Legislature, have represented the urgent necessity and great importance of making some alteration in the boundaries of the said town. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passing of this Act, the following line shall constitute the boundary of the town of Beaufort, to wit: commencing at the south end and on the west side of Hamar street; thence running north on the same side of the said street, until it intersects Boundary street; thence east, on the north side of Boundary street, until it reaches Port Royal river; thence directly east, across the channel of the said river; thence along the eastern and southern side of the said river, until it reaches a point directly south of Hamar street; and thence directly north to Hamar street.

X. And be it further enacted by the authority aforesaid, That the town council of Beaufort, and their successors in office, shall and may have and exercise over all and every part of the tracts of land included within the above boundary, all the power and authority which is vested in them over the town of Beaufort, by the Act incorporating the same.

XI. And be it enacted by the authority aforesaid, That from and after the passing of this Act, the election for intendant and wardens of the town of Beaufort shall be held in the said town of Beaufort, on the first Monday in August, in each and every year; and that the intendant and wardens now in office shall continue to exercise the powers and discharge the duties incident to their respective stations, until the first Monday in August next; any law, usage or custom to the contrary notwithstanding.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and nine, and in the thirty-fourth year of the Sovereignty and Independence of the United States of America.

SAMUEL WARREN, President of the Senate.

JOSEPH ALSTON, Speaker of the House of Representatives.

No. 1946. AN ACT TO INCORPORATE THE PRESBYTERIAN CHURCH IN THE PARISH OF SAINT PHILIPS, AND STATE OF SOUTH CAROLINA.

WHEREAS, Benjamin Boyd, president, John Cunningham, John Brownlee, Alexander Henry, William Porter, and Samuel Robertson, trustees, of an association for the promotion of religion, and the establishment of a Presbyterian Church in the said parish of Saint Philips, in behalf of themselves and others, members of said association, have petitioned the
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1809.

Legislature to be incorporated under the name of "The Second Presbyterian Church of the City and Suburbs of Charleston."

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said Benjamin Boyd, John Cunningham, John Browallie, Alexander Henry, William Porter, and Samuel Robertson, Esquires, and all those persons who now are, or who shall hereafter be, members and officers of said association, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Second Presbyterian Church of the City and Suburbs of Charleston."

II. And be it further enacted by the authority aforesaid, That the said corporation, by their name aforesaid, shall have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as the said corporation shall deem it expedient. And the said corporation shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, in perpetuity or for any term of years, any estate or estates, lands, tenements or hereditaments, of what nature or kind soever; provided, the total amount of such property shall not exceed the sum of one hundred thousand dollars; and to sell, alien, exchange or lease the same; and to receive the rents and income thereof; and, by their said name, sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and also, to make, ordain and put in execution, such rules and by-laws, ordinances and regulations, as shall seem necessary and convenient for the government of the said corporation, not being contrary to law, or to the Constitution of this State; and, generally, to do and execute all and singular such other acts, matters and things, which to them shall appear necessary and proper for the better management of said corporation.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said corporation to take and to hold forever, any charitable donations or devises of lands, and bequests of personal estates, and to appropriate the same for the benefit of the said corporation.

IV. And be it further enacted by the authority aforesaid, That the said corporation shall be, and it is hereby declared, able and capable in law, to have, hold and receive, enjoy and possess and retain, the real and personal estate, money, chattels and effects, which the said association now possess or is entitled to, or which has been released, conveyed or given to it, by whatever name or names the same may have been made.

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

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

SAMUEL WARREN, President of the Senate.

JOSEPH ALSTON, Speaker of the House of Representatives.
No. 1950. AN ACT TO INCORPORATE THE MOUNT PLEASANT ACADEMY, IN THE PARISH OF CHRIST CHURCH; AND TO ENABLE THE TRUSTEES TO RECOVER A LEGACY FOR THE EDUCATION OF THE POOR CHILDREN OF THE SAID PARISH.

WHEREAS, Samuel Warren, James Habbin, William Scott, Nicholas Venning, Elias Wilden, George Barksdale, Moses Whitesides, David Ramsaw, trustees of the Mount Pleasant Academy, in the parish of Christ Church, have, by their petition, prayed to be incorporated. And whereas, the encouragement of the education of youth is a matter always desirable:

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said petitioners, and their successors, appointed or elected, or to be appointed or elected, according to the form and in the manner prescribed or to be prescribed by the rules and regulations of the said academy, shall be, and they are hereby, incorporated as a body politic and corporate, in deed and in law, by the name of "The Mount Pleasant Academy."

II. And be it enacted by the authority aforesaid, That the said corporation, by their name aforesaid, shall have perpetual succession of officers and members, to be appointed or elected in such manner and according to such form as may be prescribed by the rules and regulations now existing, or hereafter to be made, for the government of the said Academy or corporation; and that they may have a common seal, with power to change, alter and make new the said rules and regulations and common seal, as often as they shall judge expedient.

III. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to purchase, have, hold, take, receive, possess, retain and enjoy, to itself, in perpetuity or for any term of years, any estate, real or personal, of what kind or nature soever; and to sell, alienate and dispose of the same, as they may think proper; and, by its name above mentioned, to sue and be sued, impleaded and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, not repugnant or contrary to the laws of the land, as for the good order and proper government of the said corporation, may by them be thought necessary or expedient. Provided, nevertheless, that the annual income of said real and personal estate shall not exceed ten thousand dollars.

IV. And be it further enacted by the authority aforesaid, That the said trustees, and their successors, shall have full power and authority, and they are hereby fully authorized and empowered, to sue for and recover at law, or in equity, the legacy devised by Elizabeth Fleming, in her last will and testament, dated 19th September, 1775, for the building of a school for the good of the poor; and that the funds arising from the recovery of the said legacy, if recoverable consistently with the intent of the testatrix, be vested in the said trustees, and their successors in office, and, when recovered, be appropriated under their direction, for the sole purpose of educating the poor children of the said parish.

V. And be it further enacted by the authority aforesaid, That this Act shall be deemed and taken to be a public Act, and all courts in this State
OF SOUTH CAROLINA.

Acts relating to Corporations.  

shall take notice thereof as such, and the same may be given in evidence, without special pleading.

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

SAMUEL WARREN, President of the Senate.
JOSEPH ALSTON, Speaker of the House of Representatives.

AN ACT to alter and amend an Act entitled "An Act to Incorporate the Society commonly called and known by the name of the Fellowship Society," passed the Twenty-third day of August, One thousand seven hundred and sixty-nine.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and after the passing of this Act, the Fellowship Society shall be, and they are hereby, authorized, empowered and permitted, from time to time, and at all times, to expend, lay out, apply and appropriate all such funds as shall or may belong to the same, and the income thereof, or any part of them or either of them, not only to and for the original purpose or purposes of the said institution, but also, to and for the education of orphan and other indigent children; and to and for all such other charitable and beneficent uses and purposes, or one or more of them in exclusion of others, as in their judgment they shall see fit and proper; and that all appropriations of the funds of the society heretofore made, for the education of orphan and indigent children, and for other charitable purposes, be, and the same are hereby, sanctioned, approved and legalized.

II. And be it further enacted by the authority aforesaid, That the said society shall be capable in law, to purchase, receive and take, by devise or otherwise, and to have, hold, enjoy, possess and retain, in perpetuity or for any term of years, any estate or estates, real or personal, messuages, lands, tenements or hereditaments, mobies, goods and chattels, of what kind or nature soever, not exceeding, in the whole, the sum of fifteen thousand dollars per annum. And that the said society be, and they are hereby, invested, confirmed and secured, of and in all and singular the funds, monies, debts, securities for debts, goods, chattels and estates, real and personal, whatsoever and wheresoever, which they at present have, or may hereafter have, hold, possess or enjoy, though the same be over and above the sum which they have been heretofore permitted by law to have, hold, possess, enjoy and take.

III. And be it further enacted by the authority aforesaid, That so much of an Act entitled "An Act to incorporate the society commonly called and known by the name of The Fellowship Society," passed the 23d day
STATUTES AT LARGE

Acts relating to Corporations.

of August, 1769, as shall or may be repugnant to this Act, shall be, and the same is hereby, repealed.

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

SAMUEL WARREN, President of the Senate.
JOSEPH ALSTON, Speaker of the House of Representatives.

No. 1967. AN ACT TO INCORPORATE THE PROTESTANT EPISCOPAL SOCIETY FOR THE ADVANCEMENT OF CHRISTIANITY IN SOUTH CAROLINA.

WHEREAS, the Reverend Theodore Dehon, President, and Keating Simons, Vice President, and Robert Dewar, William Doughty, Robert Hazlehurst, Chas. Kerhaw, Robt. J. Turnbull, the Rev. James D. Simons, Rev. Christopher Gadsden, Rev. P. T. Gervais, John Dawson, Jr., Theodore Gaillard, John Ball, and Henry Dear, as trustees of the Protestant Episcopal Society, have prayed the Legislature to be incorporated.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passing of this Act, all those persons who now are, or hereafter shall or may become, members of the said society, shall be, and they are hereby, incorporated, and are hereby declared to be a body corporate, in deed and in law, by the name and style of "The Protestant Episcopal Society, for the advancement of Christianity in South Carolina;" and, by the said name, shall have perpetual succession of officers and members; and a common seal, with power to change, alter and make new the same, as often as the said corporation shall judge expedient.

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

III. And be it further enacted by the authority aforesaid, That this Act shall be deemed a public Act, and, as such, shall be judicially noticed in all the courts of this State.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and ten, and in the thirty-fifth year of the Sovereignty and Independence of the United States of America.

SAMUEL WARREN, President of the Senate.
JOHN GEDDES, Speaker of the House of Representatives.
OF SOUTH CAROLINA.


AN ACT to INCORPORATE the several SOCIETIES, and for other purposes therein mentioned.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Langdon Cheves, Richard H. Peyton, John Dixon, Eben Butman, and the several persons who now are, or hereafter shall be, members of the Charleston Neck Society, and their successors, members and officers thereof, shall be, and they are hereby declared to be, a body corporate and politic, in deed and in name, by the name and style of "The Charleston Neck Society," and by the said name shall have perpetual succession of officers and members; and a common seal, with power to alter, change and make new the same, as often as the said corporation shall judge necessary.

II. And be it further enacted by the authority aforesaid, That R. Pianmontol, L. D. Villers, Charles Giffert, P. C. Mack, Daniel Remoussin, E. Guilbert, S. Labatut, Augustus Remoussin, Arnold Remoussin, and the several persons who now are, or shall hereafter be, members of the Philharmonic Society, and their successors, members and officers thereof, shall be, and they are hereby declared to be, a body corporate and politic, in deed and in law, by the name and style of "The Philharmonic Society of South Carolina," and they, by the said name, shall have perpetual succession of officers and members; and a common seal, with power to alter, change and make new the same, as often as the said corporation shall judge necessary.

III. Be it also enacted by the authority aforesaid, That the said several corporations, respectively, shall be able and capable in law, to purchase, have, hold, receive, enjoy and retain, to itself, in perpetuity or for any term of years, any lands, tenements and hereditaments, of what kind or nature soever, not exceeding the annual income of five thousand dollars, and to sell, alien or lease the same, as they shall think proper; and, by its said name, to sue and be sued, implead and be impounded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant and contrary to the laws of the land,) as for the order, rule, good government and management thereof may be thought necessary.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said corporations, respectively, to take, and hold, and receive, enjoy, possess and retain, all such estates, real or personal, money, goods, chattels and effects, which they now possess, or are entitled to, or which have been already given, devised or bequeathed, by whatsoever name such gift, devise or bequest may have been made.

V. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said corporations to take, and forever hold, any charitable donations or devises and bequests of land, not exceeding ten thousand dollars, and personal estates, not exceeding the value of fifteen thousand dollars, and to appropriate the same to the benefit of the said corporations, respectively.

VI. And whereas, Cherry Moise, P. Cohen, and David Lopez, in behalf of Abi yetomin Ubne Ebyonim, or society for the relief of orphans and children of indigent parents, have, by their petition, prayed that the said society may be enabled to hold funds to a greater amount than their present charter authorizes. Be it therefore enacted by the authority aforesaid,
STATUTES AT LARGE

Acts relating to Corporations.

That the said society may have, hold, enjoy and retain to itself, in perpetuity or for any term of years, any lands, tenements or hereditaments, or other property, of what kind or nature soever, not exceeding the sum of twenty-five thousand dollars.

VII. And be it further enacted by the authority aforesaid, That Wm. McCauley, James Beatty, Thomas Russell, Samuel Johnson, Andrew Crawford, Hugh Barkley, Creighton Buchanan, John Barkley, James Elliott, Thomas McCauley, David R. Evans, Caleb Clarke, James F. Mus, David Aiken, Robert Bones, James Workman, John Allen and David Jamieson, in behalf of themselves and others, members of the Presbyterian Church, in the Town of Winsborough, have petitioned the Legislature to be incorporated, by the name and style of "Sion Church of the Town of Winsborough;" to be authorized to raise a sum of money by lottery, in aid of building a church; and for the sale of a lot of land in the town of Winsborough, reserved by the proprietors of the lands of the said town for the use of a church, and for the application of the monies arising from such sale, towards defraying the expenses of building a church. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all those persons who now are, or hereafter may become, members of the said church, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "Sion Church of the Town of Winsborough.

VIII. And be it further enacted by the authority aforesaid, That the said corporation, by its name aforesaid, shall have a succession of officers and members, to be appointed or elected, in such manner, and according to such form, as may be provided by the rules and regulations now existing, or hereafter to be made, for the regulation of the said Church; and that they shall have a common seal, with power to alter the same, together with the said rules or regulations, in such manner and as often as they shall deem necessary.

IX. And be it further enacted by the authority aforesaid, That the said corporation shall be capable in law, to purchase, have, hold and enjoy, any estate, real or personal, in perpetuity or for any term of years; provided, the annual rent or amount thereof shall not exceed the amount of one thousand dollars; and to lease, alien or otherwise dispose of the same, in fee or for term of years, in any way it may deem proper; and that it shall be lawful for the said corporation to receive and hold forever, or for term of years, any donations of real or personal property, and to appropriate the same to the use of the said corporation; provided, the rents and profits of the said donations, shall not exceed the said annual sum of one thousand dollars.

X. And be it further enacted by the authority aforesaid, That the said corporation may sue and be sued, implead and be impleaded, answer and be answered unto, by their said name, in any court of law or equity in this State; and may make such laws, (not repugnant to the laws of this State nor of the United States,) as the said corporation may deem necessary.

XI. And be it further enacted by the authority aforesaid, That the said Sion Church of the town of Winsborough, shall be, and it is hereby, authorized and empowered, to raise, by means of lottery or lotteries, to be conducted in any manner which the members of the said church, or a majority of them, may think most advisable, a sum of money not exceeding one thousand dollars, to be applied to the use and benefit of the said Sion Church of the Town of Winsborough.
XII. And be it further enacted by the authority aforesaid, That this Act, or so much thereof as relates to the incorporation of the said society or force 11 years. congregation, shall continue and be of force for fourteen years, and from thence until the next meeting and sitting of the Legislature.

XIII. And be it further enacted by the authority aforesaid, That the trustees of the Mount Pleasant Academy shall be, and they are hereby, Mount Pleasant Academy authorized to institute and draw a lottery, the net profits of which shall not exceed five thousand dollars; the proceeds thereof to be applied to the completion of the building, and the education of the poor in the said academy.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and ten, and in the thirty-fifth year of the Sovereignty and Independence of the United States of America.

SAMUEL WARREN, President of the Senate.
JOHN GEDDES, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE CHARLESTON FIRE INSURANCE COMPANY. No. 1882.

1. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the said corporation, That John C. Faber, George Cross, Samuel Robertson, Florian Charles May, William Loughton Smith, William H. Gibbes, Theodore Gail, McMillan Campbell, Fidele Boisgerard, of the city of Charleston, and others, who have formed an association or copartnership, under the firm or name of "The Charleston Fire Insurance Company," and their successors and assigns, according to the rules by them established and to be established for purposes aforesaid, shall be, and they are hereby, erected into a corporate or body politic, in law and in fact, under the name, style and title of "The Charleston Fire Insurance Company;" and by the said name, style and title, shall have perpetual succession of officers and members, and all the powers, privileges and franchises incident to a corporation; and shall be capable of taking, holding and disposing of their capital stock, according to their present or future rules, regulations and institutions; and also, of taking, holding, disposing of, or investing, as the said corporation shall, from time to time, judge fit, the increase, profit and emolument of their said capital stock, to their own proper use; and shall have full power and authority to make, have and use a common seal, with such device and inscription as they shall deem proper, and the same to break, alter and renew at their pleasure; and, by the name, style, and title aforesaid, shall be able and capable, in law and equity, to sue and be sued, implead and be 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 president, directors and other officers, in such numbers, at such periods, and with such duties, as they shall see fit; and also, to make rules, by-laws and ordinances; and to do every thing needful for the good
government and management of the affairs of the said corporation; provided always, that the said rules, by-laws and ordinances, shall not be repugnant to the constitution and laws of the United States, of this State, or the ordinances of the city council of Charleston.

II. And be it further enacted by the authority aforesaid, That the said corporation shall have a right and power to purchase, acquire, take and hold, in their said corporate name, lands and real estate, and the same to demesne, grant, sell, assign and convey, in fee or otherwise; provided, that the income of the real estate so to be held, shall not at any time exceed ten thousand dollars.

III. And be it further enacted by the authority aforesaid, That the said corporation shall have a right and power, by their said name, and by the signature of the president for the time being, or by the signature of such other person or persons, and with such ceremonies of authenticity, as they shall, from time to time, in and by their rules and by-laws, ordain and appoint, to make contracts, and underwrite policies of insurance and indemnity against losses and damages by fire, upon all buildings, goods, wares, merchandizes, and other property, liable to destruction or accident by or from fire, or the effects thereof, situate, lying or being, or deposited in this State or elsewhere; and also, in like manner, to underwrite bills of exchange, foreign and inland; and promissory notes; and generally, to transact and perform all the business relating to the objects aforesaid; and, by such contracts, effectually to bind and pledge their said capital stock. Provided however, that not less than three hundred thousand dollars of their capital stock shall be and remain invested in funded stock and in bank stock; and if it should be reduced below that sum by any loan or losses, loss or losses, that the amount of any such diminution shall be replaced by investing the income and profits of the said corporation in funded and bank stock, until its capital shall be restored to three hundred thousand dollars.

IV. And be it further enacted by the authority aforesaid, That in case of failure of the Charleston Fire Insurance Company, each stockholder, copartnership or body politic, having a share or shares therein at the time of such failure, or who have been interested therein, at any time within twelve months previous to such failure or bankruptcy, shall be liable and held bound for any sum not exceeding twice the amount of his, her or their share or subscription; and that the stock of the said corporation shall be assignable and transferable, according to such rules as shall be instituted in behalf thereof, by the laws and regulations of said corporation.

V. And be it further enacted by the authority aforesaid, That the said corporation shall have power and authority to make such regulations and agreements among the members thereof, as may tend by their mutual cooperation, to preserve buildings or other property, by them insured, from destruction or damage by fire or from depredation; also, to engage in their service such persons, and to procure such apparatus, implements or other articles, as to the directors of the said corporation may appear necessary or expedient for the purposes aforesaid; provided, that such regulations and agreements shall not be repugnant to the laws of the land, nor divest any citizen of his legal rights.

VI. And be it further enacted by the authority aforesaid, That the said corporation shall be, and they are hereby, invested with full power to enforce upon their own members the observance of all legal by-laws, rules
OF SOUTH CAROLINA.

Acts relating to Corporations.

A. D. 1811.

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

VII. And be it further enacted by the authority aforesaid, That this Act
shall continue in force for and during the term of fourteen years from the
passing of this Act, and from and after the expiration thereof to the end
of the next session of the Legislature of this State thereafter; and this
Act shall be deemed a public Act, and the several courts of law and equity
of this State shall be bound to take judicial notice thereof without the
same being specially pleaded.

VIII. And be it further enacted by the authority aforesaid, That on the
expiration of this Act, and on the neglect of said corporation to require a
renewal of the charter hereby intended to be granted, or on the refusal of
the Legislature to renew and continue said charter, that then, and in such
case, the estate by the said corporation possessed, shall [not] escheat, but
be vested in the several members of said corporation, in average and pro-
portion to their several and respective shares in the capital stock aforesaid,
after the payments of the debts of the said corporation.

IX. And be it further enacted by the authority aforesaid, That nothing
herein contained shall be construed to authorize the said corporation to
lend their own paper or any bill of exchange, inland or foreign, or promis-
sory note which may have been endorsed by the said corporation.

In the Senate House, the twenty-first day of December, in the year of our Lord one thou-
sand eight hundred and eleven, and in the thirty-sixth year of the Independence
of the United States of America.

SAMUEL WARREN, President of the Senate.
JOHN GEDDES, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE PENDLETON CIRCULATING LIBRARY SO-
CIETY, THE SUMTERRVILLE LIBRARY SOCIETY, AND THE OTHER SOCI-
ETIES THEREIN MENTIONED.

WHEREAS, Robert Anderson, James M'Elhenny, John Taylor, And
rew Pickens, jun., Joseph Whitner, James C. Griffin, Samuel Cherry,
John Lee, and John F. Lewis, commissioners for establishing a circulating
library, under an Act of the General Assembly of this State, passed on the
seventeenth day of December, in the year of our Lord one thousand eight
hundred and eight, have petitioned the Legislature to be incorporated and
erected into a body politic and corporate, under the name and style of
“The Pendleton Circulating Library Society.”

Preamble.
I. Be it therefore enacted, by the Honorable the Senate and the House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the commissioners above named, and their successors, shall be, and are hereby declared to be, one corporate body, in deed and in law, by the name of "The Pendleton Circulating Library Society;" and by the said name shall have perpetual succession of officers and members, and a common seal, with a power to change, alter and make new the same, as often as the said corporation shall judge expedient. And the said corporation, and its successors, shall be able and capable in law, to hold and possess any real and personal estate, not exceeding the yearly value of two thousand dollars, and to sell, alien or lease the same, or any part thereof, as it shall think proper; and, by its said name, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not contrary or repugnant to the laws of the land,) for the benefit and advantage of the said corporation, and for the order and good government of the same, as shall, from time to time, be agreed upon by a majority of the commissioners, or of such number as the rules of the said society shall constitute a quorum.

II. And be it enacted by the authority aforesaid, That it shall be lawful for the said corporation hereby erected, to take and to hold, to itself and its successors forever, any charitable donations or devises of lands and personal estate, and to appropriate the same for the benefit of the said corporation, in such way as by their rules shall be agreed upon. Provided, the said donations and devises, together with their other funds, do not exceed the yearly value of one thousand dollars, aforesaid.

III. And be it further enacted by the authority aforesaid, That all such parts of the tract of land purchased and owned by the commissioners of Pendleton county court right, as commissioners, and which has not been sold or conveyed, or otherwise disposed of by the said commissioners of Pendleton county, shall be, and the same is hereby, vested in the aforesaid corporation, and their successors, forever.

IV. And be it further enacted by the authority aforesaid, That the Sumterville Library Society, and the persons who now are, or hereafter shall be, members thereof, and their successors, officers and members, shall be, and they are hereby declared to be, one corporate body, in deed and in law, and shall have and possess all the powers, rights, privileges and immunities which are given and granted by the foregoing Act to the Pendleton Circulating Library, except so much thereof as vests in the said society the land purchased and owned by the commissioners of Pendleton county.

V. Whereas, Henry P. Wesner, president, Amos Pillsbury, vice-president, William Crookshanks, treasurer, R. Reily, secretary, and William M'Kown and Robert W. Will, stewards, of the Methodist Charitable Society, have petitioned the Legislature to be incorporated; and whereas, the officers and members of the Franklin Library Society of Fairfield district, and the officers and members of the Union Library Society of Union district, have, in like manner, petitioned the Legislature to be incorporated: Be it therefore enacted by the authority aforesaid, That the said Methodist Charitable Society, and the several persons who now are, or shall hereafter be, officers and members thereof, and their successors, officers and members, be, and they are hereby declared to be, a body corporate and politic, in deed and in law, by the name and style of "The Methodist Charitable Society;" and that
OF SOUTH CAROLINA.


the said Franklin Library Society of Fairfield district, and the several persons who now are, or shall hereafter be, officers and members thereof, and their successors, officers and members, shall be, and are hereby declared to be, a body corporate and politic, in deed and in law, by the name and style of "The Franklin Library Society of Fairfield district;" and, also, that the said Union Library Society of Union district, and the several persons who now are, or shall hereafter be, officers and members thereof, and their successors, officers and members, shall be, and are hereby declared to be, a body corporate and politic, in deed and in law, by the name and style of "The Union Library Society.

VI. And be it further enacted by the authority aforesaid, That the said corporations, respectively, by their names aforesaid, shall have perpetual powers.

succession of officers and members; and that they, respectively, shall have a common seal, with power to change, alter and make the same, as they may deem necessary; and they shall also have full power and authority to have and make all such by-laws, rules and regulations, as they may deem necessary to the good order and government of their respective societies; provided, they be not contrary to the law of the land.

VII. And be it further enacted by the authority aforesaid, That the said corporations shall be capable in law, to purchase, have and to hold, any es-

tate, real or personal, in fee or for a term of years, to lease, alien or otherwise dispose of the same, in fee or for a term of years, in any way they may deem proper and expedient; and that it shall be lawful for the said corporations to receive and hold forever, or for a term of years, any donations of real or personal property, and to appropriate the same to the use of their respective corporations. Provided, such estates and donations, as aforesaid, shall not exceed the sum of one thousand dollars.

VIII. And be it further enacted by the authority aforesaid, That the said corporations, respectively, shall be capable in law, to have, hold, receive, enjoy, possess and retain, all such estates, real and personal, which they now possess, or are entitled to, or which have been already given, devised or bequeathed thereto.

IX. And be it further enacted by the authority aforesaid, That the said corporations, separately and respectively, by their names aforesaid, may sue and be sued, implead and be impleaded, answer or be answered unto, in any court of law and equity in this State.

X. Whereas, Chesley Daniel, Thomas Godbolt, Jr., Richard Godfrey, Thomas Harlee, James Boyle, Gospere Sweete, Robert Hodges, William Davis, sen., Alexander Gregg, senior, James Crawford, sen., Enos Tart, Henry Berry, and Daniel Platt, have, by their petition, prayed to be incorporated under the title of "Marion Academy Society." And whereas, from the nature and object of the institution, it is expedient to grant the prayer of the petition: Be it therefore enacted by the authority aforesaid, That the members of the said society shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Marion Academy Society."

XI. And be it further enacted by the authority aforesaid, That the members of the said corporation shall, by the name aforesaid, have perpetual succession of officers and members, to be elected in such manner and after such form as may be prescribed by the respective laws and regulations of the said corporation, now existing or hereafter to be made for the government of the same; and that they shall, respectively, have a common
seal, with power to change and alter same, as often as they, respec-
tively, may deem it expedient.

XII. And be it further enacted by the authority aforesaid, That the said
corporation shall be able and capable in law, to purchase, hold, posses-
and enjoy, either in perpetuity or for a term of years, any estate, real or
personal; provided, the same do not exceed ten thousand dollars; and to
sell, alien or otherwise dispose of the same, as they, from time to time,
may deem expedient; and, by their name, respectively, to sue and be sued,
plead or be impleaded, answer and be answered unto, in any court of this
State.

XIII. And be it further enacted by the authority aforesaid, That the said
institutions hereby incorporated shall be, and the same are hereby, incor-
porated for the term of fourteen years, and until the next sitting of the Le-
gislature thereafter.

XIV. And be it further enacted by the authority aforesaid, That this Act
shall be deemed a public Act, and notice shall be taken thereof in all
courts of justice and elsewhere in this State, and it shall be given in evi-
dence, on the trial of any issue or cause, without specially pleading it.

In the Senate House, the twenty-first day of December, in the year of our Lord one thou-
sand eight hundred and eleven, and in the thirty-sixth year of the Independence of
the United States of America.

SAMUEL WARREN, President of the Senate.
JOHN GEDDES, Speaker of the House of Representatives.

No. 2014.

AN ACT TO INCORPORATE THE FREE MASON HALL COMPANY.

I. Be it enacted, by the Honorable the Senate and House of Representa-
tives, now met and sitting in General Assembly, and by the authority of
the same, That William Laughton Smith, Thomas W. Bacot, John Potter,
John M. Davis, D. Samuel Wilson, Thomas C. Cox, Simon Magwood,
Benjamin Cudworth, Thomas Raine, John S. Cogdell, and John H. Mitch-
ell, and the several persons who now are, or hereafter shall be, members
of the Free Mason’s Hall Company, and the successors, officers and members
thereof, shall be, and are hereby declared, a body corporate and politic, in
deed and in name, by the name and style of “The Free Mason’s Hall
Company,” and by the said name shall have succession of officers and
members; and a common seal, with power to alter, change and make new
the same, as often as said company shall judge necessary.

II. And be it further enacted by the authority aforesaid, That the said
corporation shall be able and capable in law, to purchase, have, hold, re-
ceive, enjoy and retain, to itself, in perpetuity or for any term of years,
any lands, tenements or hereditaments, of what kind or nature soever, not
exceeding the annual income of ten thousand dollars, and to sell, alien or
lease the same, as they shall think proper; and, by its said name, to sue
and be sued, implead and be impleaded, answer and be answered unto,
OF SOUTH CAROLINA.


in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant and contrary to the laws of the land,) as for the order, rule and good government and management thereof may be thought necessary.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said corporation to take, hold, receive and enjoy, possess and retain, all such estate, real and personal, monies, goods, chattels and effects, which they now legally possess, or are entitled unto, or which have already been given, devised or bequeathed, by whatever name such gift, devise or bequest may have been made.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said corporation to take, and forever hold, any charitable donations or devises and bequests of land, not exceeding twenty thousand dollars, and personal estate, not exceeding twenty-five thousand dollars, and to appropriate the same to the benefit of the said corporation.

V. And be it further enacted by the authority aforesaid, That the said corporation shall be, and is hereby, authorized and empowered to raise, by means of lottery or lotteries, to be conducted in any manner which the said corporation may think advisable, a sum of money, not exceeding ten thousand dollars, to be applied to the uses and purposes of the said corporation.

VI. And be it further enacted by the authority aforesaid, That this Act of incorporation shall not continue longer than for fourteen years.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and twelve, and in the thirty-seventh year of the Independence of the United States of America.

SAMUEL WARREN, President of the Senate.

JOHN GEDDES, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE SEVERAL SOCIETIES THEREIN MENTIONED; No. 2081.

AND FOR OTHER PURPOSES.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the persons who have lately associated themselves together for the purpose of establishing a Presbyterian church between Broad and Little rivers, in Fairfield district, and all those who may here-after become members of that church or society, shall be, and they are hereby declared to be, a body corporate, in deed and in law, by the name of "The Salem Presbyterian Church in Fairfield District."

II. And be it enacted by the authority aforesaid, That the persons who have formed themselves into a congregation for the purpose of religious worship, according to the Presbyterian service and discipline, in the town of Columbia, and all those who may hereafter regularly become members of that congregation, shall be, and they are hereby declared to be, a body corporate, in deed and in law, by the name and style of "The First Presbyterian Church in the town of Columbia."

VOL. VIII.—34.
III. *And be it enacted* by the authority aforesaid, that the balance of monies arising from the sale of two acres of land, originally destined as sites for places of public worship, but lately disposed of for the purpose of purchasing land in a situation better adapted for a public burial ground, after completing the payments on said purchase, shall be equally divided between the following four named religious societies, viz; the Protestant Episcopal church, the Presbyterian, Baptist and Methodist congregations of the town of Columbia, for the benefit and use of the said named congregations, forever.

IV. *And be it enacted* by the authority aforesaid, That the persons who now compose the Beaver Dam Baptist Church, in the district of Laurens, and those who may hereafter become members of that church, shall be, and they are hereby declared to be, a body corporate, in deed and in law, by the style and name of "The Beaver Dam Baptist Church of Laurens District."

V. *And be it enacted* by the authority aforesaid, That the persons who now compose the Camden Mechanic Society of the town of Camden, and all those who may hereafter become members of that society, shall be, and they are hereby declared to be, a body corporate and politic, in deed and in law, by the style and name of "The Camden Mechanic Society."

VI. *And be it enacted* by the authority aforesaid, That the persons who now compose the Berosha Circulating Library Society, in the district of York, and all those who may hereafter become members of that society, shall be, and they are hereby declared to be, a body corporate and politic, by the name and style of "The Berosha Circulating Library Society."

VII. *And be it enacted* by the authority aforesaid, That the persons who have formed themselves into a society for the purpose of observing and promoting the exercise of religious worship, in a church capacity, under the name and title of the Mount Olivet Presbyterian Church, in Fairfield District, and all those who may hereafter regularly become members of that church, shall be, and they are hereby declared to be, a body corporate, in deed and in law, by the name and style of "Mount Olivet Presbyterian Church of Fairfield District."

VIII. *And be it enacted* by the authority aforesaid, That the persons who now compose the society of the Methodist Episcopal Church, constituted at Sardis, in York district, and the persons who may hereafter become members of that society, shall be, and they are hereby declared to be, a body politic and corporate, by the name and style of "The Methodist Episcopal Church at Sardis."

IX. *And be it enacted* by the authority aforesaid, That the several societies and churches herein before incorporated, shall, by their several and respective names, be able and capable in law, severally, to purchase, have, hold, receive, enjoy, possess and retain, to their said respective incorporations, in perpetuity or for term of years, any lands, tenements or hereditaments, of what kind or nature whatsoever; and their said lands, tenements and hereditaments, so by them, respectively, to be held, enjoyed and possessed, the said corporations may, respectively, alien, sell, lease, demise or exchange, as the said respective corporations shall think proper. Provided, however, that the lands, tenements and hereditaments, so to be had, held, enjoyed and possessed by the Salem Presbyterian Church, in Fairfield district, shall not exceed the annual value of five thousand dollars; those to be held by the First Presbyterian Church in the town of Columbia, shall not exceed the annual value of five thousand dollars; those to
OF SOUTH CAROLINA.

Acts relating to Corporations.

be held by the Beaver Dam Baptist Church of Laurens district, shall not exceed the annual value of one thousand dollars; those to be held by the Camden Mechanic Society shall not exceed the annual value of five thousand dollars; those to be held by the Berosheba Circulating Library Society shall not exceed the annual value of five thousand dollars; those to be held by the Methodist Episcopal Church at Sardis, shall not exceed the annual value of two thousand dollars; and those to be held by the Mount Olivet Presbyterian Church, five thousand dollars. And any monies, goods or chattels, which they, severally and respectively, do now or may hereafter own, the said corporate bodies may retain, possess and enjoy, or sell, alien or convey, as they shall, severally, think convenient.

X. And be it enacted by the authority aforesaid, That the several churches and societies herein mentioned and incorporated, shall, respectively, have perpetual succession of officers and members, and common seals to their respective corporate bodies, with power, respectively, to change and alter the same, as they may think proper; and make such by-laws and rules, (not repugnant to the laws of the land,) as they shall, respectively, deem necessary for the good order and government of their respective societies.

XI. And be it enacted by the authority aforesaid, That an Act of the Legislature of this State, passed on the nineteenth day of December, in the year one thousand eight hundred and one, entitled "An Act to incorporate the Antipodo Baptist Church, in the town of Georgetown," and every article, clause and provision therein contained, shall be, and the same is hereby declared to be, revived and continued, and shall remain in full force, power and virtue for fourteen years; any thing in the said Act contained, to the contrary thereof in any wise, notwithstanding.

XI. And whereas, the members of the Independent Church of Beaufort, have petitioned that their corporate name may be changed to that of the Presbyterian Church of Beaufort, and the property, real and personal, belonging to the said Independent Church of Beaufort may be vested in them by the corporate name of the Presbyterian Church of Beaufort. Be it therefore enacted by the authority aforesaid, That the name of the said Independent Church of Beaufort be, and the same is hereby, changed to that of the Presbyterian Church of Beaufort; and, by that name alone, shall hereafter be known and distinguished, in deed and in law; shall sue and be sued, implead and be impleaded, answer and be answered unto, in the courts of law and equity of this State; and, by the name aforesaid, shall possess, retain and enjoy, all and singular the monies, goods, chattels, lands, leasehold estates and chattels real, which to them belonged or appertained, by the corporate name of the Independent Church of Beaufort; and shall, moreover, be entitled to all and singular the benefits, advantages, privileges and immunities, given, granted and conferred to and upon the said Independent Church of Beaufort, by the Act of the General Assembly of this State, incorporating the same, passed the twenty-first day of December, in the year one thousand eight hundred and four.

XIII. Whereas, Isaac A. Johnson, president, and others, members of the Franklin Library Society of Charleston, have petitioned the Legislature to be incorporated: Be it therefore enacted by the authority aforesaid, That the said Franklin Library Society, and the several persons who now are, or shall hereafter be, officers and members thereof, and their successors, officers and members, be, and they are hereby declared to be,
STATUTES AT LARGE

Acts relating to Corporations.

A. D. 1813.

a body corporate and politic, in deed and in law, by the name and style of
"The Franklin Library Society of Charleston."

XIV. Whereas, by an Act of the Legislature, passed in December, in one
thousand eight hundred and five, entitled "An Act to incorporate the
Pineville Academy," the words "and their successors in office," which
usually follow immediately after the names of the trustees, in similar Acts,
were omitted in the last clause of the said Act: Be it therefore enacted by
the authority aforesaid, That the said Act shall be, and is hereby made and
declared to be, as valid and effectual, in every respect, as it would have
been had the said words been inserted in the said clause.

XV. And be it enacted by the authority aforesaid, That the vestry of the
Episcopal church of the parish of St. James Goose Creek, and their suc-
cessors, be, and they are hereby, authorized to bind any child or children
who shall be educated at the parish school called the Ludlane School,
established under the direction of the said vestry, apprentice to any trade,
mystery or profession, until the male children shall arrive to the age of
twenty-one years, and the female children shall arrive to the age of eight-
ten years, or be married, or for a shorter time, if they shall see fit; any
law, usage or custom, to the contrary thereof, in any wise, notwithstanding.

XVI. And be it enacted by the authority aforesaid, That the Episcopal
Church of Columbia, and the several persons who now are, or shall here-
after become, members thereof, and their successors, officers and members,
shall be, and they are hereby declared to be, a body corporate, in deed and
in name, by the name and style of "The Protestant Episcopal Church in
Columbia;" and, by the said name, shall have perpetual succession of offi-
cers and members, and a common seal, with power to alter, change, break
and make new the same, as often as the said corporation shall judge expe-
dient. And the said corporation shall be able and capable in law, to pur-
c chase, have, hold, receive, enjoy, possess and retain, to itself, in perpetuity
or for any term of years, any estate or estates, goods, chattels, lands or
tenements, of what kind or nature soever, not exceeding the sum of ten
thousand dollars; and to sell, alien, exchange, demise or lease the same, or
any part thereof, as they shall think proper; and may, by the said name,
sue and be sued, implead and be impleaded, answer and be answered unto,
in any court of law or equity in this State. And the wardens and vestry of
the said church are hereby vested with all the powers and authorities
which are vested in any established Episcopal church in this State.

XVII. And be it enacted by the authority aforesaid, That the lots num-
ber thirty-seven, thirty-eight, thirty-nine and forty, being the one half of
the old burying ground, in the town of Columbia, be appraised by Colonel
Thomas Taylor, Judge Guillard, and Judge Desaussure; and as soon as
such appraisement shall be made, the intendant and wardens of the said
town are authorized, and are hereby required, to convey the said lots to
the First Presbyterian Church in the town of Columbia, and to the Pro-
estant Episcopal Church, in the said town, and their successors in office,
forever, for the purpose of erecting churches thereon. And the said ap-
praisers, aforesaid, are hereby required to divide the said lots between the
said churches, in equal proportions, in such manner as, in their opinion,
will be most advantageous to the said churches, for the purposes aforesaid.

XVIII. Provided nevertheless, and it is hereby enacted, That before the
title shall be executed, so as aforesaid, the said First Presbyterian Church,
and the said Protestant Episcopal Church, shall pay to the Methodist and Baptist churches, established in the said town, the one half of the sum to which said lots shall be appraised, as aforesaid, to be equally divided between them, for the purpose of enabling them to finish and complete their said churches.

XIX. Whereas, Edward Shrewsberry, President, and others, members of the Charleston Fire Company of Axe-men, have petitioned the Legislature to be incorporated. Be it therefore enacted by the authority aforesaid, That the Charleston Fire company of Axe-men, and the several persons who now are, or may hereafter be, officers and members thereof, and their successors, officers and members, be, and they are hereby declared to be, a body corporate and politic, in deed and in law, by the name and style of "The Charleston Fire Company of Axe-men;" and that the said corporation, and the Franklin Library Society hereinafore mentioned, by their respective corporate names, shall sue and be sued, implead and be implored, in the courts of law and equity in this State; and shall be able and capable in law, severally, to purchase, have, hold, enjoy, possess and retain, in perpetuity or for any term of years, any goods, chattels, lands, tenements or real estates, of what kind or nature soever; and the same, or any part thereof, to sell, alien or convey, at their will and pleasure; provided, however, that the property so to be had, held, enjoyed or possessed by the said Charleston Fire Company of Axe-men, and the property so to be had, held, enjoyed or possessed by the said Franklin Library Society, shall not exceed the annual value of five thousand dollars; and the said corporations shall have power to make common seals, respectively, with powers to change and alter the same, as often as they shall deem necessary.

XX. And be further enacted by the authority aforesaid, That all and every of the societies aforesaid, intended to be incorporated, shall be incorporated for the term of fourteen years, and until the next meeting of the Legislature thereafter, and no longer.

In the Senate House, the eighteenth day of December, in the year of our Lord one thousand eight hundred and thirteen, and in the thirty-eighth year of the American Independence.

SAVAGE SMITH, President of the Senate.

JOHN GEDDES, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE SEVERAL SOCIETIES THEREIN MENTIONED; No. 2048. AND FOR OTHER PURPOSES.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the society formed for the promotion of religion and morals in the county of Claremont, and all those who may hereafter become members of that society, shall be, and they are hereby declared to be, a body corporate, in deed and in law, by the name of "Mount Pisgah Baptist Church."

II. And be it further enacted by the authority aforesaid, That all those persons who have associated themselves together for the purposes of divine
worship, in the district of Fairfield, and all those who may hereafter become members of the said society, shall be, and they are hereby declared to be, a body corporate, in deed and in law, by the name and style of “The Mount Bethel Episcopal Methodist Society.”

III. And whereas, Stephen Elliott, President, William Johnson, jr., and Robert Dewar, Vice Presidents, Dr. James E. B. Finly, Martin Strobile, Benjamin Elliott, and Dr. Richard L. Latham, curators, of the Literary and Philosophical Society of the State of South Carolina, have, by their petition, prayed for an Act of incorporation on behalf of said society. Be it further enacted by the authority aforesaid, That the said Stephen Elliott, William Johnson, jr., Robert Dewar, James E. B. Finly, Martin Strobile, Benjamin Elliott, and Dr. Richard L. Latham, and all those who now belong to, and all those who may hereafter become members of, the said society, shall be, and are hereby declared to be, a body politic and corporate, by the name and style of “The Literary and Philosophical Society of South Carolina;” and, by the same name, shall have perpetual succession of officers and members; and a common seal, with power to change, alter, break and make new the same, as often as the said corporation shall judge expedient; and the said corporation, and its successors, shall be able and capable in law, to purchase, have, hold, receive, enjoy, and possess, and retain, to itself and its successors, in perpetuity or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or nature soever; and to sell, alien or lease the same, or any part thereof, as they shall think proper; and may, by their said seal, sue and be sued, implead and be imploved, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, (not repugnant to the laws of the land,) for the benefit of the said corporation, and for the order, rule, good government and management of the said corporation, as shall, from time to time, be agreed upon by a majority of the members of the said corporation.

IV. And whereas, Ann E. Mitchell, Superintendent, Hannah Drayton, jr., Superintendent, and S. M. Drayton, Secretary and Treasurer, of the Ladies’ Benevolent Society, have, by their petition to the Legislature, prayed for an Act of incorporation. Be it therefore enacted by the authority aforesaid, That all those persons who now compose the said society in Charleston, and all those who may hereafter become members of the same, shall be, and they are hereby declared to be, a body corporate and politic, by the name and style of “The Ladies’ Benevolent Society.”

V. And be it further enacted by the authority aforesaid, That the persons who now compose the Claremont Library Society, and all those who may hereafter become members of the same, shall be, and they are hereby declared to be, a body corporate and politic, in deed and in law, by the name and style of “The Claremont Library Society.”

VI. And be it further enacted by the authority aforesaid, That all the persons who now compose the Uranian Society, and all those persons who may hereafter become members of the same, shall be, and they are hereby declared to be, a body politic and corporate, in deed and in law, by the name and style of “The Uranian Society at Columbia.”

VII. And be it further enacted by the authority aforesaid, That the persons who now compose the Laurens Library Society, and all those persons who may hereafter become members thereof, shall be, and they are hereby declared to be, a body corporate and politic, by the name and style of “The Laurens Library Society.”
VIII. Whereas, the incorporated commissioners of the Pendleton Circulating Library Society, have petitioned the Legislature of this State, so to amend the Act of incorporation of the said commissioners, as to enable them to apply the funds of the said society to the endowment of an Academy at Pendleton Court House. Be it therefore enacted by the authority aforesaid, That the said society, or a majority of them, be, and they are hereby, authorized and empowered to vest all the funds of the said society, in such way, and in such persons, as to them shall seem expedient, for the purposes of endowing or aiding in the maintenance and support of an Academy at Pendleton Court House.

IX. And be it further enacted by the authority aforesaid, That the persons who now compose the Baptist Church in the Town of Camden, and all those who may hereafter become members of that church, shall be incorporated, and they are hereby declared to be, a body corporate, in deed and in law, by the name and style of "The Baptist Church of Camden."

X. And be it further enacted by the Authority aforesaid, That the several societies and churches hereinbefore incorporated, shall, by their several and respective names, be able and capable in law, severally, to purchase, have, hold, receive, enjoy, possess and retain, to their respective incorporations, in perpetuity or for term of years, any lands, tenements or hereditaments, of what nature or kind soever; and their said lands, tenements or hereditaments, so by them, respectively, to be held, enjoyed and possessed, and the said corporations may, respectively, alien, sell, lease, demise or exchange, as the said respective corporations shall think proper; provided, however, that the lands, tenements and hereditaments, so to be had, held, enjoyed and possessed, by each or any of the said societies and churches, shall not exceed the annual value of five thousand dollars; and any monies, goods or chattels, which they severally and respectively do now, or may hereafter own, the said corporate bodies may retain, possess and enjoy, or sell, alien or convey, as they shall severally think convenient.

XI. And be it further enacted by the authority aforesaid, That the said several societies and churches, herein mentioned and incorporated, shall, respectively, have perpetual succession of officers and members; and common seals of their respective corporate bodies, with power, respectively, to change and alter the same, as they or any of them may think proper; and may make such by-laws, rules and regulations, (not repugnant to the laws of the land,) as they shall respectively deem necessary for the good order and government of their said respective corporations.

XII. And be it further enacted by the authority aforesaid, That all those persons who now compose the Coranaea Circulating Library Society, and all those who may hereafter become members thereof, shall be, and they are hereby declared to be, a body corporate and politic, in deed and in law, by the name and style of "The Coranaea Circulating Library Society."

XIII. And be it further enacted by the authority aforesaid, That the said corporation shall be capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to itself, in perpetuity or for any term of years, any lands, tenements or hereditaments, or other property, of what nature soever, not exceeding five thousand dollars; and to sell or alien the same, as the said corporation shall think fit; and, by its said name, to sue and be sued, impleaded and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws,
A. D. 1814.

Public Act.

Episcopal church in Ratcliffborough incorporated.

Acts relating to Corporations.

(not repugnant to the laws of the Land,) as for the order, rule, good government and management thereof may be thought necessary and expedient.

XIV. And be it further enacted by the authority aforesaid, That this Act shall be deemed a public Act, and, as such, shall be judicially noticed in all the courts of this State.

XV. And be it further enacted by the authority aforesaid, That the Episcopal Church in Ratcliffborough, near Charleston, and the several persons who now are, or shall hereafter become, members thereof, and their successors, officers and members, shall be, and they are hereby declared to be, a body corporate and politic, in deed and in law, by the name and style of "The Protestant Episcopal Church of Saint Paul, in Ratcliffborough;" and, by the said name, shall have perpetual succession of officers and members; and a common seal, with power to alter, change, break and make new the same, as often as the said last mentioned corporation shall deem expedient; and the said corporation shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess and retain, to itself, in perpetuity or for any term of years, any estate or estates, goods or chattels, lands, tenements or hereditaments, of what kind or nature soever, not exceeding the sum of five thousand dollars per annum; and to sell, alien, exchange, demise or lease the same, or any part thereof, as they shall think proper; and may, by its said name, sue and be sued, plead and be pleaded unto, answer and be answered unto, in any court of law or equity in this State; and the wardens and vestry of the said church are hereby vested with all the powers and authorities which are vested in any other established Episcopal Church in this State.

XVI. And be it further enacted by the authority aforesaid, That all and every of the societies aforesaid, shall be incorporated for the term of fourteen years, and until the next meeting of the Legislature thereafter, and no longer.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand eight hundred and fourteen, and in the thirty-ninth year of the Independence of the United States of America.

JAMES R. PRINGLE, President of the Senate.

THOS. BENNETT, Speaker of the House of Representatives.

No. 2053. AN ACT FOR INCORPORATING THE GRAND LODGE OF SOUTH CAROLINA

WHEREAS, Thomas W. Bacot, Grand Master, Jervis H. Stevens, Deputy Grand Master, Charles Kershaw, sr., Grand Warden, Samuel Wilson, jr., Grand Warden, Rev'd. A. W. Leland, Grand Chaplain, John H. Mitchell, Grand Secretary, Simon Magood, Past Grand Master, Honorable John Drayton, Past Grand Master, and others the officers and members of the Grand Lodge of South Carolina, in behalf of the said Grand Lodge, and of the several Lodges under the jurisdiction thereof, have, by their petition, prayed that the Legislature would pass an Act incorporating the aforesaid grand lodge, together with all the lodges under its jurisdiction, into one body, by the name and style of "The Grand Lodge of South Carolina."
OF SOUTH CAROLINA.

Acts relating to corporations.

A.D. 1814.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Grand Lodge above mentioned, together with all the subordinate lodges under its jurisdiction, and the several persons who now are, or shall hereafter become, members thereof, and their successors, members and officers, respectively, shall be, and they are hereby declared to be, a body politic and corporate, in deed and in law, by the name and style of "The Grand Lodge of South Carolina;" and, by the said name, shall have perpetual succession of officers and members; and a common seal, with power to change, alter, break and make new the same; and shall be able and capable in law, to purchase, have, take, hold receive, enjoy, possess and retain, to itself, and its successors, in perpetuity or for any term of years, or life, any charitable donations, and real and personal estates, of what kind or nature soever, not exceeding the annual income of five thousand dollars, and to sell, alien, exchange, demise or lease the same, or any part thereof, as shall be thought proper; and, by the said name, to sue and be sued, implead and be imploided, answer and be answered unto, in any court of law and equity in this State; and to make all necessary rules and by-laws, (not repugnant to the laws of the land,) for the benefit and advantage, and for the government, order and regulation of the said grand lodge, and of the lodges under its jurisdiction, and every member thereof, and for the promotion of the prosperity, interest, benefit and advantage of the craft in general, and of the charitable and laudable purposes of their institution.

II. Be it further enacted, That it shall and may be lawful for the said Grand Lodge of South Carolina to constitute and warrant subordinate lodges; and the said lodges so constituted, shall be, and they are hereby declared to be, legal and regular; and the said grand lodge is hereby empowered to do all other things concerning the government, estate, monies, and revenues of the said grand lodge, and its subordinate lodges; provided always, that all the property belonging, at the passing of this Act, to any subordinate lodge, is hereby fully confirmed to the said subordinate lodges, free from any control, superintendence or direction of the Grand Lodge of South Carolina. Provided always nevertheless, that nothing herein contained shall affect the rights and privileges of the Grand Lodge of Ancient York Masons.

III. Be it further enacted, That it shall and may be lawful, from time to time, and at all times hereafter, for the grand master, officers and members of the said grand lodge, and for the masters and officers and members of the subordinate lodges under its jurisdiction, and their successors, to assemble and meet together, at such stated times and places as are, or shall hereafter be, declared and appointed concerning the same.

IV. Be it further enacted, That this Act shall be deemed and taken as a public Act, and notice thereof shall be taken in all courts of justice and elsewhere in this State, and it shall be given in evidence on the trial of any cause without specially pleading the same.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and fourteen, and in the thirty-ninth year of the Sovereignty of the United States of America.

JAMES R. PRINGLE, President of the Senate.

THOS. BENNETT, Speaker of the House of Representatives.

VOL. VIII.—35.
AN ACT TO INCORPORATE THE FISHING CREEK CIRCULATING LIBRARY SOCIETY, IN CHESTER DISTRICT; AND THE LADIES' BENEVOLENT SOCIETY OF BEAUFORT DISTRICT.

WHEREAS, John Boyd, President, and John B. Davis, Secretary, of the Fishing Creek Circulating Library Society in Chester district, have, on the part and behalf of themselves, and other officers and members of the said society, petitioned the Legislature, praying to be incorporated.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That John Boyd and John B. Davis, and all other the free white persons who now are, or shall hereafter become, officers and members of the said society, according to the laws and constitution of the said society, now existing or hereafter to be made, shall be, and they are hereby declared to be, a body corporate and politic, in deed and in law, by the name and style of "The Fishing Creek Circulating Library Society in Chester District;" and, by that name, shall have perpetual succession of officers and members; and a common seal, with power to change, alter or make new the same, as often as they may think proper; and, by their corporate name aforesaid, shall be able and capable in law, to take, purchase, have, hold and enjoy, to themselves, and their successors, in perpetuity, personal property of the value of one thousand dollars; and, by their said corporate name, the said society may sue and be sued, implead, answer and be answered unto, in the several courts of law and equity of this State; and may also make such rules and regulations for the government of the said society, as they may deem necessary; provided, the same are not repugnant to the laws of the land.

II. Whereas, Margaret McKee, Ann Barnwell, and others, have petitioned the Legislature of this State to be incorporated, by the name of "The Beaufort Female Benevolent Society." Be it therefore enacted by the authority aforesaid, That the said Margaret McKee, Ann Barnwell, and all others who now are, or may hereafter be admitted, members of said society, shall be, and they are hereby declared to be, a body corporate and politic, in deed and in law, by the name and style of "The Beaufort Female Benevolent Society," with all the rights usually granted to corporate bodies.

III. And be it enacted by the authority aforesaid, That this Act shall continue and be of force for fourteen years, and from thence until the next meeting of the Legislature.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifteen, and in the fortieth year of the Independence of the United States of America.

JAMES R. PRINGLE, President of the Senate.
THOS. BENNETT, Speaker of the House of Representatives.
OF SOUTH CAROLINA.


AN ACT TO CONTINUE IN FORCE AN ACT ENTITLED "AN ACT TO IN-
CORPORATE THE TOWN OF BEAUFORT; AND FOR OTHER PURPOSES
THERIN MENTIONED."

WHEREAS, the inhabitants of the town of Beaufort, by their petition
to the General Assembly, have set forth, that singular advantages and
benefits are derived from the incorporation of the said town, and praying
that the Act of the General Assembly heretofore made for the incorpora-
tion thereof, may be continued in force; and that certain other and further
provisions may be enacted concerning the same.

I. Be it therefore enacted, by the Honorable the Senate and House
of Representatives, now met and sitting in General Assembly, and by
the authority of the same, That from and after the first Monday in Au-
gust next, a court, for the hearing and determining all cases of a civil
nature, arising within the limits of the said town of Beaufort, shall be,
and the same is hereby, constituted, authorized and established, to be a
court of record, possessing concurrent jurisdiction with the court of com-
mon pleas, to the amount hereafter limited and declared.

II. And be it further enacted, That the said court hereby erected and
established, shall be called "The Inferior Court of Beaufort;" and shall
be held by a Recorder to be appointed by the town Council, and commis-
sioned by the Intendant, for and during the space of one year, and who
shall receive such compensation as the town council shall fix and provide.

III. And be it enacted, That all issues in the said court shall be tried
by a jury, according to the regulations and forms prescribed by law in
cases of trial by jury; and to that end, the town council shall cause a jury
box for the said town to be made, and a jury list to be provided for the
same; from which box jurors shall be drawn, summoned and impaneled
for the trial of cases, in like manner, and under the same penalties, as are
established by law and usage in the court of common pleas and general
sessions; provided, that no venire facias shall issue for more than twenty-
four jurors to serve at one court, of whom twelve drawn and impaneled
shall form one jury; and in case of the non-attendance of jurors so drawn
and summoned, their places may be supplied by talesmen drawn in the
usual mode; but no person shall be liable to serve twice, until all the
names in the said jury box shall be drawn out. All persons possessing
qualifications for jurors by the laws of the State, and who shall have resi-
ded in the town of Beaufort six months, and there being at the time of
being summoned, shall be liable to serve as jurors in the said court, sav-
ning and reserving to all persons, all lawful excuses and exemptions, as in other
courts.

IV. And be it further enacted by the authority aforesaid, That the juris-
diction of the said court shall extend to all actions arising on contract, ex-
pres or implied, and for offences against the by-laws of the town of Beau-
fort; provided, that no verdict or judgment in the said court shall exceed
the sum of fifty dollars, exclusive of costs and charges. And provided
also, that no suit or action shall be brought or maintained in the said
court, unless the contract or cause of action arose within the town of Beaufort.

V. And be it further enacted by the authority aforesaid, That the court
hereby authorized and established, shall hold its term or sitting, once in
every three months, on the second Thursday in said month, for the dispatch of business; and may continue to sit from day to day, for any time not exceeding two days.

VI. And be it further enacted, That all writs and process issued by the said court, shall be signed by the Clerk, and made returnable on the first day of the ensuing term; and the defendant shall enter bail, if required, and on the first day of the term to which the said writ or process is made returnable, shall file his defence with the clerk, or the plaintiff may take judgment by default. And it is hereby declared, that the Clerk of the council shall, at all times, hold and enjoy the office of Clerk of the said court.

VII. And be it further enacted, That all writs and process shall be served ten days previous to the sitting of the court to which the same is made returnable; and the said court is hereby invested with power to grant rules to hear and determine motions for new trials, in arrest of judgment, and all questions of law arising out of causes within its jurisdiction, to issue subpoenas, to grant commissions for the examination of witnesses, and all other usual process, according to the known and approved rules of the common law, and the Acts of General Assembly in such cases made and provided.

VIII. And be it further enacted, That the costs received in the said court shall be the same as are allowed by law in the court of common pleas in cases of summary process under the amount of fifty dollars, saving and reserving the additional sum of one dollar, which it shall and may be lawful for the town council to impose, for the sake of defraying the extraordinary expenses which may be incurred by reason of this Act.

IX. And be it further enacted, That when any person shall think himself aggrieved by any act or proceeding of the said court, it shall and may be lawful to appeal to the circuit court by bill of exception; and the circuit court shall consider and revise the same, and make such order therein as may be agreeable to law.

X. And be it further enacted, That the keeper of the Jail of Beaufort shall be, and he is hereby, authorized and required to receive into his custody all such persons as shall be committed to such jail, under authority of the court hereby established, and there to keep in safe custody all such persons until discharged by due course of law.

XI. And be it further enacted by the authority aforesaid, That the town council may assess a tax upon all such negro slaves, between the age of fifteen and fifty, as usually reside in Beaufort during the fall months; provided, that no such tax shall, in any one year, exceed the sum of seventy-five cents for each slave; and may also make an assessment ad valorem, upon all the lots and houses in the town; provided, that no such assessment shall exceed the amount of one-fourth of one per cent on the value thereof.

XII. And be it further enacted, That from and after the passing of this Act, the town council shall be invested with full power and authority to execute, and the same are hereby required to exercise and carry into effect, all acts and duties belonging to the office of commissioners of pilotage, for the bar and harbor of Beaufort, Port Royal.

XIII. And be it further enacted, That all former laws and Acts of General Assembly concerning the town of Beaufort, so far as the same are not repugnant to this Act, shall be, and the same are hereby declared to be, and continue of full force and effect.
OF SOUTH CAROLINA.

Acts relating to Corporations.

XIV. And be it further enacted, That this Act shall be a public Act, and shall continue in full force for fourteen years, from and after the seventeenth day of December next, and no longer.

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

JAMES R. PRINGLE, President of the Senate.
THOS. BENNETT, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE WINYAW AND WANDO CANAL COMPANY;
AND FOR OTHER PURPOSES THEREIN MENTIONED.

WHEREAS, David R. Williams & Co., John Hume, J. R. Poinsett, Wade Hampton, Hugh Rose, Frank Weston, John Gordon, Thomas Pinckney, jr., and Charles Fitzimons, have, by their petition to the General Assembly, represented the great utility of uniting the navigation of the rivers Pedee, Sampit, Santee, Owendaw, and Wando, and, by means of canals and locks, connecting; at proper points, the waters of Wando with the Santee, and those of the Santee with Winyaw Bay, as they shall hereafter determine on; and prayed to be incorporated by law, under the name and title of "The Winyaw and Wando Canal Company;" and that they be vested with such powers, privileges and immunities, as are granted to the incorporated company for the inland navigation between Santee and Cooper rivers.

I. Be it therefore enacted, That the said petitioners, and such others, not exceeding, altogether, twenty persons, as shall be admitted into the said company, shall be, and they and their successors are hereby, incorporated by the manner and style of "The Winyaw and Wando Canal Company."

II. And be it further enacted, That the said company, by the name and style aforesaid, shall and may sue and be sued, implead and be imploled, in any court within this State; and that they may elect and appoint all necessary officers; and, from time to time, make such rules, regulations and by-laws, as they shall think proper, for their own government: provided, the same shall not be repugnant to, or inconsistent with, any law of this State.

III. And be it further enacted, That the said company shall and may cause a communication or inland navigation, by means of canals and locks, and navigable waters, to be made and kept up, through such places as to them shall seem most fit and convenient, from Wando to Santee river, and from Santee to Winyaw Bay. And they, and their successors, shall and may fix and establish, and be entitled to take and receive, by way of toll, for all goods and merchandise carried on or through the said canals, and boats, vessels and rafts passing on and through the said canals, such sum or rates as the said company shall think proper to impose, not exceeding twenty-five per cent. per annum on the money which they shall have expended in opening and keeping in repair the said canals, locks and
navigable waters; to ascertain which, the books of the said company shall always be liable to the inspection of the Legislature. That such toll shall be paid in the legal current money of the State of South Carolina; and that the said company, or their agents, may stop any goods, vessels, boats or rafts from passing on the said canal or canals, until payment of the said toll.

IV. And be it further enacted by the authority aforesaid, That the said company shall have power to purchase, for themselves, and their successors forever, such land as may be necessary for the purpose aforesaid, and for making and keeping reservoirs for the use of the said canals and locks, and for the establishment of all requisite buildings; and where they and the owners of the said lands cannot agree for the same, to take the said lands on a valuation to be made by two persons to be appointed by the said corporation, and two persons by the holders of the said lands. And if the persons so appointed shall not agree, then, and in that case, three persons shall be appointed by the court of equity or common pleas, to value the same. Provided, that no person shall be appointed to value said lands, through whose land any part of said canal will pass. Provided, also, that should either of the parties refuse or neglect to appoint commissioners, or should the commissioners appointed refuse to act, the court of equity or common pleas shall appoint three persons to value the land, the valuation of a majority of whom shall be final. Which land shall, on payment of the sum at which it shall be so valued, be vested in the said company forever.

V. And be it further enacted by the authority aforesaid, That all lands through which the said canals may pass, which have not been heretofore granted to any person, shall be vested in the said company, and their successors, forever; and that the said company shall and may collect and reserve water for the use of the said canals and locks, making satisfaction for the damages done thereby; the said damages to be ascertained in the manner above described, with respect to the value of land. And that the said company shall and may establish such ferries upon the rivers aforesaid; provided, the establishment of the same be not contrary to any law of the State.

VI. And be it further enacted by the authority aforesaid, That the said company shall be obliged to keep the said canals and locks, at all times, in good and sufficient order, condition and repair, on pain of being answerable for any damages occasioned by their willful default and neglect.

VII. And be it further enacted by the authority aforesaid, That the said company shall have power and authority to use any materials in the vicinity of the said canals, for making the same, or the said locks, and keeping the same in repair, paying a reasonable price for the same, which price shall be ascertained in like manner as the value of land which the company may take as aforesaid, in case they and the owners cannot agree about the price of the said land.

VIII. And be it further enacted by the authority aforesaid, That the said company, and their successors forever, shall be capable of purchasing, acquiring, holding and possessing, and of selling and disposing of, any negroes or other goods and chattels, as well as of any lands or real estates.

IX. And be it further enacted by the authority aforesaid, That if any person shall, willfully and maliciously, cut, break down, damage or destroy any bank or other work, to be executed or made for the purpose of the said navigation, such person shall, on conviction, forfeit a sum not exceeding five hundred dollars, and be imprisoned for a period not exceeding twelve
OF SOUTH CAROLINA.


X. And be it further enacted by the authority aforesaid, That the said company shall have the exclusive right and privilege of navigating boats propelled by steam, on or through the said canal or canals, for the term of ten years after the completion of the first canal or canals.

XII. And be it further enacted, That the overseers, toll-receivers, lock-keepers, and white laborers, employed or to be employed by the said company, be exempt from being militia duty, at any time hereafter, except in times of alarm.

XIII. And be it further enacted by the authority aforesaid, That the shares in the said company shall be exempted, until the said company shall have been reimbursed the capital by them expended, and shall have gained fourteen per cent. per annum on said capital, from the time of the expenditure of every part thereof, from any rate, tax, duty, assessment or imposition, whatsoever. And the said shares may be sold, transferred, assigned or bequeathed, by the proprietors, respectively; and in case of dying intestate, shall go as personal estates, according to law.

XIV. And be it further enacted by the authority aforesaid, That if any person shall be sued for any matter or thing done in pursuance of this Act, he may plead the general issue, and give this Act and the special matter in evidence.

XV. And be it further enacted by the authority aforesaid, That this Act shall be deemed and taken as a public Act, judicially taken notice of as such, without special pleading, and liberally construed for carrying the purposes aforesaid into effect.

XVI. And be it further enacted by the authority aforesaid, That all rights and privileges hereby granted to said company, together with the charter of incorporation hereby granted, shall cease and determine, unless the persons associating as members of said corporation shall, within two years, commence and prosecute the projected canals, and shall complete the same within seven years after the same shall be commenced.

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

JAMES R. PRINGLE, President of the Senate.
THOS. BENNETT, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE WILLIAMSBURGH LIBRARY SOCIETY, No. 2117. AND OTHER SOCIETIES THEREIN MENTIONED.

WHEREAS, divers persons, inhabitants of the district of Williamsburg, have, by their petition, set forth, that for the promotion of useful knowledge, and the encouragement of virtuous and learned doctrines and
opinions, they have united themselves into a society called the “Williamsburgh Library Society,” and have prayed that they may, by law, be erected into a corporation:

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by and with the authority of the same, That the society above mentioned, and all those persons who now are, or hereafter shall be, members thereof, be, and the same are hereby declared, a body politic and corporate in law, by the name and title of the “Williamsburgh Library Society.”

II. And whereas, the trustees and members of the Independent Presbyterian Church of Stoney Creek, in Prince William’s parish, have, by their petition, set forth, that their congregation has continued, for more than fifty years, as a society for pious purposes, and praying that they may, by law, receive the privileges and rights of a body politic and corporate: Be it therefore enacted by the authority aforesaid, that the society above mentioned, and those persons who now are, or who hereafter may be, members of the same, shall be, and the same are hereby declared, a body politic and corporate in law, by the name of “The Stoney Creek Independent Presbyterian Church.”

III. And whereas, the members of the Baptist church at Hardy’s Meeting-House, on Stephen’s creek, in Edgefield district, have, by their petition, prayed that the said society may be incorporated: Be it therefore enacted by the authority aforesaid, That those persons who now are, or hereafter may be, members of the said society, be, and the same are hereby declared, a body politic and corporate in law, by the name of “Hardy’s Meeting.”

IV. And whereas, the members of the Cambridge Library Society have presented their petition, praying for a law to incorporate the said society: Be it therefore enacted by the authority aforesaid, That those persons who now are, or hereafter may be, members of the said society, be, and the same are hereby declared, a body politic and corporate in law, by the name of “The Cambridge Library Society.”

V. And be it further enacted by the authority aforesaid, That the vestry and wardens of the Episcopal church of Sheldon, in Prince William’s parish, and their successors in office, to be elected in the accustomed manner, by the persons duly admitted to be members of the said church, shall be, and the same are hereby constituted and declared, one body politic and corporate in law, by the name of the “Vestry and Wardens of Sheldon Church.”

VI. And be it further enacted by the authority aforesaid, That each and every of the said corporations, by their several and respective names, shall have perpetual succession of officers and members; and shall be able and capable in law to have a common seal; and, by their several and respective names, to plead and be impleaded, sue and be sued, in any courts of law and equity in this State; and to take, by purchase, alienation or devise, any real estate, to the value of ten thousand dollars; and to have and hold any monies, goods and chattels, and to sell, alien and demise the same, as they, respectively, may think proper.

VII And whereas, the inhabitants of Winnsborough have presented their petition, praying that a certain Act of the General Assembly, passed on the seventeenth day of December, in the year of our Lord one thousand eight hundred and three, entitled “An Act for the better regulating of the streets and markets of the town of Winnsborough,” may be continued of force, the
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1816.

The same being about to expire, from the limitation thereof. Be it therefore enacted by the authority aforesaid, That the said Act shall be, and the same is hereby, continued in force for the term of fourteen years, from the seventeenth day of December next. Provided, nevertheless, that nothing in this Act contained shall extend to or be construed so as to affect any land contained in the original plan of the said town of Winnsborough, north and north-west of Fairfield street, in the said town, it being private property, and never subject to the provisions of the said Act of the seventeenth day of December, one thousand eight hundred and three.

VIII. And be it further enacted by the authority aforesaid, That this Act shall be a public Act.

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

JAMES R. PRINGLE, President of the Senate.

THOS. BENNETT, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE SOCIETE FRANCAISE OF THE CITY OF NO. 2118.

Charleston.

WHEREAS, Rene Godard, Joseph Jahan, Peter Desportes, Peter M. Herivaut, Augustus Poujand, Thomas Ferraud, Francis Giraud, George W. Cross, John B. White, John S. Cogdell, Arnoldus Remiuissine, Peter Fayolle, Lewis Devillers, Auguste St. Martin, Abraham Sasportes, and others, officers and members of the French Society of the city of Charleston, in behalf of themselves and other members of the said society, [have] petitioned the Legislature, praying to be incorporated.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Rene Godard, Joseph Jahan, Peter Desportes, Peter M. Herivaut, Augustus Poujand, Thomas Ferraud, Francis Giraud, George W. Cross, John B. White, John S. Cogdell, Arnoldus Remiuissine, Peter Fayolle, Lewis Devillers, Auguste St. Martin, Abraham Sasportes, and all other the free white persons who now are, or shall hereafter become, officers and members of the said society, according the laws and constitution of the said society, now existing or hereafter to be made, shall be, and they are hereby declared to be, a body corporate and politic, in deed and in law, by the style and name of "Societe Francaise in the City of Charleston;” and, by that name, shall have perpetual succession of officers and members, and a common seal, with power to change, alter or make new the same, as often as they may think proper. And, by their corporate name aforesaid, shall be able and capable in law, to take, purchase, have, hold and enjoy, to themselves and their successors, in perpetuity, real and personal property, the annual income thereof not to exceed ten thousand dollars; and, by their said corporate name, the said

VOL. VIII.—36.
society may sue and be sued, implead and be impleaded, answer and be answered unto, in the several courts of law and equity of this State; and may also make such rules and regulations, for the government of the said society, as they may deem necessary; provided, the same are not repugnant to the laws of the land.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said corporation to take, hold, receive and enjoy, possess and retain, all such estate, real and personal, monies, goods, chattels and effects, which they may legally possess or are entitled unto, or which have already been given, devised or bequeathed, by whatever name such gift, devise or bequest may have been made.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said corporation to take, and forever hold, any charitable donations or devises and bequests of land, not exceeding twenty thousand dollars, and personal estate, not exceeding twenty-five thousand dollars, and to appropriate the same to the benefit of the said corporation.

IV. And be it further enacted by the authority aforesaid, That this Act of incorporation shall continue and be of force for fourteen years, and thence until the next meeting of the Legislature.

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

JAMES R. PRINGLE, President of the Senate.

THOS. BENNETT, Speaker of the House of Representatives.

No. 2138. AN ACT TO EXTEND THE CORPORATION OF THE SAINT ANDREW’S SOCIETY OF THE CITY OF CHARLESTON.

WHEREAS, the Saint Andrew’s Society of the city of Charleston, have, by their proper officers, petitioned for an extension of their incorporation, and set forth that, by the continuance and permanency of their incorporation, the utility of the charitable and benevolent purposes of the society may be greatly secured and increased.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the clause in the Act of the Legislature of this State, entitled “An Act to incorporate the Saint Andrew’s Society of the city of Charleston, in the State of South Carolina,” passed on the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety-eight; and the clause in the Act of the Legislature of this State, entitled “An Act for extending the incorporation of the Saint Andrew’s Society,” passed on the twenty-first day of December, in the year of our Lord one thousand eight hundred and four, limiting the term of incorporation of the said St. Andrew’s Society, be, and the same is hereby, repealed.
II. And be it further enacted, That the said two Acts, with the exception of the said two clauses, be and remain in full force and virtue, as if no such clauses had been contained therein.

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

JAMES R. PRINGLE, President of the Senate.
THOS. BENNETT, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE SEVERAL SOCIETIES, AND FOR OTHER No. 2147.
PURPOSES, THEREIN MENTIONED.

WHEREAS, the members of several religious and benevolent societies have, by their petition, prayed the Legislature to be incorporated.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Mary A. W. M’Iver, Mary B. E. Haws, Elizabeth Wilds, Ann Hart, Catharine Evans, Hannah K. Wilson, Elizabeth S. M’Culloch, Mary R. B. Doesey, Jane Edwards, and those who now may be members, or may hereafter be admitted members, of the Female Benevolent Society of Society Hill, according to the rules and constitution of the said society, shall be, and they are hereby declared, a body corporate and politic, by the name and style of “The Female Benevolent Society of Society Hill.”

II. And be it further enacted by the authority aforesaid, That John L. North, James C. Griffin, Robert Anderson, and those who now are, or Pendleton may hereafter be admitted, members of the Pendleton Farmers’ Society, according to the rules and constitution of the said society, be, and they are hereby declared, a body corporate and politic, in deed and in law, by the name of “The Pendleton Farmers’ Society.”

III. And be it further enacted by the authority aforesaid, That Donald Rowe, John M. Felder, George E. Sally, Sanders Glover, David Pembble, and such other persons as now are, or hereafter may become, members of the Orangeburg Academical Society, according to the laws and constitution thereof, be, and they are hereby declared, a body politic and corporate, in deed and in law, by the style and name of “The Orangeburg Academical Society.”

IV. And be it enacted by the authority aforesaid, That Samuel K. Hodges, William Capers, Eleazer Waterman, and those who now are, or hereafter may become, members of the Methodist Episcopal Church of Georgetown, according to the rules, orders and constitution of the said church, be, and they are hereby declared, a body politic and corporate, in deed and in law, by the name and style of “The Methodist Episcopal Church of Georgetown.”

V. And be it further enacted by the authority aforesaid, That John Ellis, Alexander Fountain, and the other members of the Baptist church at Mechanicsville, and those who may hereafter become members of the said church, be, and they are hereby declared, a body politic and corporate, in
deed and in law, by the style and name of "The Baptist Church at Mechanicsville."

VI. And be it further enacted by the authority aforesaid, That Daniel Webb, Hugh Patterson, and those who have subscribed the petition, or may hereafter become members, of the Second Independent or Congregational Church in Charleston, be, and they are hereby declared and established, a body corporate and politic, in deed and in law, by the name and style of "The Second Independent or Congregational Church in Charleston."

VII. And be it further enacted by the authority aforesaid, That Maria Eliza Herriot, Eliza Herriot, Margaret Ford, and those who have subscribed the petition, and those who now are, or hereafter may become, members of the Georgetown Ladies Benevolent Society, be, and they are hereby declared, a body politic and corporate, in deed and in law, by the name and style of "The Georgetown Ladies Benevolent Society."

VIII. And be it enacted by the authority aforesaid, That John Langton, John McGrath, J. Weldon, John F. Walker, and those who have associated together by the name of the Saint Patrick Benevolent Society of Charleston, South Carolina, and those who may hereafter be admitted members of the said Society, according to the laws and constitution thereof, shall be, and they are hereby declared, a body politic and corporate, in deed and in law, by the name and style of "The Saint Patrick Benevolent Society of Charleston, South Carolina."

IX. And be it further enacted by the authority aforesaid, That from and immediately after the passage of this Act, the city council of Charleston shall be, and they are hereby, authorized to permit and license the managers of the Charleston Theatre, or any other person or persons, to exhibit theatrical entertainments within said city, and to impose and collect, for each and every such license, such sum as they may, from time to time, deem reasonable; provided, the same does not exceed five hundred dollars.

X. And be it further enacted by the authority aforesaid, That James C. Postell, John J. Muldrow, and the other members who now are, or may hereafter become, members of the Mount Clio Academy, be, and they are hereby declared, a body politic and corporate, in deed and in law, by the name and style of "The Mount Clio Academy."

XI. And be it further enacted by the authority aforesaid, That Paul Fripp, John Jenkins, Benjamin Jenkins, Benjamin Chaplin, sr., and the other members of the Protestant Episcopal Church of the Island of Saint Helena, and those who may hereafter be admitted members of the said Protestant Episcopal Church, according to the laws and constitution of the said church, be, and they are hereby declared, in deed and in law, a body corporate and politic, by the name and style of "The Protestant Episcopal Church of the Island of Saint Helena."

XII. And be it further enacted by the authority aforesaid, That James A. Harrington, William C. Vernon, Charles M. Dewitt, Christopher B. Pegues, James Gillispie, jr., and those who now are, or hereafter may become, members of the Chatham Library Society, according to the laws and constitution of the said society, be, and they are hereby declared, a body politic and corporate, in deed and in law, by the name and style of "The Chatham Library Society."

XIII. And be it further enacted by the authority aforesaid, That John Springs, jr., and the other members of the Indian Land Library Society, who have subscribed the petition of the said Library Society, or hereafter
Acts relating to Corporations.

A.D. 1817.

OF SOUTH CAROLINA.

may be admitted members of the same, be, and they are hereby declared, a body politic and corporate, in deed and in law, by the name and style of "The Indian Land Library Society."

XIV. Whereas, Thomas Humphries and Gabriel Capers, have petitioned the Legislature, on behalf of themselves and others, members of the Lodobar Academy, praying to be incorporated. Be it therefore enacted by the authority aforesaid, That the said Thomas Humphries and Gabriel Capers, and those who now are, or hereafter may become, members of the Lodobar Academy, be, and they are hereby, incorporated, as a body politic and corporate, in deed and in law, by the name and style of "The Lodobar Academy."

XV. And be it further enacted by the authority aforesaid, That the several incorporated societies in this Act enumerated, shall, by their respective names, have a succession of officers and members, to be appointed or elected in such manner and according to such form as may be prescribed by the rules now existing, or hereafter to be made, for the government of the said several societies; and that they may have a common seal; with power to change, alter and make new such rules and regulations and common seal, as often as the said societies shall find necessary and expedient.

XVI. And be it further enacted by the authority aforesaid, That the officers and members of Lodge No. 68 Ancient Masons, and their successors in office, be authorized to raise, by lottery or lotteries, the sum of ten thousand dollars, for the purpose of erecting a Masonic Hall in the town of Columbia; and John M. Creyton, William P. Bradbury, Needham Davis, Zachariah Phillips, Samuel Green, and Samuel Guerry, be appointed commissioners to superintend the drawing of the said lottery or lotteries; provided, the drawing of such lottery be completed within two years from the date of this Act.

XVII. And be it further enacted by the authority aforesaid, That said corporations shall, severally, be able and capable in law, to have, hold, take, receive and retain, any estate, real or personal, of what kind or nature soever; provided, the value thereof does not exceed the sum of fifty thousand dollars; and to let, have, sell, alien, or otherwise dispose of the said real and personal estate, as they shall think proper; and that it shall be lawful for the said corporations, severally, to take, accept and hold forever, all such charitable donations, gifts, devises and bequests, of land or personal estate, whether the same shall have been devised, given or bequeathed before the passing of this Act, or shall hereafter be given, devised or bequeathed, and to appropriate the same to the purposes of said several societies; provided, the same shall not exceed the aforesaid sum of fifty thousand dollars.

XVIII. And be it further enacted by the authority aforesaid, That the said several societies, by their respective names, may sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law and equity in this State; and shall and may make all such rules and by-laws, not repugnant to the laws of this State, as may by them be thought necessary and expedient for the proper government of the said societies, respectively; and, in like manner, to change, alter, amend and renew, their present or any of their future laws and regulations.

XIX. And be it further enacted by the authority aforesaid, That the President and members of the Mount Clio Academy, as a body corporate in law, be, and they are hereby, authorized and empowered to make and

Mount Clio Academy
 Acts relating to Corporations.

may raise money by lottery.

proceed to the drawing and conclusion of a lottery, for the purpose of aiding the said corporation in purchasing a library and philosophic apparatus for the benefit of the said corporation; provided, the sum raised by the said lottery shall not exceed five thousand dollars.

XX. And be it further enacted by the authority aforesaid, That this Act shall be deemed a public Act, and judicially taken notice of as such, and may be given in evidence without special pleading.

XXI. And be it further enacted by the authority aforesaid, That this Act shall remain and continue in force for the term of twenty-one years, and from thence until the expiration of the next session of the Legislature thereafter, and no longer.

XXII. Whereas, an Act entitled "An Act to incorporate certain mechanics, manufacturers and handicrafts of the city of Charleston, by the name of the Charleston Mechanic Society," will expire with the adjournment of the present session of the Legislature. And whereas, John H. Magarth, President, John Gardner, Vice President, John Sharp, sr., Warden, and Abraham Jones, jr., Warden, and others, the members of the said society, have petitioned the Legislature that the said Act may be rendered perpetual, and that the said society may be enabled to hold such funds as shall be probably adequate to the object of the said institution: Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said Act, passed the twenty-first December, one thousand seven hundred and ninety-eight, entitled "An Act to incorporate certain mechanics, manufacturers and handicrafts of the city of Charleston, by the name of the Charleston Mechanic Society," be, and the same is hereby declared to be, in full force and effect, and so to remain in perpetuity.

XXIII. And be it further enacted by the authority aforesaid, That the said corporations shall be able and capable in law, to purchase, have, hold, use, take, receive, possess, retain and enjoy, to itself, in fee simple, or for any term of years, or otherwise, any estate, real or personal, of what kind or nature soever; provided, the annual interest or income thereof shall not exceed the sum of ten thousand dollars, over and above such suitable and convenient buildings, and the lands wherein the same shall or may be erected, as shall be necessary for the accommodation of the said society; and to let, lease, alien, or otherwise dispose of the same, in fee simple, or for any term of years, as they may think proper; and that it shall and may be lawful for the said corporation to take, accept, and hold forever, any charitable donations, gifts, devisees and bequests of lands or personal property, not exceeding the sum aforesaid, over and above such lands or buildings as aforesaid, and to appropriate the same to the purposes of the said corporation.

XXIV. And be it further enacted by the authority aforesaid, That so much of the several Acts incorporating several mechanics, manufacturers and handicrafts of the city of Charleston, by the name of "The Charleston Mechanic Society," as is repugnant to this Act, be, and the same is hereby, repealed.

XXV. And be it further enacted by the authority aforesaid, That the city council of Charleston shall be, and they are hereby, authorized to elect five port wardens, for the port and harbor of the city of Charleston; and, from time to time, fix and prescribe such compensation for their services as may be reasonable and proper.
XXVI. And be it further enacted by the authority aforesaid, That the city council of Charleston shall [be] and they are hereby, empowered to vest in the said port wardens such power and authority as they may deem necessary for the purpose of carrying into effect the duties of their office, and to prohibit, under a certain penalty, all other persons from acting or officiating as port wardens, unless they have been so elected by the city council aforesaid, excepting persons who may be appointed to make surveys of vessels or goods under an order of court.

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

JAMES R. PRINGLE, President of the Senate.
THOS. BENNETT, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE BETHEL CIRCULATING LIBRARY SOCIETY; AND REGULAR BAPTIST CHURCH OF FAIRFIELD DISTRICT; AND TO AUTHORISE THE VESTRY AND WARDENS OF THE EPISCOPAL CHURCH OF PRINCE GEORGE WINYAW, TO RAISE BY LOTTERY A SUM OF MONEY FOR THE PURPOSE THEREIN MENTIONED.

No. 2149.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the members of the Bethel Circulating Library Society, be, and the same are hereby, incorporated, for the term of sixteen years, by the name of "The Bethel Circulating Library Society;" and, by the said name, shall have regular succession of officers and members; and sue and be sued, implead and be impleaded, in any court of law or equity in this State; and shall have a common seal; and be able to purchase and to hold, and to sell and alien, both real and personal estate; and shall be deemed and taken for a body politic and corporate in law, with all the rights and privileges incident to the same, as other bodies politic and corporate in law are accustomed to do.

II. Whereas, the members of the Baptist Church of Fairfield district, have, by their petition, prayed that the said society may be incorporated. Be it therefore enacted by the authority aforesaid, That those persons who now are, or hereafter may be, members of the said society, be, and the same are hereby declared, a body politic and corporate in law, by the name and style of "The Regular Baptist Church of Fairfield District."

III. And be it further enacted by the authority aforesaid, That the said corporation, by the said name and style of "The Regular Baptist Church of Fairfield District," shall have perpetual succession of officers and members; and shall be able and capable in law to have a common seal, and by it, to plead and be impleaded, sue and be sued, in any court of law and equity in this State; and to take by purchase, alienation or devise, any real estates, to the value of five thousand dollars; and to have and hold
any monies, goods and chattels; to sell, alien and demise, as it may think proper.

IV. And be it further enacted by the authority aforesaid, That the Vestry and Wardens of the Episcopal Church of the Parish of Prince George Winnow, and their successors in office, be, and they are hereby, authorized to raise, by lottery or lotteries, the sum of fifteen thousand dollars, for the improvement of the said church, and for the building and establishing a poor and orphan House within the town of Georgetown; provided, the said lottery or lotteries be drawn within two years from the passing of this Act.

V. And be it further enacted by the authority aforesaid, That the said vestry and wardens be, and they are hereby, authorized to appoint commissioners to superintend the drawing the said lottery or lotteries.

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

JAMES R. PRINGLE, President of the Senate.
THOS. BENNETT, Speaker of the House of Representatives.

No. 2154. AN ACT TO INCORPORATE THE PROPRIETORS OF THE CHARLESTON THEATRE.

WHEREAS, William Read, John Bay, William James Ladeon, James Gilchrist, John E. Holmes, Abraham Motte, William Wightman, Thomas R. Smith, Timothy Ford, Robert Hazlehurst, William Broadfoot, John S. Cogdell, E. Mortemer, E. Blake, F. C. Mey, Adam Tunnco, John Gordon, and others, have petitioned the Legislature that they may be incorporated, under the name of "The Proprietors of the Charleston Theatre."

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said William Read, and others above named, with all such persons as are now, or may hereafter become, proprietors in the said company, be, and they are hereby, incorporated and made a corporation and body politic, by the name and style of "The Proprietors of the Charleston Theatre."

II. And be it further enacted by the authority aforesaid, That the said company shall be, and the same is hereby, made capable in law, to have, purchase, receive, possess, enjoy and retain, to them and their successors, lands, rents, tenements, hereditaments, goods, chattels and effects, of what kind soever, to an amount not exceeding sixty thousand dollars, including the lot and buildings thereon at present owned by the, said individuals, and the same to sell, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in courts of record or any other place whatsoever; and also, to make, have and use a common seal, and the same to break, alter and renew at their pleasure;
OF SOUTH CAROLINA.

Acts relating to corporations.

and also, to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall seem necessary and convenient for the government of the said corporation, not being contrary to law, or to the constitution thereof; for which purpose, general meetings of the proprietors shall and may be called by the directors or members composing the board, at such times, and at such places within the city of Charleston, as to them shall be deemed necessary; and generally, to do and execute such acts, matters and things which to them it shall or may appertain to do; subject, nevertheless, to such regulations, restrictions, limitations and provisions, as hereinafter shall be prescribed and declared.

III. And be it further enacted by the authority aforesaid, That there shall be an election by the said corporation of seven directors, who shall be chosen annually, by the proprietors, from amongst themselves, and by plurality of votes actually given; and in case of the death, resignation or absence from the State, or removal from the city of a director, or removal of a director by the stockholders, or vacating the seat of a director by the transfer of his share or shares in the said company, his place may be filled up by a vote of the directors, for the remainder of the year; but should it so happen, that no election of directors shall be made on the day fixed for said election, the said company for that cause shall not be deemed to be dissolved, but it shall be lawful on any other day to hold and make an election of directors, in such manner as shall have been regulated by the laws and ordinances of the said corporation.

IV. And be it further enacted by the authority aforesaid, That the directors for the time being shall have power to appoint or elect, from among their number, one who shall act as president of the said corporation, and another from among their number, in either mode, make treasurer and secretary, who shall discharge such duties as may be prescribed by the by-laws of said corporation.

V. And be it further enacted by the authority aforesaid, That the number of votes to which each proprietor or stockholder shall be entitled, shall be in such proportion as by the company hereby incorporated shall have been or may hereafter be established; provided always, that no person or copartnership or body politic shall be entitled to a greater number than eight votes; and no share or shares shall confer a right of suffrage, which shall not have been held on three calendar months previous to the day of election; proprietors actually resident in the United States, and none others, may vote in elections by proxy. Not more than two-thirds of the directors in office, exclusively of the president, shall be eligible for the next succeeding year; but the director who shall be president at the time of an election, may always be re-elected. No person but a proprietor, being a citizen of the United States or a denizen, shall be eligible as a director; and the rights and estates in the said corporation of any member who shall depart this life, not being a citizen or denizen of the United States, are hereby absolutely and unconditionally escheated to the use and benefit of the said corporation.

VI. And be it further enacted by the authority aforesaid, That the rents, profits, issues and emoluments, of the said lot and Charleston Theatre, as well as the rents, profits, issues and income, of all or any other property or estate which the said corporation, under the authority of this Act, may become possessed of, shall be divided once in each year, at least, by the said corporation, as to the directors shall seem advisable; and annually,
the directors shall lay before the proprietors, at a general meeting, for their
information, the amount of their profits, after deducting losses and divi-
dends and the ordinary expenses and charges of the said corporation.

In the Senate House, the seventeenth day of December, in the year of our Lord one
thousand eight hundred and seventeen, and in the forty-second year of the Independ-
ence of the United States of America.

JAMES R. PRINGLE, President of the Senate.
THOS. BENNETT, Speaker of the House of Representatives.

No. 2155. AN ACT TO INCORPORATE THE VILLAGE OF MOULTRIEVILLE ON SUL-
LIVAN'S ISLAND.

WHEREAS, the inhabitants of Sullivan's Island have petitioned the
Legislature to grant an Act of incorporation, representing that, from the
unusual prevalence and alarming effects of the yellow fever during the past
summer and autumn in Charleston, not only to strangers but to native in-
habitants, particularly of the younger class, that island hath been, and
probably hereafter must be, greatly resorted to as an asylum; and from the
density of the population and its peculiar situation, necessarily requires a
police to preserve order; and likewise, requires some provision to be made
for the establishment of one or more schools.

I. Be it enacted, by the Senate and House of Representatives of the
State of South Carolina, now met and sitting in General Assembly, and
by the authority of the same, That from and immediately after the pass-
ing of this Act, all persons, citizens of the United States, now owning
dwelling houses on the said island, or who may hereafter own dwelling
houses thereon, or occupying under lease during the season that people
resort thither for health or safety, a dwelling house, shall be deemed,
and they are hereby declared to be, a body politic and corporate; and the vil-
lage on the said island shall be called and known by the name of "Moul-
trieville, on Sullivan's Island," and be deemed a town corporate.

II. And be it further enacted by the authority aforesaid, That on the
second Wednesday in the month of July in every year, an election by bal-
lot for an intendant and five wardens, shall be held at the building formerly
called the Lazaretto, and now used as an Episcopal church, ten days notice
being previously given; and that all free male white inhabitants of the said
island, owning or renting dwelling houses thereon as aforesaid, shall be
entitled to ballot for an intendant and five wardens; the election to be held
from nine o'clock in the morning, until two o'clock in the afternoon; and
when the poll shall be closed, the managers, who shall be three in number,
shall proclaim the said election, and give notice in writing to the persons
elected. That the intendant of the city of Charleston shall appoint the
managers to hold the first election under this Act; and the intendant and
wardens of the island for the time being, shall always appoint the managers
of ensuing elections. That the intendant and wardens, before entering
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1817.

Oath.

Vacancies, how to be filled.

III. And be it further enacted by the authority aforesaid, That in case a vacancy shall occur in the office of intendant or any of the wardens, by death or resignation, removal from office, or absence from the State, an election to fill such vacancy shall be held by the appointment of the intendant and wardens, or the wardens, as the case may be, ten days previous notice being given in the Gazettes of Charleston. In case of the sickness or temporary absence from the island of the intendant, the wardens, forming a town council, shall be empowered to elect one of the wardens to act in his room for the time.

IV. And be it further enacted by the authority aforesaid, That the intendant and wardens duly elected and having duly qualified, shall, during their term of service, severally and respectively, be vested with all the powers of justices of the quorum of this State, and their immediate jurisdiction as conservators of the peace shall extend over the whole of Sullivan’s Island, including the creeks and bays contiguous thereeto. That the intendant shall and may, as often as occasion may require, summon the wardens to meet him in council, any three 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 Moultrieville on Sullivan’s Island;” and they, and their successors hereafter to be elected, may have a common seal; and they shall have power 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 so appointed 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 of constable. And the intendant and wardens shall have full power, under their corporate seal, to make and establish all such rules, by-laws and ordinances, respecting the streets, beach, shores, ways, landings, commons, markets, buildings, carriages, wagons, carts, drays, and police of the said town, as shall appear to them requisite and necessary for the security, welfare and convenience of the said town, or for preserving health, peace, order and good government within the same; and the said town council may fix fines for offences against their by-laws, and appropriate the same to the public uses of the island, but no fine shall exceed twenty pounds sterling for any one offence; which fines, when they exceed five pounds sterling, may be recovered in the court of common pleas in Charleston, and when under the sum of five pounds, before the said intendant and wardens, or any two of them; provided, that nothing herein contained shall authorize the said town council to make any by-laws inconsistent with or repugnant to the laws of the land; and that all the by-laws and ordinances they may make, shall at all times be subject to the revisal or repeal of the Legislature.

V. And be it further enacted by the authority aforesaid, That the said intendant and wardens shall have full power and authority to provide for the abating of or removal of nuisances, and enforce the same; to regulate the assize of bread on the said island according to the assize in Charleston; to prohibit vessels from taking away the soil of the island for ballast, otherwise than as the intendant and wardens may license; and to keep peace and
good order upon the said island. And it shall be lawful for them to classify and arrange the inhabitants liable by law to do patrol duty, appointing captains of patrol, and requiring them to ride patrol as by law prescribed, or oftener if occasion require, and enforce the duty, in the same manner and under the same fines and penalties for neglect thereof, as are established by law; recovering the same in the same manner thereby prescribed. That each of them, the said intendant and wardens, are hereby authorized and required, either upon view, or upon complaint made, to issue warrants and cause all offenders against law to be brought before them, and, on examination, either to release, admit to bail, if the offence be bailable, or commit to the custody of the sheriff of Charleston district, who is hereby required and commanded to receive and keep the person so committed in safe custody until discharged by due course of law; and the said intendant and wardens may, severally, take recognizances, in the form and upon the principles used in this State for the appearance of offenders or witnesses at the next court of general sessions in Charleston; and they shall transmit such recognizances, together with the affidavits, documents, or other evidences, to the clerk of said court, at the time and in the manner required by law from the other magistrates of this State.

VI. And be it further enacted by the authority aforesaid, That the said intendant and wardens shall have full power and authority to order licenses to be granted to proper persons, to keep taverns and retail spirituous liquors, and also, to persons to keep billiard tables, on the said island; which licenses, when ordered, shall be granted and delivered out upon the terms and conditions provided by law, and in like manner as is prescribed by law to the commissioners of the roads; and all the powers vested in such commissioners by the different Acts of the Legislature, in relation to the granting of licenses for the purposes aforesaid, shall be, and hereby are, vested in the said intendant and wardens on Sullivan's Island; and the money to be paid by the applicants for such licenses, together with the fines and forfeitures prescribed by law for keeping taverns, retailing spirituous liquors, or keeping billiard tables, without a lawful license, on the said island, shall and may be received and applied by the town council of the said island to the public uses and purposes of the said corporation.

VII. And be it further enacted by the authority aforesaid, That this Act shall be deemed a public Act; and if any person or persons shall be sued for any thing done by virtue of this Act, be may plead the General issue, and give this Act and the special matter in evidence.

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

JAMES R. PRINGLE, President of the Senate.

THOS. BENNETT, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to Corporations. A.D. 1817.

AN ACT TO AMEND THE ACT INCORPORATING THE FREE SCHOOL IN SAINT GEORGE’S DORCHESTER.

WHEREAS, the commissioners of the Dorchester Free School, established in Saint George’s Dorchester, under and by virtue of an Act of incorporation, passed the ninth day of April, in the year of our Lord one thousand seven hundred and thirty-four, have petitioned the Legislature praying that they might be empowered to remove the said school from the village of Dorchester to some other part of the parish.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the commissioners for the time being of the Free School in Saint George’s Dorchester, be, and they are hereby, authorized and empowered to remove the said Free School from the village of Dorchester, in the parish of Saint George’s Dorchester, to any other part of the said parish.

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

JAMES R. PRINGLE, President of the Senate.
THOS. BENNETT, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE CHARLESTON FIRE AND MARINE INSURANCE COMPANY. No. 2174.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That William Drayton, William Clarkson, Silas Howe, Alexander Matthewson, Timothy Edwards, Tristam Tupper, Paul Trapier, Edward Mortimer, George W. Prescott, Isaac Course, Thomas Feraud, Thomas Milliken, and Joseph S. Coates, of the city of Charleston, and others, who have raised the sum of five hundred thousand dollars, and formed an association or partnership under the firm or name of the Charleston Fire and Marine Insurance Company, and their successors and assigns, according to the rules by them established, and to be established, for the purposes herein after mentioned, shall be, and they are hereby, erected into a body politic and corporate, in law and in fact, under the name, style and title of “The Charleston Fire and Marine Insurance Company;” and, by the same name, style and title, shall have succession of officers and members, and all the powers, privileges and franchises, incident to a corporation; and shall be capable of taking, holding and disposing of their capital stock, according to their present or future rules, regulations and institutions; and, also, of taking, holding, and disposing of, or investing, as the said corporation shall, from time to time, judge fit, the increased profit and emolument of their said capital stock, to their own proper use; and shall have full
power and authority to make, have and use a common seal, with such device and inscription as they shall deem proper, and the same to break, alter and renew, at their pleasure; and, by the name, style and title aforesaid, shall be able and capable, in law and equity, to sue and be sued, implead and be implored, 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 President and other officers and directors, in such numbers, at such periods, and with such duties, as they shall see fit; and, also, to make rules, by-laws and ordinances; and to do every thing needful for the good government and management of the affairs of the said corporation. 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.

II. And be it further enacted by the authority aforesaid, That the said corporation shall have a right and power to purchase, acquire, take and hold, in their said corporate name, lands and real estate, and the same to demise, grant, sell, assign and convey, in fee or otherwise; provided, the yearly income of the real estate, so to be held, shall not, at any time, exceed twelve thousand dollars.

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

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

V. And be it further enacted by the authority aforesaid, That on the expiration or dissolution of the said corporation, that then, and in such
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1818.

case, the estate, by such corporation possessed, shall not escheat, but Real estate not vested in the several members of said corporation, in average and propor. escheat.
tion to their several and respective shares in the capital stock aforesaid, af-
ter the payment of the debts of the said corporation.

VI. And be it further enacted by the authority aforesaid, That this char. Duration of
ter shall cease and determine after a lapse of twenty-one years from the

date of the same.

VII. And be it further enacted by the authority aforesaid, That this Public Act.
Act shall be deemed a public Act, and the several courts of law and equity
in this State shall be bound to take judicial notice thereof, without the
same being specially pleaded.

In the Senate House, the sixteenth day of December, in the year of our Lord one thou-
sand eight hundred and eighteen, and in the forty-third year of the Independence
of the United States of America.

JAMES R. PRINGLE, President of the Senate.
ROBT. Y. HAYNE, Speaker of the House of Representatives.

AN ACT TO INCORPORATE CERTAIN SOCIETIES.

No. 2200.

I. Be it enacted, by the Honorable the Senate and House of Repre-
sentatives, now met and sitting in General Assembly, That James Nich- Fire Company
olson, Thomas D. Condy, and others, inhabitants and land-holders of Charleston, who now are, or may be, members of the Fire Company of Charleston Neck, be, and the same are hereby declared, a body politic and corporate in law, by the style and title of "The Fire Company of Charleston Neck."

II. And be it further enacted, That the Hon. William Smith, William Trustees of
Dickson, Robert B. Walker, John B. Davis, and others, who now are, or Bethel Academy.
hereafter may be admitted, members of the society for building and maintaining the Bethel Academy, in the district of York, be, and the same are hereby, incorporated and declared a body politic and corporate in law, by the style and title of "The Trustees of Bethel Academy."

III. And whereas, the Charleston Marine Society, and South Carolina Marine Society, have, by their petition, stated that they have united together, and are willing to surrender their several charters, in order that they may be incorporated in one society. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, That those persons who are members of the Charleston Marine Society, and also those persons who are members of the South Carolina Marine Society, be, and the same are hereby declared, a body politic and corporate in law, by the style and title of "The Charleston Marine Society;" and that the said society, so incorporated, be authorized and empowered to hold, possess and retain real and personal property; provided, the clear revenue thereof shall not exceed the sum of ten thousand dollars.

IV. And be it further enacted, That those persons who have united and contributed to the building of the Woodville Academy, in the county of
Claremont, and for the support thereof, be, and the same are hereby declared, a body politic and corporate in law, by the style and title of "The Associated Supporters of the Woodville Academy;" and shall have power and authority to raise, by lottery or lotteries, a sum not exceeding ten thousand dollars, for the purposes and uses of the said society.

IV. And be it further enacted, That those who now are, or hereafter may be, members of the Methodist Female Friendly Association, be, and the same are hereby declared, a body politic and corporate in law, by the style and title of "The Methodist Female Friendly Association."

V. And be it further enacted, That the ladies composing the Ladies Society Charity School, and all those who hereafter may be admitted members thereof, according to the rules of the said society, be, and they are hereby declared, a body politic and corporate in law, by the style and title of "The Ladies Society Charity School."

VI. And be it further enacted, That the members of the United Fraternity, and those persons who may hereafter become members thereof, be, and the same are hereby declared, a body politic and corporate in law, by the style and title of "The United Fraternity."

VII. And be it further enacted by the authority aforesaid, That the several societies in this Act mentioned, shall, by their respective corporate names, sue and be sued, implead and be implicated, and have a common seal, and a succession of officers and members, to be appointed or elected in such manner as may be prescribed by the rules to be made for their several government; and, to that end, the said societies shall have power and authority, from time to time, to make and ordain such by-laws and regulations as to them may severally seem fit and convenient.

VIII. And be it further enacted by the authority aforesaid, That the said corporations shall be able and capable in law to have, hold, take and receive, any estate, real or personal, of what kind or nature soever; provided, the value thereof does not exceed the sum of five thousand dollars, in all cases wherein no other provision is made by this Act.

IX. And be it further enacted by the authority aforesaid, That the members of the Republican Circulating Library Society of Barnwell district, and those persons who may hereafter become members thereof, be, and they are hereby declared, a body politic and corporate in law, by the style and title of "The Republican Circulating Library Society of Barnwell District."

X. And be it further enacted by the authority aforesaid, That the members of the Chesterville Academy Society, and those persons who may hereafter become members thereof, be, and the same are hereby declared, a body politic and corporate, in deed and in law, by the name and style of "The Chesterville Academy Society."

XI. And be it further enacted by the authority aforesaid, That all such property as hath heretofore or may hereafter accrue to the State, in the said district of Chester, on account of property which, by an Act entitled "An Act to appoint escheators and regulate escheate," hath escheated to this State, provided, the same do not amount to more than three thousand dollars, shall be, and the same is hereby, vested in the said corporation, for the use of the Chesterville Academy; and the said corporation are hereby vested with all the powers necessary for receiving the said property, and for disposing of the same, for the benefit of the said Academy; provided, nevertheless, that such escheats shall not affect any citizen or friendly...
OF SOUTH CAROLINA.


alien, but that, in all cases, such citizen or friendly alien shall have liberty to plead the statute of limitations, in all proceedings under the existing laws regulating escheats, in like manner as the said statute may now be pleaded in actions between citizens of this State.

XII. And be it further enacted, by the authority aforesaid, That John M'Creaey, George Kennedy, William Bradford, John Walker, Henry Bradley, John Rosborough, and John E. Gunning, be, and they are hereby, appointed trustees of the Cherterville Academy, for one year after the first day of January next, or until other trustees are appointed, as herein after directed; and the said trustees shall be under the direction and control of the Cherterville Academy Society. And the said society shall, at a convenient period in each and every year, meet and elect five or seven persons, who shall act as trustees of the said Academy, during the year next succeeding their election.

XIII. And be it further enacted, That the society called and known by the name of “The Charleston Assemblies,” be, and the same is hereby declared, a body politic and corporate in law.

XIV. And be it further enacted, by the authority aforesaid, That the Grand Royal Arch Chapter of the State of South Carolina, and all those persons who now are, or hereafter may be, admitted members thereof, according to the rules of the said society, be, and the same are hereby declared, a body politic and corporate in law, by the style and title of “The Grand Royal Arch Chapter of the State of South Carolina.” And the said society shall consist of a high priest and such officers, and with such style and title of office, as the said Grand Royal Arch Chapter may, by virtue of any resolutions or by-laws, direct or appoint; and shall be able and capable in law to have, hold, purchase, take, or receive, any estate, real or personal, not exceeding the annual income of five hundred pounds.

XV. And be it further enacted, by the authority aforesaid, That it shall and may be lawful for the said Grand High Priest, or his deputy, his or their successor or successors for the time being, to issue warrants for the constituting of subordinate chapters; and the said chapters, warranted as aforesaid, shall be, and they are hereby declared to be, legal and regular. And it shall and may be lawful for the said Grand Royal Arch Chapter, and subordinate chapters, already constituted and hereafter to be constituted, to have and hold meetings of themselves, for the better management of their several and respective charitable funds, and the application of the same to proper purposes, and the transaction of all other business relating to the said Grand Royal Arch Chapter, and other subordinate chapters, when and as often as it may be necessary, and at any time and place whatsoever and whenever it may be deemed expedient to appoint, assemble and meet together.

XVI. And be it further enacted, That the said High Priest or deputy, and other officers and members constituting the said Grand Royal Arch Chapter, for the time being, and the officers of the said subordinate and inferior chapters, already constituted, or hereafter to be constituted or appointed, shall and may, from time to time, assemble and meet together, as the high priest, or his deputy, by the authority of the high priest, shall appoint, by summons or other notice, which he is hereby empowered timely to issue for that purpose, to all the said members; and they, being so met, shall have full power and authority to make, constitute and ordain such rules and by-laws as shall appear to them good, necessary and expedient for the government, order and regulation of the said Grand Royal Arch Chapter, and subordinate chapters, and every member thereof; which

VOL. VIII.—38.
rules and by-laws, not being repugnant to the laws of the land, shall and may be effectually observed and kept; and to do all other things concerning the government, estate and revenues of the said Grand Royal Arch Chapter and subordinate chapters.

XVII. And whereas, the Protestant Episcopal Society for the advancement of Christianity in South Carolina, have, by their petition, prayed that, for the further promotion of the pious purposes for which their society was formed, they may be authorized and empowered to enlarge their capital. Be it therefore enacted by the authority aforesaid, That the said Protestant Episcopal Society for the advancement of Christianity in South Carolina, shall be able and capable in law to have and to hold, purchase, take and receive, in fee simple or for any lesser estate, any lands, tenements, hereditaments or other property, of whatever nature soever, so that the clear yearly value thereof shall not exceed the sum of twenty thousand dollars.

XVIII. Whereas, the Bank of South Carolina have presented their petition, praying that so much of the Act passed on the nineteenth day of December, in the year of our Lord one thousand eight hundred and one, entitled "An Act to incorporate the South Carolina and State Banks," as directs than in case of an election for directors of the Bank of South Carolina, not more than three-fourths of the directors, exclusive of the President, shall be eligible for the next succeeding year, be repealed. Be it therefore enacted by the authority aforesaid, That so much of an Act entitled "An Act to incorporate the South Carolina and State Banks," as enacts, "that in case of an election for directors of the Bank of South Carolina, not more than three-fourths of the directors in office, exclusively of the President, shall be eligible for the next succeeding year," be, and the same is hereby, repealed.

XIX. And whereas, the Hibernian Society have, by their petition, prayed that the said society may be enabled to hold and acquire real and personal estate: Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, That the Hibernian Society be, and they are hereby, invested with all the powers and authority of a body politic and corporate in law, as to the holding and acquiring of any estate, real or personal; provided, that the same shall not exceed the value of twenty thousand dollars.

XX. And be it further enacted by the authority aforesaid, That the wardens and vestry of Saint Thomas's Parish, be, and they are hereby, authorized to loan out the monies arising from Beresford's bounty, in such sums, and in such manner, and on such security, as they may deem most beneficial in promoting the objects of the testator.

XXI. Whereas, a petition hath been presented by the trustees and other members of the Monticello Academy of Fairfield district, praying for leave to raise a certain sum of money by lottery, for the repairs of said academy. Be it further enacted by the authority aforesaid, That the trustees of the Monticello Academy of Fairfield district, or their successors, be, and they are hereby, vested with full power and authority to make and proceed to the drawing and concluding of a lottery, for the purpose of repairing said academy; provided, that they do not, by the said lottery, gain more than the nett sum of one thousand dollars.

XXII. And be it further enacted by the authority aforesaid, That the Laurens Masonic Society, Lodge No. 19, under the jurisdiction of the Grand Lodge of Ancient Free Masons of South Carolina, be, and they are hereby, authorized and empowered to establish, draw and complete a lottery or
lotteries, the profits whereof shall not exceed the sum of three thousand five hundred dollars, after deducting the necessary expenses attending the same; and shall be applied to the building of a Masonic Hall in the village of Laurensville.

XXIII. And be it further enacted by the authority aforesaid, That Chas. Allen, Archibald Young, Turner Richardson, William F. Downs, John Cook, David Boyse, Charles Saxon, John Dunlap, and Nathaniel Day, or a majority of them, be, and they are hereby appointed, commissioners to manage and conduct the said lottery or lotteries, and to adopt such scheme or schemes for the purposes aforesaid, as they may judge proper; and shall appoint such time and place for the drawing of the same, as they may deem most advisable; and in case of the death, resignation, or absence from the State, of any of the said commissioners, it shall and may be lawful for the said commissioners, or a majority of them, to fill such vacancy.

XXIV. And be it further enacted, That the real estate of which the Rev. Dr. James O. Farrel, late of Saint Matthew's Parish, died seized and possessed, and which real estate has escheated to the State, be vested, in fee simple, in such of the next of kin of the said James O. Farrel as have recovered his personal estate.

XXV. And be it further enacted by the authority aforesaid, That those persons who now are, or hereafter may become, members of the South Carolina Agricultural Society, be, and they are hereby declared to be, a body corporate and politic, in deed and in law, by the name and style of The South Carolina Agricultural Society; and, by the said name and style, shall have succession of officers and members; and shall have power to make and adopt by-laws and regulations for its government; and shall have a common seal, with power to change, alter and make new such by-laws, regulations and common seal, as often as they shall judge expedient.

XXVI. And be it further enacted by the authority aforesaid, That the said society shall be able and capable in law, to purchase, have, hold, take, use and retain, to itself, any estate, real or personal, of what kind or nature soever; provided, the same do not exceed fifty thousand dollars; and, by the said name and style, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State.

XXVII. And be it further enacted by the authority aforesaid, That John Robert, William Maner, William H. Lawton, Joseph J. Lawton, James Blackswamp Academy, Jehew Robert, John S. Maner, and Alexander J. Lawton, Trustees of Blackswamp Academy, and those persons who may hereafter become trustees of the said academy, be, and they are hereby declared to be, a body corporate and politic, in deed and in law, by the name and style of "The Trustees of Blackswamp Academy;" and, by the said name and style, shall have succession of officers and members; and shall have power to make by-laws for its government; a common seal, with power to change, alter and make new the same, as often as they shall judge expedient.

XXVIII. And be it further enacted by the authority aforesaid, That the said trustees, by the said name and style, shall be able and capable in law purchase, have, hold, use, take, receive and retain, to themselves, for the use of the said academy, any estate, real or personal, of what nature or kind soever; provided, the same do not exceed twenty thousand dollars; and, by the said name and style, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State.
STATUTES AT LARGE

Acts relating to Corporations.

XXIX. And be it further enacted by the authority aforesaid, That W. Patton, D. Crocker, D. Morgan, and all those persons who now are, or hereafter may be, members of the South Carolina Steam Boat Company, be, and the same are hereby declared, a body politic and corporate, in law and in deed, by the style and title of "The South Carolina Steam Boat Company;" and, by that title, shall have power to take, subscribe and raise a capital stock, to the amount of five hundred thousand dollars; and to acquire, have and hold, any estate, real or personal, to the amount of ten thousand dollars.

XXX. And be it further enacted by the authority aforesaid, That Joseph Johnson, T. T. Bryce, Samuel Patterson, G. T. Spears, N. Herrebomont, Abraham Blanding, Alexander Kirk, Ainsley Hall, Manoel Antonio, and all those persons who now are, or hereafter may be, members of the Congaree and Santee Steam Boat Company, be, and they are hereby declared to be, a body politic and corporate, in deed and in law, by the style and title of "The Congaree and Santee Steam Boat Company;" and, by that title, shall have power to take, subscribe and raise, a capital stock of five hundred thousand dollars; and to acquire, have and hold, any estate, real or personal, to the amount of ten thousand dollars.

XXXI. And be it further enacted by the authority aforesaid, That Thos. Salmond, John Boykin, Benjamin Bineham, Edward Cureton, W. Vaughan, Francis S. Lee, and all those persons who now are, or hereafter may be, members of the Wateree and Santee Steam Boat Company, be, and they are hereby declared, a body politic and corporate, in deed and in law, by the style and title of "The Wateree and Santee Steam Boat Company;" and, by that title, shall have power to take, subscribe and raise, a capital stock of two hundred thousand dollars; and to acquire, have and hold, any estate, real or personal, to the amount of ten thousand dollars.

XXXII. And be it further enacted by the authority aforesaid, That the several steam boat companies in this Act mentioned, shall be able and capable, by their respective corporate names, to sue and be sued, impale, and be impaled, to answer and be answered unto, in any court of law or equity in this State; and shall have succession of officers and members; and shall have power to make by-laws, not repugnant to the law of the land, for the good order and government of their respective members, as to the said corporations shall be deemed expedient; and to have a common seal, and to alter and make new the same.

XXXIII. And be it further enacted by the authority aforesaid, That this Act shall remain and continue in force for the term of twenty-one years, and from thence until the expiration of the next session of the Legislature, and no longer.

XXXIV. Be it further enacted by the authority aforesaid, That the officers of the Winewaw Lodge No. 69, Ancient Free Masons, and their successors in office, be appointed in the place of the commissioners named in the Act passed the nineteenth day of December, in the year of our Lord one thousand eight hundred, and one thousand eight hundred and fourteen, to carry into effect the drawing of the lottery therein granted for the benefit of the said lodge.

XXXV. And be it further enacted by the authority aforesaid, That Chas. Mayrant, Thomas Godbolt, Abner Leggett, Josse Leggett, Thos. Harley, Andrew Paul, Daniel Platt, Thomas Evans, Nimrod Davis, James C. Belure, and Enos Tart, Trustees of the Marion Academy, shall have power and authority, and are hereby fully authorized and empowered, to
OF SOUTH CAROLINA.

Acts relating to Corporations.

establish a lottery, and proceed to the drawing of the same, for the use, benefit and support of the said Marion Academy; provided, that the sum of money to be raised thereby shall not exceed the sum of two thousand dollars.

XXXVI. And be it further enacted by the authority aforesaid, That Stephen G. Devaux, Charles Stevens, Francis Peyre, sr., and those who now are, or hereafter may become, members of the Pineville Library Society, according to the rules and constitution of the said society, be, and they are hereby declared, a body politic and corporate, in deed and in law, by the name of "The Pineville Library Society."

XXXVII. And be it further enacted by the authority aforesaid, That this Act shall be deemed a public Act, and judicially taken notice of as such, and may be given notice of without special pleading.

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

JAMES R. PRINGLE, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE GRAND LODGE OF ANCIENT FREE MASONS OF SOUTH CAROLINA; AND FOR OTHER PURPOSES THEREIN MENTIONED.

WHEREAS, Thomas Wright Bacot, Grand Master, the Hon. David Johnson, Deputy Grand Master, John S. Cogdoll, sr., and Eliab Kingman, jr., Grand Wardens, Rev'd. F. Dalcho, Grand Chaplain, and others, the officers and members of the Grand Lodge of Ancient Free Masons of South Carolina, have, by their memorial to this Legislature, set forth, that the different denominations of masons heretofore subsisting in this State, have, by common consent, duly taken and testified in masonic form, united into one fraternity, under the jurisdiction and government of the said Grand Lodge of Ancient Free Masons of South Carolina, duly constituted since the said union; that the articles of their said union require that the charters of incorporation heretofore held by the two Grand Lodges of Masons in this State should be surrendered, they being dissolved, and in lieu thereof a new act of incorporation obtained for the Grand Lodge above mentioned, which is declared to contain thenceforth the true and supreme masonic authority in this State, and have proffered to surrender all charters of incorporation heretofore subsisting in this State, whereby Grand Lodges by different names have been incorporated; and prayed the Legislature to grant a new Act of incorporation to the said Grand Lodge of Ancient Free Masons of South Carolina.

I. Be it therefore enacted, by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the surrender of past charters of incorporation for Grand Lodges aforesaid, be, and the same is hereby, accepted; and that all Acts
of the Legislature heretofore passed for the incorporating of Grand Lodges of Masons in this State, by whatsoever name called or made known, be, and the same are hereby, repealed.

II. And be it further enacted by the authority aforesaid, That the said Thomas Wright Bacot, Grand Master, David Johnson, Deputy Grand Master, John S. Cogdell and Eliab Kingman, sr. and jr., Grand Wardens, Rev'd. Frederick Dalcho, Grand Chaplain, and others, officers and members of the said Grand Lodge, and their successors, and all others who, agreeably to masonic rules and usages, have become officers and members thereof, shall be, and they are hereby declared to be, a body corporate, in deed and in law, by the name of "The Grand Lodge of Ancient Free Masons of South Carolina;" the said society to consist of a Grand Master, a Deputy Grand Master, and such officers, with such style or title of office, as the said Grand Lodge, by virtue of masonic usage, or by any resolutions or by-laws, direct or appoint, accept or install, together with the masters and wardens of the subordinate lodges, subsisting under the warrant or jurisdiction of the before mentioned Grand Lodge, and such past masters or past officers of Grand Lodges heretofore subsisting, as the said Grand Lodge hereby incorporated may admit to sit therein, composing, altogether, the Grand Lodge of Ancient Free Masons of South Carolina; and, by the said name, shall have perpetual succession of officers and members; and a common seal, with power to change, alter, break and make new the same; with full power to the said Grand Lodge to make such rules and by-laws, not repugnant to the laws of the land, for the benefit and advantage of the said Grand Lodge, and for the order, rule, good government and management of the same, and of the subordinate lodges in this State, and for the promotion of the prosperity, order, interest and advantage of the craft in general, as to the said grand lodge shall appear meet and proper; and the said grand lodge shall be able and capable in law, to purchase or acquire, have, hold and enjoy, to itself and its successors, in perpetuity, any charitable donations, masonic contributions, assessments or dues, and any estate or estates, real or personal, or for life or years, or other property, of what nature or kind soever, not exceeding the annual income of twenty thousand dollars; and to sell, alien, exchange, demise or convey the same, as it shall by them be thought proper; and, by the name aforesaid, to sue and be sued, implead or be impleaded, answer and be answered unto, in any court of law or equity or judicial tribunal of this State.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful, from time to time, and at all times hereafter, for the grand master, deputy grand master, and officers and members of the said grand lodge, for the time being, and proxies by the said grand lodge duly admitted, and the successors of the said grand masters and other grand officers, to assemble and meet together in masonic form, at such stated times and places of forming, as in and by the constitution of the said society, or their by-laws, are or may be declared and appointed, as well as at such extra meetings as the grand master or deputy grand master, by virtue of their constitutions and by-laws, may call; and then and there to transact all the business touching the masonic fraternity, which by masonic rules, and the constitution and order of the said grand lodge, doth or may appertain to the same.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said grand master, or his deputy, in full grand lodge, and with their concurrence, under the seal of the said grand lodge,
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1818.

Subordinate Lodges.

to issue warrants for the constituting of subordinate lodges within this State; which warrant, until the same be revoked, annulled or surrendered, shall be a legal and regular authority for the forming and constituting of any subordinate lodge, with its proper officers and members, and for their masonic meetings, and communion with the fraternity in this State; and all subordinate lodges under the jurisdiction of the said grand lodge, shall have the power to make and establish such rules, orders and regulations for their government, subordinate to or not inconsistent with the masonic constitution, and rules and orders of the grand lodge, and of the laws of the land, as shall appear to such subordinate lodges to be good and expedient; and each subordinate lodge to be constituted by the said grand lodge, shall and may, while its warrant subsists, by the name in which it is constituted, have and hold any funds or property, not exceeding the annual income of two thousand dollars; and sue and be sued, in any court of law or equity; and recover any legal dues, debts or demands, and be made answerable to others in like manner. But nothing herein contained, and no charters of incorporation heretofore passed to any subordinate lodge of masons, shall be intended to operate otherwise than in accordance with that subordination to the grand lodge which the constitutions and masonic rules demand or require.

V. And be it further enacted by the authority aforesaid, That this Act Public Act shall be taken and deemed a public Act, and notice shall be taken thereof in all courts of judicature of this State, and may be given in evidence on the trial of any cause without specially pleading the same.

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

JAMES R. PRINGLE, President of the Senate.
ROBT. Y. HAYNE, Speaker of the House of Representatives.

AN ACT TO ALTER AND AMEND "AN ACT TO INCORPORATE THE CHALESTON FIRE AND MARINE INSURANCE COMPANY," PASSED IN THE YEAR OF OUR LORD 1818.

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

I. Be it therefore enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Fire and Marine Insurance Company shall have the right and power, by their said name, and by the signature of the president for the time being, or by the signature of such other person or persons, and with such ceremonies of authenticity, as they shall, from time to time, in and by their rules and by-laws, ordain and appoint, to make insurances on lives by
sea and on shore, and to contract for, grant and sell annuities and reversionary payments; and generally, to make all kinds of contracts in which casualties of life and interest of money are principally involved; and to make, execute and perfect, such and so many contracts, agreements, bargains, policies, and other instruments, as shall be necessary, and as the nature of the case shall or may require; and the said corporation shall remain a body politic indefinitely, as far as relates to the contracts permitted to be made by this Act; and if at any time it shall appear to the Legislature that the privileges granted by this Act are injurious to the public welfare, the power thereof to repeal this Act shall not be hereby denied or impaired; but such repeal shall not affect any engagements to which said company may have become a party previously thereto; and that the said company shall have a reasonable time to bring their accounts to a final settlement and determination.

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

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

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

---

No. 2217. AN ACT to Incorporate the several Societies therein mentioned.

I. 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 all those persons who now are, or who hereafter may be admitted to be, members of the congregation worshiping in Lower Saint Mark's Church, be, and they are hereby declared, a body politic and corporate in law, by the style of "The Vestry, Wardens and Society of Lower Saint Mark's Church."

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

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

IV. And be it further enacted by the authority aforesaid, That all those persons who now are, or who hereafter may be, members according to the rules of the society of the congregation worshiping in the Methodist Church of Monticello, be, and they are hereby declared, a body politic and corporate in law, by the style and title of "The Methodist Episcopal Church of Monticello."
OF SOUTH CAROLINA.


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

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

VII. Whereas, the Act entitled "An Act to incorporate the South Carolina Insurance Company," passed the fourteenth day of December, one thousand eight hundred and five, is nearly expired. Be it enacted by the authority aforesaid, That the said Act of incorporation shall be, and the same is hereby extended for the further term of fourteen years, from and after the time limited in the said Act of incorporation.

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

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

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

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

XII. And be it also enacted, That so much of an Act, passed on the twentieth day of December, in the year of our Lord one thousand eight

VOL. VIII.—39.
STATUTES AT LARGE

A. Relating to Corporations.

A. 11. 1829.

hundred and six, entitled "An Act to incorporate certain societies therein mentioned," as relates to the German Fusilee Society, shall be, and the same as hereby, continued in force for and during the term hereinafter assigned for the continuance of this Act.

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

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

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

XVI. And be it further enacted by the authority aforesaid, That the trustees of the Bethel Academy in York District, and their successors in office, are hereby authorized and empowered to hold real and personal estate; provided, the same shall not exceed the sum of ten thousand dollars.

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

XVIII. And be it further enacted by the authority aforesaid, That John E. Veneen, Bethel Durant, Richard Singleton, James G. Cochran, Robert R. Sessions, John Haines, esq., Peter Vaught, and Daniel M. Edge, Esqrs.,
OF SOUTH CAROLINA.

Acts relating to corporations.

shall be, and they are hereby appointed, commissioners to conduct and manage the said lottery; that they, or any five of them, shall adopt such scheme or schemes for the purposes aforesaid, as they may judge most proper; and shall appoint such time and place for drawing the same, as they may deem most advisable; and that the said commissioners shall apply and expend the said sum, so raised by lottery, in conjunction with the funds raised by private donations, in erecting a suitable building for public worship in the village of Conwayborough.

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

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

BENJ. HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

AN ACT TO INCORPORATE JOHN L. SULLIVAN AND OTHERS, BY THE NAME AND STYLE OF "THE SOUTH CAROLINA STEAM NAVIGATION COMPANY."

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

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

III. And be it further enacted, That this Act of incorporation shall remain and continue in force for the term of fourteen years; provided, the said company shall commence its operation within two years after the passing of this Act.

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

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

BENJ. HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

No. 2331. AN ACT TO INCORPORATE THE UNION INSURANCE COMPANY.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That David Alexander, Henry H. Becot, John Black, Mordecai Cohen, Thomas Deas, Charles Edmondston, Robert Y. Hayne, James Lamb, Simon Magwood, John Potter, John Robertson, William Smith, jun., Hugh Smith, Just Veil, and Jacob Wueff, of the city of Charleston, and others, who have formed an association or copartnership, under the firm or name of "The Union Insurance Company," and their successors and assigns, according to the rates by them established, and to be established, for the purposes hereinafter mentioned, shall be, and they are hereby, erected into a body politic and corporate, in law and in fact.
OF SOUTH CAROLINA.

Acts relating to Corporations.

A. D. 1820.

under the name, style and title of "The Union Insurance Company;" and, by the same name, style and title, shall have succession of officers and members, and all the powers, privileges and franchises incident to a corporation; and shall be capable of taking, holding and disposing of their capital stock, (provided, the said capital stock does not exceed the sum of five hundred thousand dollars,) according to their present or future rules, regulations and institutions; and, also, of taking, holding, or disposing of, or investing, as the said corporation shall, from time to time, judge fit, the increased profit and emolument of their said capital stock, to their own use; and shall have full power and authority to make, have and use a common seal, with such device and inscription as they shall deem proper, and the same to break, alter and renew at their pleasure; and, by the name, style and title aforesaid, shall be able and capable, in law and equity, to sue and be sued, implead and be 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 president and other officers and directors, in such number, at such periods, and with such duties, as they shall see fit; and, also, to make rules, by-laws and ordinances, and to do every thing needful for the good government and management of the affairs of the said corporation. 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.

II. And be it further enacted by the authority aforesaid, That the said corporation shall have a right and power to purchase, acquire, take, hold, and sell, in their said corporate name, lands and real estate, and the same to demise, grant, sell, assign and convey, in fee or otherwise; provided, the yearly income of the real estate, so to be held, shall not, at any time, exceed ten thousand dollars.

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

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

V. And be it further enacted by the authority aforesaid, That on the expiration or dissolution of the said corporation, that then, and in such case, the estate by such corporation possessed, shall not escheat, but be vested in the several members of said corporation, in average and proportion to their several and respective shares in the capital stock aforesaid, after the payment of the debts of the said corporation.

VI. And be it further enacted by the authority aforesaid, That this charter shall cease and determine after the lapse of twenty-one years from the date of the same.

VII. And be it further enacted by the authority aforesaid, That this Act shall be deemed a public Act, and the several courts of law and equity in this State shall be bound to take judicial notice thereof, without the same being specially pleaded.

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

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

At a General Assembly, begun and held at Columbia, on Monday, the twenty-seventh day of November, in the year of our Lord one thousand eight hundred and twenty, and thence continued, by divers adjournments, to the nineteenth day of December, in the same year.

No. 2284. AN ACT TO MAKE AND ESTABLISH THE VESTRY AND CHURCH-WARDENS OF THE PROTESTANT EPISCOPAL CHURCH, CALLED GRACE CHURCH, IN THE STATE OF SOUTH CAROLINA, A BODY POLITIC AND CORPORATE.

WHEREAS, the vestry and church-wardens of the Protestant Episcopal Church, called Grace Church, in Christ Church Parish, in the State of South Carolina, are desirous that it should be made, established and incorporated, a body politic and corporate, and that it should have and possess the same authority, powers and privileges, as are hereinafter particularly mentioned.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said vestry and church-wardens of the
Protestant Episcopal Church, called Grace Church, in the parish aforesaid, be, and is hereby, made, established and incorporated, a body politic and corporate, in name and in law; and that it shall hereafter have, possess and enjoy its property; provided, it shall not exceed in amount the sum of twenty thousand dollars.

II. And be it further enacted by the authority aforesaid, That the said church, before mentioned, shall, from time to time, and at all times hereafter, have perpetual succession of members, and a common seal, and be capable in law, to have, hold, take, receive, possess and enjoy, all the lands, tenements and hereditaments, and all the rents and income thereof, which now are, or hereafter shall be, vested in it, by gift, devise or purchase, to them and their successors in office, forever, not exceeding the annual income of three thousand dollars; and that the said church, by the said name, shall and may sue and be sued, implead and be impleaded, answer and be answered unto, in any court of judicature in this State, in all actions or suits, of what nature or kind soever, which to it shall in any wise belong or appertain, in or about the premises.

III. And be it further enacted by the authority aforesaid, That the said corporation shall have full power and authority, by its name above mentioned, either at law or in equity, to sue for, recover and receive, all and every such sum and sums of money, goods, chattels, houses, lands, real estate, or other property, as now is or are, or hereafter shall be, due to or kept and detained from the said corporation.

IV. And be it further enacted by the authority aforesaid, That if any person or persons shall neglect or refuse to pay the sum or sums of money at which his, her or their pew or pews in the said church is or are already rated or assessed, according to the directions of the said corporation, for the space of twelve months after the same shall have been declared, such person or persons shall forfeit and lose his or her right to said pew or pews.

V. And be it further enacted, That the said corporation shall have full power and authority to make such by-laws and regulations, not repugnant to the laws of the State, as may be necessary to carry the powers before mentioned into full effect.

VI. And be it further enacted by the authority aforesaid, That this Act shall continue in force for and during the term of twenty-one years, from the ratification thereof, and no longer, and shall be deemed and held a public Act, and judicially taken notice of as such, and the same may be given in evidence without special pleading.

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.
AN ACT TO INCORPORATE THE SEVERAL SOCIETIES THEREIN MENTIONED.

WHEREAS, diverse persons have associated themselves by the name of the Officers and Members of the Vigilant Fire Engine Company of Charleston, and have, by their petition, set forth that they have formed themselves into an association to prevent, if possible, by their most strenuous exertions, the too frequent calamities occasioned by fire in the city of Charleston, and praying to be incorporated.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all those persons, not exceeding the number of forty persons, who now are, or hereafter shall be, members of the said company or association, shall be, and the same are hereby declared to be, a body politic and corporate, in deed and in law, by the name and style of "The Officers and Members of the Vigilant Fire Engine Company of Charleston."

And the said corporation, by its said name, shall have perpetual succession of officers and members; and shall have power and authority to make, ordain and establish, all such rules, regulations and by-laws, as they may deem expedient and proper, not repugnant to the laws of the land.

And the said corporation, by their said name, shall be able and capable in law to have a common seal; and hold, occupy and possess any real or personal estate, not exceeding in value the sum of one thousand dollars, and to sell, alien, demise, exchange or dispose of the same, as the said corporation may deem most advisable. And that the said corporation, by its said name, shall be, and is hereby, empowered to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State.

II. And be it further enacted by the authority aforesaid, That the said officers and members of the Vigilant Fire Engine Company of Charleston, shall be, and they are hereby, in times of peace, exempted from performing ordinary militia duty, either at general or petit musters.

III. And be it further enacted by the authority aforesaid, That all those persons who have associated themselves into a society for establishing a school at the Franklin School House, in the district of Edgefield, about ten miles from the city of Augusta, be, and the same are hereby declared to be, a body politic, in deed and law, by the name of "The Society for establishing a Seminary of Learning at the Franklin School House, in the district of Edgefield."

And that the said corporation, by its said name, shall have perpetual succession of officers and members, and shall be able and capable in law to have a common seal; and, by the said name, to sue and be sued, and plead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and shall be able, by its said name, to take, by purchase or devise, any real or personal estate, to the value of five thousand dollars, and to sell, alien and demise the same, as the said corporation may deem proper or expedient.

IV. Whereas, John Blasingame, William Young, Baylis John Earle, William Tonney, Jeremiah Cleveland, Spartan Goodlett, and Thomas G. Walker, have represented, by their petition, that a large sum of money has been subscribed for the purpose of endowing a school at Greenville court house, and praying to be incorporated, by the name and style of "The Trustees of the Greenville Academy." Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said last
OF SOUTH CAROLINA.

Acts relating to Corporations.

mentioned persons shall be, and they are hereby declared to be, one body corporate and politic, in deed and in law, by the name and style of "The Trustees of the Greenville Academy;" and the said trustees, by their said corporate name, shall have perpetual succession of officers, and shall and may make and ordain and establish all such rules and regulations and by-laws, for the benefit of the said corporation, as may by it be deemed necessary and expedient, not repugnant to the laws of the land. And the said last mentioned corporation shall be able and capable in law to have, hold, receive, possess and enjoy, all such lands or personal property as may be acquired by it, by gift, grant, purchase, or other donation, which are now possessed, or hereafter may be possessed, by the said corporation, and to sell, alien, lease or exchange the same, in such manner and upon such terms as to the said corporation may seem expedient, not exceeding the sum of five thousand dollars; and may, by its said name, sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity in this State.

V. Whereas, the Beaufort Volunteer Artillery Company have, by their petition, prayed the Legislature of this State to incorporate the said company, by the name and style of "The Beaufort Artillery Society:" Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the members of the said company shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name and style of "The Beaufort Artillery Society." And the said corporate body, by its said name, shall have perpetual succession of officers and members, and shall have power to make and ordain all such rules, regulations and by-laws, for the benefit, use and administration of the said corporate body, as may not be repugnant to the laws of the land. And the said members and their successors, by their said corporate name, shall be able and capable in law to have a common seal, and hold, occupy and possess any real and personal estate, not exceeding in value ten thousand dollars, and to sell, alien, demise, exchange or lease the same, as the said corporate body may deem most advisable. And the said corporate body is hereby authorized to sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity in this State.

VI. And whereas, from the growing importance and population of the town of Chatham, on PeeDee river, it has become necessary to incorporate the said town: Be it therefore enacted by the authority aforesaid, That from and immediately after the passing of this Act, all persons, citizens of the United States, having resided one year within the said town of Chatham, or having a free-hold for that term, within the same, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall hereafter be deemed, and is hereby declared to be, a town corporate, and shall be called and known by the name of Cheraw.

VII. And be it further enacted by the authority aforesaid, That an election for an intendant and four wardens shall be held on the first Monday in March next; and that Peter Vandordew, Henry N. Miller, and Charles Vanderford, or any two of them, be managers thereof, and on the first Monday in March, in every year thereafter, at some convenient public place in the said town of Cheraw; and that every free white inhabitant of the said town of Cheraw, of the age of twenty-one years, and upwards, and who have resided one year within the said town, or who has, at the

VOL. VIII.—40.
time of election, a free-hold within the same, shall be entitled to vote for
the said intendant and wardens, who shall be residents and free-holders in
the said town.

VIII. And be it further enacted by the authority aforesaid, That the
intendant and wardens for the time being shall give ten days public notice
of such election, as aforesaid, and appoint the place for holding it, and
proper persons for managing and conducting the same; and the said mana-
gers, after the election is closed, shall make a return to the intendant for
the time being, of the persons chosen as intendant and wardens for the en-
suing year; and the said intendant for the time being shall give im-
mediate notice to the several persons elected, of their respective election;
and when and as often as the said intendant and wardens shall be elected,
as aforesaid, and before entering upon the discharge of the duties of his or
their office, he or they shall, respectively, take the oaths prescr.bed by the
Constitution of this State, and the following oath or affirmation, to wit:

"As intendant (or warden) of the town of Cheraw, 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 carry into effect the purposes for
which I have been elected. So help me God."

And the official powers of the intendant and wardens for the time being
shall not cease and determine until the oats of qualification shall have been
taken by a quorum of their successors in office.

IX. And be it further enacted by the authority aforesaid, That in case
of the death of the intendant, his resignation, refusal to serve, removal
from office, or absence from the State, or in case of any irregularity in or
failure of the election, the wardens shall thereupon appoint a time for choos-
ing another, and give ten days public notice of the same; and in case of the
death, resignation, refusal to serve, removal from office, absence from
the State, or irregularity in or failure of the election of any of the wardens,
the intendant shall give the like notice of an election for the purpose of
filling such vacancy; and if any person on being elected intendant, shall
refuse to act as such, he shall forfeit and pay to the town council, for the
use of the said town, the sum of thirty dollars; and if any person on being
elected warden, shall refuse to act as such, he shall forfeit and pay to the
town council, for the use of the said town, the sum of twenty dollars.
Provided, that no person who has attained the age of sixty years, shall be
compelled to serve in either of the said offices, nor shall any other person
be obliged to serve more than one year in any term of five years.

X. And be it further enacted by the authority aforesaid, That the said in-
tendant shall and may, as often as occasion may require, summon the war-
dens to meet together, any two of whom, with the intendant, shall constit-
tute a quorum to do business; and they, with the intendant, shall be known
by the name of, and are hereby declared to be, "The Town Council of the
Town of Cheraw;" and they and their successors, hereafter to be elected,
may have a common seal; and may purchase, have, hold, possess, receive,
enjoy, and retain, to them and their successors, in perpetuity, for any or
for any term of years, any estate or estates, real or personal, of what nature or
kind soever, not exceeding the sum of forty thousand dollars; and may
sell, alien, exchange, or lease the same, or any part thereof, as they may
think proper; and, by the same name, may sue and be sued, impleaded or be
impleaded, answer or be answered unto, in any court of law or equity in
this State.
XI. And be it further enacted by the authority aforesaid, That the said town council shall have full power and authority to make and establish, and, when they see fit, to alter, all such rules, by-laws and ordinances respecting the streets, lanes and alleys, public buildings, markets, weights and measures, the assize, prices and inspection of bread, the cording and measuring of fire-wood, public houses, billiard-tables, retailers of spirituous liquors, pumps, fire-engines and buckets, disorderly places and free people of color; and, in general, every other by-law and regulation that shall appear to them requisite and necessary for the health, security, welfare, good government and convenience of the said town. Provided, that nothing herein contained shall authorize the said town council to make any by-laws inconsistent with or repugnant to the laws of the land; and that all by-laws and regulations which they may make, shall, at all times, be subject to the revocation or repeal of the Legislature.

XII. And be it further enacted by the authority aforesaid, That the intendant and each of the wardens for the time being, shall be vested with all the powers and authority with which, by the laws of the State, justices of the peace are vested, and shall and may exercise the same in every part of the said town.

XIII. And be it further enacted by the authority aforesaid, That the said town council shall have full power and authority, annually, to assess and levy a tax upon all the real property in the said town; provided, the said tax shall not exceed twenty-five per cent. upon the value thereof, to be annually assessed by freeholders of the said town, who shall be appointed by the town council aforesaid.

XIV. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, the vestry and wardens of the Episcopal church of the parish of Prince George Winewauk, shall have power and authority, and they or a majority of them are hereby empowered, to assess and value the pews in said church, each and every year hereafter, and to lay a tax on such assessment and valuation; provided, such tax so to be laid, shall not exceed fifteen per cent.

XV. And be it further enacted by the authority aforesaid, That the real and personal estate of the owner or owners, tenant or tenants, or lessees, of a pew or pews in the said church, shall be liable to the payment of the tax to be collected, so to be laid as aforesaid; and it shall and may be lawful for the vestry and wardens of the said church, in their corporate capacity, to commence and prosecute any suit or suits in law or equity, either by action of debt or bill in equity, for the recovery of the said tax.

XVI. And be it further enacted by the authority aforesaid, That the charter of the Beaufort Library Society, granted by an Act entitled "An Act to incorporate the Beaufort Library Society," passed at Columbia, on the nineteenth day of December, in the year of our Lord one thousand eight hundred and seven, be, and the same is hereby, revived and continued, and shall continue in force for the term of fourteen years; any thing in the said Act to the contrary notwithstanding.

XVII. Whereas, William Anerum, Lewis Ciplos, J. K. Douglass, J. S. Murray, John M'Ewen, Francis S. Lee, J. Carter, Alexander Young, Charles J. Shannon, Hugh M'Call, Robert Mickle, H. Black, and James Clark, have stated to the Legislature that they have associated themselves together, and have purchased a lot and raised considerable funds for the purpose of building a church in the town of Camden, and praying that
they may be incorporated by the name and style of "The Presbyterian Church of Bethesda: Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all those persons who now are, or hereafter may become, members of the said church, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Presbyterian Church of Bethesda."

XVIII. And be it further enacted by the authority aforesaid, That the said corporation, by its name aforesaid, shall have perpetual succession of officers and members, to be appointed or elected in such manner and according to such form as may be provided by the rules and regulations now existing, or hereafter to be made, for the regulation of the said church; and they shall have a common seal, with power to alter the same, together with the said rules and regulations, in such manner and as often as they shall deem necessary.

XIX. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law to purchase, have, hold and enjoy, any estate, real or personal, in perpetuity or for term of years; provided, the annual rent or amount thereof shall not exceed the sum of three thousand dollars; and to lease, alien or otherwise dispose of the same, in fee or for term of years, in any way it may deem proper.

XX. And be it further enacted by the authority aforesaid, That the said corporation may sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity in this State.

XXI. Whereas, John B. Miller, on behalf of the members of the Baptist church of Sumterville, has petitioned the Legislature for an Act of incorporation of a Baptist Church at Sumterville: Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, That all those persons who now are, or hereafter may become, members of the said church, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Sumterville Baptist Church."

XXII. And be it further enacted by the authority aforesaid, That the said corporation, by its name aforesaid, shall have a succession of officers and members, to be appointed or elected in such manner, or according to such form, as may be provided by the rules and regulations now existing, or hereafter to be made, for the regulation of the said church; and that they shall have a common seal, with power to alter or change the same; and to make such rules and regulations as they may deem necessary for the government of the said church.

XXIII. And be it further enacted by the authority aforesaid, That the said corporation shall be capable and able in law to purchase, have, hold, receive by donation or otherwise, and enjoy, any estate, real or personal, in perpetuity or for term of years; provided, the annual rent or amount thereof shall not exceed the sum of one thousand dollars; and to lease, alien or otherwise dispose of the same, in fee or for term of years, in any way it may deem proper; and that the said corporation may sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity in this State.

XXIV. Whereas, Joseph Winthrop, John Manning, Henry S. Jones, Doddridge Crocker, A. S. Willington, George Gibbs, and William Crafts,
have, by their petition, in behalf of themselves and a number of others, prayed that they may be incorporated, by the name and style of "The New-England Society:" Be it therefore enacted by the authority aforesaid, That all those persons who now are, or hereafter may become members of the said society, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The New-England Society."

XXV. And be it further enacted by the authority aforesaid, That the said corporation, by its name aforesaid, shall have a succession of officers and members, to be appointed or elected in such manner and according to such form as may be provided by such rules and regulations as they may, from time to time, ordain and establish, for the good government of the said Society; and that they shall have a common seal, with power to alter or change the same, as often as they may deem expedient and necessary.

XXVI. And be it further enacted by the authority aforesaid, That the said corporation shall be capable in law to take, by donation, devise or purchase, any estate, real or personal, and to have, hold and possess the same, in perpetuity or for term of years; provided, the annual rent or amount thereof shall not exceed the sum of one thousand dollars; and to lease, alien or dispose of the same, in fee or for term of years, in any way that it may deem proper; and that the said corporation may sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity in this State.

XXVII. Whereas, the pastor and elders of the Presbyterian church of Rocky River, in the district of Abbeville, have petitioned the Legislature to be incorporated, by the name and style of the Presbyterian Church of Rocky River: Be it therefore enacted by the authority aforesaid, That all those persons who now are, or hereafter may become, members of the said church, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Presbyterian Church of Rocky River."

XXVIII. And be it further enacted by the authority aforesaid, That the said corporation, by its name aforesaid, shall have a succession of officers and members, to be appointed or elected in such manner and according to such form as may be provided by the rules and regulations now existing or hereafter to be made, for the regulation of the said church; and that they shall have a common seal, with power to make new or alter the same, together with the said rules or regulations, in such manner and as often as they shall deem necessary and expedient.

XXIX. And be it further enacted by the authority aforesaid, That the said corporation shall be capable to have, hold and enjoy any estate, real or personal, in perpetuity or for term of years, whether acquired by donation, devise or purchase; provided, the annual rent or amount thereof shall not exceed the sum of one thousand dollars; and to lease, alien or dispose of the same, in fee or for term of years, in any way it may deem proper; and may sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity in this State.

XXX. Whereas, Jesse Blocker, B. M. Blocker, Jordon Halloway, John Mitchell, and Daniel Bird, have represented to the Legislature that an Academy has been established in Edgefield district, under their superintendence, and praying to be incorporated, by the name of "The Officers and Trustees of the Society Academy:" Be it therefore enacted by the authority aforesaid, That all those persons who now are, or hereafter may
become, members of the said society shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Officers and Trustees of Society Academy."

XXXI. And be it further enacted by the authority aforesaid, That the said corporation, by its name aforesaid, shall have a succession of officers and members, to be appointed or elected in such manner as may be provided by the by-laws, rules and regulations of the said corporation, now in existence or hereafter to be made, for the government and regulation of the said corporation; and they shall have a common seal, with power to break, alter, or change the same, as well as the by-laws by the said corporation to be made and ordained, as often as they may deem it necessary or expedient.

XXXII. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to have, hold, possess and enjoy, any estate, real or personal, in perpetuity or for term of years, whether acquired by donation, purchase, or otherwise; provided, the annual rent or amount thereof shall not exceed the sum of one thousand five hundred dollars; and to lease, alien, or otherwise dispose of the same, in fee, or for a term of years, in any way it may deem proper; and may sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity in this State.

XXXIII. Whereas, a petition has been presented to the Legislature, by certain Grocers of the city of Charleston, praying that they may be incorporated, by the name of "The Charleston Friendly Society of Grocers." Be it therefore enacted by the authority aforesaid, That all those persons who now are, or hereafter may become, members of the said society, shall be, and they are hereby, incorporated, as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Charleston Friendly Society of Grocers."

XXXIV. And be it further enacted, That the said corporation, by its name aforesaid, shall have a succession of officers and members, to be appointed or elected in such manner as may be provided by the by-laws and regulations now in existence, or hereafter to be made and ordained, for the government of the said corporation; and that they shall have a common seal, with power to alter or change the same, as well as the by-laws and regulations of the said corporation, as often as they may deem necessary.

XXXV. And be it further enacted by the authority aforesaid, That the said corporation shall be capable and able in the law, to have, hold, possess and enjoy, any estate, real or personal, in perpetuity or for term of years, whether acquired by devise, donation, purchase or otherwise; provided, that the annual rent or amount thereof shall not exceed the sum of five thousand dollars; and to lease, alien, or otherwise dispose of the same, in fee, or for any term of years, in any way it may deem proper; and may sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity in this State.

XXXVI. And be it further enacted by the authority aforesaid, That the vestry and wardens of the Episcopal Church of All Saints Parish, or their successors, duly elected or appointed, shall be, and they are hereby declared to be, a body politic and corporate, in deed and in law, by the name and style of "The Episcopal church of All Saints Parish;" and, shall have perpetual succession of officers and members; and the said corporation shall have a common seal; and the power of making such rules
OF SOUTH CAROLINA.


and by-laws, not repugnant to the law of the land, for the order and government of the same, as to the vestry and wardens for the time being shall seem proper, and to change, alter and make new the same; and shall be able and capable in law, to have, hold, take, and receive, by purchase, devise, donation, or otherwise, either in perpetuity or for a term of years, any estate, real or personal; provided, the annual rents, profits and proceeds thereof do not exceed the sum of two thousand dollars; and the same to sell, lease, or demise, apply and dispose of, as they from time to time shall think proper; and, by their said name, to sue and be sued, plead and be impleaded, in any court of law or equity in this State.

XXXVII. And be it further enacted by the authority aforesaid, That all the lands in the said Parish of All Saints, which have, or hereafter shall or may escheat, shall be, and the same are hereby, vested in the said corporation; provided, the same do not exceed the sum of ten thousand dollars; and the said corporation are hereby vested with all the powers heretofore vested by law in the several escheaters throughout the State, so far as respects the interest of the State in the said escheated property.

XXXVIII. And be it further enacted by the authority aforesaid, That the Clariosophic Society be, and the same is hereby, incorporated, as a body corporate and politic, with power to sue and be sued, implead and be impleaded, in any court of law or equity in this State; and shall have a common seal, and a succession of officers and members, by the name and style of "The Clariosophic Society."

XXXIX. And be it further enacted by the authority aforesaid, That the Euphradian Society be, and the same is hereby, incorporated, as a body corporate and politic, 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 a succession of officers, by the name and style of "The Euphradian Society."

XL. And be it further enacted by the authority aforesaid, That the Clariosophic and Euphradian Societies aforesaid, shall, respectively, hold but one meeting in each year in a corporate capacity, which meeting shall be on the Tuesday after the first Monday in December in each year; at which meetings, no business in a corporate capacity shall be transacted, unless a majority of the honorary and regular members then present, shall be of full age.

XLII. And be it further enacted by the authority aforesaid, That the said societies, at their annual meetings aforesaid, may, respectively, make by-laws for their government; provided, the same be not repugnant to the law of the land; and the said societies shall, severally, 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 severally deem proper.

XLII. And be it further enacted by the authority aforesaid, That this Act shall remain and continue in force for the term of fourteen years, and from thence until the expiration of the then next ensuing session of the Legislature, and no longer; and shall be deemed and taken to be a public Act, and judicially taken notice of as such without special pleading.

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

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.
AN ACT to incorporate the several Societies therein mentioned.

WHEREAS, divers persons have associated themselves by the name of the Officers and Members of the Vigilant Fire Engine Company of Charleston, and have, by their petition, set forth that they have formed themselves into an association to prevent, if possible, by their most strenuous exertions, the too frequent calamities occasioned by fire in the city of Charleston, and praying to be incorporated.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all those persons, not exceeding the number of forty persons, who now are, or hereafter shall be, members of the said company or association, shall be, and the same are hereby declared to be, a body politic and corporate, in deed and in law, by the name and style of "The Officers and Members of the Vigilant Fire Engine Company of Charleston." And the said corporation, by its said name, shall have perpetual succession of officers and members; and shall have power and authority to make, ordain and establish, all such rules, regulations and by-laws, as they may deem expedient and proper, and not repugnant to the laws of the land. And the said corporation, by their said name, shall be able and capable in law to have a common seal; and hold, occupy and possess any real or personal estate, not exceeding in value the sum of one thousand dollars, and to sell, alien, demise, exchange or dispose of the same, as the said corporation may deem most advisable. And that the said corporation, by its said name, shall be, and is hereby, empowered to sue and be sued, implead, and be impleaded, answer and be answered unto, in any court of law or equity in this State.

II. And be it further enacted by the authority aforesaid, That the said officers and members of the Vigilant Fire Engine Company of Charleston, shall be, and they are hereby, in times of peace, exempted from performing ordinary militia duty, either at general or petit musters.

III. And be it further enacted by the authority aforesaid, That all those persons who have associated themselves into a society for establishing a school at the Franklin School House, in the district of Edgefield, about ten miles from the city of Augusta, be, and the same are hereby declared to be, a body politic, in deed and law, by the name of "The Society for establishing a Seminary of Learning at the Franklin School House, in the district of Edgefield." And that the said corporation, by its said name, shall have perpetual succession of officers and members, and shall be able and capable in law to have a common seal; and, by the said name, to sue and be sued, and plead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and shall be able, by its said name, to take, by purchase or devise, any real or personal estate, to the value of five thousand dollars, and to sell, alien and demise the same, as the said corporation may deem proper or expedient.

IV. Whereas, John Blasingame, William Young, Baylis John Earle, William Toney, Jeremiah Cleveland, Spartan Goodlett, and Thomas G. Walker, have represented, by their petition, that a large sum of money has been subscribed for the purpose of endowing a school at Greenville court house, and praying to be incorporated, by the name and style of "The Trustees of the Greenville Academy." Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the said last
OF SOUTH CAROLINA.

Acts relating to Corporations. A. D. 1820

mentioned persons shall be, and they are hereby declared to be, one body corporate and politic, in deed and in law, by the name and style of "The Trustees of the Greenville Academy;" and the said trustees, by their said corporate name, shall have perpetual succession of officers, and shall and may make and ordain and establish all such rules and regulations and by-laws, for the benefit of the said corporation, as may by it be deemed necessary and expedient, not repugnant to the laws of the land. And the said last mentioned corporation shall be able and capable in law to have, hold, receive, possess and enjoy, all such lands or personal property as may be acquired by it, by gift, grant, purchase, or other donation, which are now possessed, or hereafter may be possessed, by the said corporation, and to sell, alien, lease or exchange the same, in such manner and upon such terms as to the said corporation may seem expedient, not exceeding the sum of five thousand dollars; and may, by its said name, sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity in this State.

V. Whereas, the Beaufort Volunteer Artillery Company have, by their petition, prayed the Legislature of this State to incorporate the said company, by the name and style of "The Beaufort Artillery Society: Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the members of the said company shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name and style of "The Beaufort Artillery Society." And the said corporate body, by its said name, shall have perpetual succession of officers and members, and shall have power to make and ordain all such rules, regulations and by-laws, for the benefit, use and administration of the said corporate body, as may not be repugnant to the laws of the land. And the said members and their successors, by their said corporate name, shall be able and capable in law to have a common seal, and hold, occupy and possess any real and personal estate, not exceeding in value ten thousand dollars, and to sell, alien, demise, exchange or lease the same, as the said corporate body may deem most advisable. And the said corporate body is hereby authorized to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State.

VI. And whereas, from the growing importance and population of the town of Chatham, on PeeDee river, it has become necessary to incorporate the said town: Be it therefore enacted by the authority aforesaid, That from and immediately after the passing of this Act, all persons, citizens of the United States, having resided one year within the said town of Chatham, or having a free-hold for that term, within the same, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall hereafter be deemed, and is hereby declared to be, a town corporate, and shall be called and known by the name of Cheraw.

VII. And be it further enacted by the authority aforesaid, That an election for an intendant and four wardens shall be held on the first Monday in March next; and that Peter Vannordew, Henry N. Miller, and Charles Vanderford, or any two of them, be managers thereof, and on the first Monday in March, in every year thereafter, at some convenient public place in the said town of Cheraw; and that every free white inhabitant of the said town of Cheraw, of the age of twenty-one years, and upwards, and who have resided one year within the said town, or who has, at the

VOL. VIII.—40.
the sum of ten cents per mile, for each passenger and his customary baggage.

XV. And be it further enacted, That the said Eleazer Early and his associates shall commence to run the said line of stages within one year from the date hereof; and shall continue to provide, during the whole term of fourteen years, suitable and proper stages, horses and other accommodations, for such travellers as may wish to pass from Hamburgh to Savannah; and in default thereof, the exclusive right hereby granted him, shall forthwith cease and determine.

XVI. Whereas, the Town Council of Beaufort, by their petition to the Legislature, have represented, that great inconvenience is sustained by the inhabitants of Beaufort, on account of the obstruction of a street in said town, called West-street; and prayed that they may be authorized and empowered to continue the said street down to the river, through certain lots and parcels of ground, known in the plan of the said town as (No. 31,) number thirty-one, and (No. 8,) number six; and whereas, it is expedient to grant the prayer of the said petition, and to provide a mode for satisfying the owners of the lots aforesaid. Be it therefore enacted by the authority aforesaid, That it shall and may be lawful for the town council of Beaufort to appoint two persons, and the owners of the lots aforesaid shall appoint two persons, (if they will,) and the four persons so appointed shall choose one other person, and the five persons so to be chosen and appointed, or in case the owners of the soil shall refuse, after twenty days notice, to appoint any persons, then the two persons appointed by the town council, and another person chosen by those two, shall be, and they are hereby declared to be, special commissioners to ascertain the value of the ground which it may be necessary for the town council to take for the public use, in order to continue and open the above mentioned street down to the river; and the said commissioners, or a majority of them, shall ascertain and declare what sums ought to be paid, as well for the soil as for the public buildings thereon, which it may be necessary for the town council to take or remove, and upon paying the sums which may be so assessed, the town council shall be, and they are hereby, authorized to lay out and open a street for the public use over the said ground; and to do all and every act which may be necessary towards completing the same; and the price which may be assessed to the owners of the property by the commissioners aforesaid, shall be conclusive and obligatory on all parties; provided, that the said commissioners shall not proceed to make their award or assessment, without giving twenty days notice to the parties concerned; and that in fixing the amount to be paid, they shall take into consideration, as well the advantages to the owners of the soil by the increased value of the residue, as the injury suffered in the portion taken away.

XVII. And be it further enacted by the authority aforesaid, That all those persons who now are, or hereafter shall become, members of the association of mechanics and manufacturers of the town of Cheraw, shall be, and they are hereby declared, a body corporate and politic, by the name and style of "The Association of the Mechanics and Manufacturers of the town of Cheraw."

XVIII. And be it further enacted by the authority aforesaid, That the society called by the name of the Savannah River Baptist Association, shall be, and they are hereby, incorporated, by the name of "The Officers and Members of the Savannah River Baptist Association."
OF SOUTH CAROLINA.

Acts relating to Corporations.

XIX. And be it further enacted by the authority aforesaid, That each and every of the corporations above mentioned, by their several and respective names, shall have perpetual succession of officers and members; and shall be able and capable in law to have a common seal; and, by their several and respective names, to plead and be impleaded, sue and be sued, answer and be answered unto, in any court of law or equity in this State; to purchase, take, have and hold, real and personal estate, with the restrictions hereinafter mentioned; and to sell, alien, and demise the same, as they respectively may think proper.

XX. And be it further enacted, That the Charleston and Columbia Steam Boat Company shall be able and capable to have and hold any estate, real or personal, to the amount of five hundred thousand dollars; and that each and every of the other corporations herein mentioned, shall be able and capable to have and hold any such estate to the value of ten thousand dollars, and no more.

XXI. And be it further enacted by the authority aforesaid, That the May draw a South Carolina Academy of Fine Arts shall have full power, at any time within the period of two years next ensuing, to make the scheme of a lottery. lotteries, to vend the tickets, and appoint commissioners to draw the same; provided, the clear profit of the same shall not exceed ten thousand dol- lars; one half of which shall be for the benefit of the said Academy of Fine Arts, and one half for the use and benefit of the Literary and Philo- sophical Society of South Carolina.

XXII. And be it further enacted by the authority aforesaid, That this Act shall be a public Act, and shall continue and be of force for and during the term of fourteen years, and no longer.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and twenty-one, and in the forty-sixth year of the Inde- pendency of the United States of America.

BENJ. HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE SOUTH CAROLINA ACADEMY OF FINE ARTS.

WHEREAS, a number of citizens and inhabitants of this State have associated in the city of Charleston, for the purpose of establishing an Academy for the encouragement of the Fine Arts; and have petitioned the Legislature to be admitted a body corporate and politic, in name and in deed, by the name and style of "The South Carolina Academy of Fine Arts."

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all such persons as now are, or may become hereafter, members of the said society, and their successors, members and officers, shall be, and are hereby declared to be, a body corporate and politic, in deed and in law, by the name and style of "The South Carolina Academy of Fine Arts;" 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 necessary.

II. Be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to purchase, have, hold, receive, enjoy and retain, to itself, in perpetuity or for any term of years, any lands, tenements or hereditaments, of what kind or nature soever, not exceeding the annual income of ten thousand dollars; and to sell, alien or lease the same, as they shall think proper; and, by its said name, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, not repugnant and contrary to the laws of the land, as for the order, rule, good government and management thereof, may be thought necessary.

III. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to have, hold and receive, enjoy, possess and retain, all such estates, real and personal, money, goods, chattels and effects, which they now possess or are entitled to, or which have been already given, devised or bequeathed thereto, by whatever name such gift, devise or bequest may have been made.

IV. And be it further enacted by the authority aforesaid, That this Act shall be deemed and taken as a public Act, and notice thereof shall be taken in all the courts of justice and elsewhere in this State; and shall be given in evidence without special pleading.

V. And be it further enacted by the authority aforesaid, That this Act shall be and continue of force for the term of twenty-one years, and no longer.

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

BENJ. HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

No. 2265. AN ACT TO AMEND THE CHARTER OF THE JOHN'S ISLAND SOCIETY.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and after the passing of this Act, four members of the John's Island Society shall be a quorum to do the business of the said society; any law, usage or custom to the contrary thereof in any wise notwithstanding.

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

BENJ. HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.
AN ACT TO INCORPORATE THE SEVERAL SOCIETIES THEREIN MENTIONED. No. 2291.

WHEREAS, the members of the several religious and benevolent societies hereinafter mentioned, have, by their petition to the Legislature, applied for the benefit of incorporation.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the Congregational Church of Wappetaw, members of the Independent or Congregational Church at Wappetaw, in the Parish of Christ Church, be, and the same are hereby declared, a body politic and corporate, by the style and title of "The Congregation of Wappetaw, in the Parish of Christ Church."

II. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to purchase, have, hold, receive, enjoy, possess, and retain, in perpetuity, or for a term of years, in addition to the estate they now possess, any estate or estates, lands, tenements or hereditaments, of what nature or kind soever; provided, the total amount of such estate shall not exceed twenty thousand dollars.

III. And be it also enacted, That those persons who now are, or hereafter shall be, members of the Typographical Society of Charleston, and they are hereby, incorporated, by the style and title of "The President, Vice President, Officers and Members, of the Charleston Typographical Society."

IV. And be it also enacted, That those persons who now are, or hereafter may be, members of the association called the Charleston Catholic Book Society, be, and they are hereby, incorporated, by the style and title of "The Charleston Catholic Book Society."

V. And be it also enacted, That those persons who now are, or hereafter shall be, members of the association called the Roman Catholic Friendly Society of South Carolina, be, and the same are hereby declared, a body politic and corporate, by the style and title of "The South Carolina Catholic Society."

VI. And be it also enacted, That those persons who now are, or hereafter shall become, members of the association called the Cedar Spring Permanent Fund Society, in Abbeville District, be, and they are hereby declared, a body politic and corporate, in law, by the style and title of "The Cedar Spring River Fund Society."

VII. And be it also enacted, That those persons who now are, or hereafter shall be, members of the religious association called the Cedar Spring Congregation, in Abbeville District, be, and they are hereby declared, a body politic and corporate, by the style and title of "The Trustees, Elders and Members of The Cedar Spring Congregation."

VIII. And be it enacted, That all those persons who now are, or hereafter may become, members of the association called the Trustees of the Tabernacle Academy, in Abbeville District, be, and they are hereby declared, a body politic and corporate, by the style and title of "The Trustees of the Tabernacle Academy."

IX. And be it further enacted by the authority aforesaid, That those persons who now are, or hereafter may be, members of the Congregation of Sumterville, of the Baptist Church of Sumterville, be, and they are hereby declared, a body politic and corporate, by the style and title of "The Baptist Church of Sumterville."
X. And be it further enacted by the authority aforesaid, That those persons who have associated themselves together, by the name of the Board of Trustees of the Barnwell Female Academy, be, and they are hereby declared, a body politic and corporate, by the style and title of "The Trustees for establishing the Female Academy at Barnwell."

XI. And be it further enacted, That those persons who now are, or hereafter may be, members of the association called the Fork Shoal Library Society, be, and they are hereby declared, a body politic and corporate, by the style and title of "The Fork Shoal Library Society."

XII. And be it further enacted by the authority aforesaid, That those persons who now are, or may hereafter become, members of the Coosawatchie Baptist Church Society, be, and they are hereby declared to be, a body politic and corporate in law, under the name and style of "The Beach Branch Baptist Church Society."

XIII. Whereas, M. Cater, Thomas E. L. Smith, B. B. Stroble, A. M’Neil Burke, and M. E. Munro, of the City of Charleston, in behalf of themselves and others, have petitioned the Legislature to be incorporated as a society, under the name of the Ramsay Library and Debating Society; Be it therefore enacted by the authority aforesaid, That the said M. Cater, Thomas E. L. Smith, B. B. Stroble, A. M’Neil Burke, and M. E. Munro, and those persons who now are, or hereafter may be, members and officers of the said Ramsay Library and Debating Society, shall be, and they are hereby, incorporated as a body politic and corporate, and shall be known, in deed and in law, by the name of "The Ramsay Library and Debating Society."

XIV. And whereas, sundry persons have petitioned the Legislature of this State to be incorporated as a society, under the name of the Baptist Church of Edisto, in the parish of St. John’s Colleton; Be it therefore enacted by the authority aforesaid, That all those persons who now are, or hereafter may be, members and officers of the Baptist Church of Edisto, in the parish of St. John’s Colleton, being free white persons, shall be, and they are hereby, incorporated, as a body corporate and politic, and shall be known, in deed and in law, by the name of "The Baptist Church of Edisto, in the Parish of St. John’s Colleton."

XV. And be it further enacted by the authority aforesaid, That all those persons who now are, or hereafter may be, members and officers of the American Friendly Association, being free white persons, shall be, and they are hereby, incorporated, as a body corporate and politic, and shall be known, in deed and in law, by the name of "The American Friendly Association."

XVI. And be it further enacted by the authority aforesaid, That all those persons who now are, or may hereafter be, members and officers of the Charitable Society of Irish Volunteers of Charleston, shall be, and they are hereby, incorporated, as a body corporate and politic, and shall be known, in deed and in law, by the name of "The Charitable Society of Irish Volunteers of Charleston."

XVII. And be it also enacted by the authority aforesaid, That those who now are, or may hereafter be, trustees of the Edgefield Academy, be, and the same are hereby declared, a body politic and corporate, by the style and name of "The Trustees of the Edgefield Academy."

XVIII. And be it further enacted by the authority aforesaid, That the several societies hereinbefore mentioned and incorporated, by their several and respective names, shall have succession of officers and members, to be chosen or received according to the rules made or to be made for their several
OF SOUTH CAROLINA.

Acts relating to corporations. A.D. 1822.

and respective government and direction; and, by their several corporate names, may take and purchase, have and hold, any real or personal estate, not exceeding in value ten thousand dollars; and shall have power and authority to make all lawful by-laws; and a common seal for their several and respective use and uses, and the same to change and alter; to sue and be sued, impede and be impeded, in any court of law or equity in this State; and to have, use and enjoy, all the rights and privileges incident or belonging to incorporated bodies.

XIX. And be it further enacted, That this Act shall continue and be of force for the space of fourteen years from the passing hereof, and until the next meeting of the Legislature thereafter, and no longer.

XX. And be it further enacted by the authority aforesaid, That the taxes hereafter to be levied by the town council of the town of Cheraw, upon the real and personal estates being within the said town of Cheraw, shall not exceed two and one half per cent. per annum, upon the real value of his, her or their estates; any law to the contrary notwithstanding.

XXI. And be it further enacted by the authority aforesaid, That the said town council of the town of Cheraw shall have full power and authority, and they are hereby invested with the same, to make, establish and pass, all such rules and regulations as they may deem proper and requisite for carrying into effect the performance of patrol duty within the limits of the said town; and that the inhabitants thereof, after the said rules and regulations shall be established by the said town council of Cheraw, as aforesaid, and ready to be carried into effect, shall be subject and liable to the said rules and regulations, so far as the same may require of them the performance of patrol duty; and that the said inhabitants, so long as they shall continue to reside in the said town of Cheraw, shall thereafter be exempted from the performance of patrol duty without the limits of the same; provided, such rules and regulations be not repugnant to the existing laws of this State or of the United States.

XXII. Whereas, doubts have arisen respecting the intention of the Act passed on the 20th day of December last, authorizing the Academy of Fine Arts to raise a certain sum of money by means of a lottery: Be it therefore enacted by the authority aforesaid, That the South-Carolina Academy of Fine Arts, and the Literary and Philosophical Society of South Carolina, shall have full power and authority, for their joint and common benefit, at any time within the period of three years next ensuing, to raise, draw lottery, by a lottery or lotteries, a sum not exceeding twenty thousand dollars; and shall have full power to make such scheme or schemes of a lottery or lotteries, as to them may seem expedient; to sell the tickets in such manner as to them may appear most advantageous; to appoint commissioners to superintend the drawing of the same; and, generally, to have all power necessary to carry this grant into effect.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand eight hundred and twenty-two, and of the Independence of the United States of America the forty-seventh.

JACOB BOND I'ON, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.
AN ACT TO INCORPORATE CERTAIN SOCIETIES; AND FOR OTHER PURPOSES.

WHEREAS, the members of the several societies hereinafter mentioned, have, by petitions to the Legislature, applied for the benefit of incorporation.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That those persons who now are, or hereafter shall be, members of the Hopewell Presbyterian Congregation, in the district of Pendleton, be, and the same are hereby declared to be, a body politic and corporate, by the name and title of "The Hopewell Presbyterian Congregation."

II. And be it further enacted by the authority aforesaid, That those persons who now are, or hereafter may be, members of the Charleston Port Society for promoting the Gospel among Seamen, be, and the same are hereby declared, a body politic and incorporate, by the style and title of "The Charleston Port Society for promoting the Gospel among Seamen."

III. And be it further enacted by the authority aforesaid, That the societies above named and incorporated, shall, severally and respectively, have succession of officers and members, to be chosen or received according to the rules made or to be made for their several and respective government and direction; and, by their several and respective corporate names, may take, purchase, have and hold, any personal and real estate, not exceeding in value twenty thousand dollars; and shall have power and authority to make all lawful by-laws; to have a common seal, and to change or alter the same; to sue and be sued, impleaded and be impleaded, in any court of law or equity in this State; and to have, use and enjoy all the rights and privileges incident or belonging to incorporated bodies.

IV. And be it further enacted, That those persons who now are, or may hereafter be, members of the Boiling Springs Academical Society, in the district of Barnwell, be, and the same are hereby declared, a body politic and corporate, by the name and style of "The Boiling Springs Academical Society."

V. And be it further enacted, That the persons who now are, or may hereafter become, members of the Agricultural Society of St. John's Colleton, be, and they are hereby declared, a body politic and corporate, by the name and style of "The Agricultural Society of St. John's Colleton."

VI. And be it further enacted by the authority aforesaid, That the two last mentioned corporations shall, severally, be able and capable in law to have succession of officers and members, to be chosen or admitted according to the rules and regulations severally and respectively made or to be made for their government and direction; to make all lawful by-laws; to have a common seal, and to alter the same; and to have, hold, receive, purchase and enjoy, in perpetuity or for a term of years, any estate, real or personal; provided, the value thereof does not exceed ten thousand dollars.

VII. Whereas, sundry inhabitants of the town of Columbia, being Roman Catholics, have formed themselves into an association, for the purpose of establishing a church in the said town of Columbia, and have petitioned the Legislature for incorporation: Be it therefore enacted, That all those persons who now are, or hereafter may become, vestrymen or members of the said church, be, and the same are hereby declared, a body politic and
corporate, by the name and style of "The Vestrymen and Members of the
Roman Catholic Church of St. Peter, of the Town of Columbia."

VIII. And be it further enacted by the authority aforesaid, That the
persons who now are, or hereafter may become, members of the Roman Catho-
lic Church of Georgetown, be, and the same are hereby, incorpora-
ted, by the name and title of "The Roman Catholic Church of Geo-
town."

IX. And be it further enacted, That those persons who now are, or may
hereafter become, members of the Buffalo Baptist Church of York dis-
trict, be, and the same are hereby, incorporated, by the name and title of
"The Buffalo Baptist Church of York District."

X. And be it further enacted, That those persons who now are, or may
hereafter be, members of the Bethel Church of the town of Winnsborough, Bethel Church
in Fairfield district, be, and the same are hereby, incorporated, by the name and title of "The Bethel Church of the Town of Winnsborough."

XI. And be it further enacted, That those persons who now are, or
hereafter may become, members of the Baptist Church of Bethel, in Clare-
mont county, be, and the same are hereby, incorporated, by the name and title of "The Baptist Church of Bethel, of Claremont County."

XII. And be it further enacted by the authority aforesaid, That those
persons who now are, or may hereafter become, members of the Library Soci-
ety of Edisto Island, be, and the same are hereby declared, a body
and politic, by the name of "The Library Society of Edisto Island,
South Carolina."

XIII. And be it further enacted by the authority aforesaid, That those
persons who now are, or hereafter may become, members of the Union Light
Infantry of Charleston, a company attached to the seventeenth re-
giment of South Carolina militia, be, and the same are hereby declared,
thus and corporate, by the name and style of "The Union Light
Infantry Charitable Society."

XIV. And be it further enacted by the authority aforesaid, That the
several societies above named and incorporated, shall, severally and respec-
tively, be able and capable to have succession of officers and mem-
bers, to be chosen and admitted according to the rules and regulations se-
verally and respectively made or to be made, for their government and di-
rection; to make all lawful by-laws; to have a common seal, and to alter
the same; and to have, hold, receive, purchase and enjoy, in perpetuity or
for a term of years, any estate, real or personal; provided, the same shall,
at no time, exceed the value of five thousand dollars.

XV. And whereas the Charleston Vigilant Fire Engine Company have
petitioned the Legislature to extend their charter, so as to enable them to
increase the number of their members; Be it therefore enacted That the
charter of the said company be, and the same is hereby, extended, so as
to enable the said company to increase the number of its members to sixty.

XVI. And whereas, sundry persons have petitioned the Legislature to be
incorporated, by the name of the Edgefield Village Baptist Church; Be it
therefore enacted, That the persons who now are, or hereafter may be
incorporated, be a body corporate and politic, by the name and style of "The Edge-
field Village Baptist Church."

XVII. And whereas, the officers and members of the Charleston Cham-
ber of Commerce have also petitioned the Legislature for an Act of incor-
poration; Be it therefore enacted, That the officers and members of the said
Powers.
society, and all those who may hereafter become officers or members of the same, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Charleston Chamber of Commerce."

XVIII. And be it also enacted, That all persons who now are, or may hereafter become, officers or members of the Library Society of Society Hill, be, and the same are hereby, incorporated, by the name and style of "The Library Society of Society Hill."

XIX. And whereas, sundry persons in the city of Charleston have associated themselves together for the purpose of establishing a Seminary for the teaching and promotion of literature, and of the liberal arts and sciences, and have petitioned the Legislature for incorporation: Be it therefore enacted, That all those persons who now are, or hereafter may become, members of the said society, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The President and Members of the Philosophical and Classical Seminary of Charleston."

XX. And be it further enacted by the authority aforesaid, That all those persons who now are, or hereafter may become, members of the Roman Catholic Cathedral Church of St. Finnbarr, be, and the same are hereby erected and declared, a body politic and corporate, by the name and style of "The Roman Catholic Cathedral Church of St. Finnbarr."

XXI. And be it further enacted, That the charter of the Charleston Ancient Artillery Society, which expires at the present Session of the Legislature, be, and the same is hereby, renewed for the term of fourteen years from the date of this Act.

XXII. And whereas, James Ervine, M. M'Lean, George Bruce, B. Dubose, Moses Sanders, John Gibson, and P. C. Cogshall, have petitioned the Legislature for an Act of incorporation, as a society for establishing an Academy in Darlington district: Be it therefore enacted, That the said James Ervine, M. M'Lean, George Bruce, B. Dubose, Moses Sanders, John Gibson, and P. C. Cogshall, and those who may hereafter become officers or members of said society, be, and the same are hereby declared, a body politic and corporate, by the name and style of "The President, Directors and Members of the Darlington Academy."

XXIII. And be it also enacted, That the said president, directors and members of the Darlington Academy be, and the same are, empowered and authorized to establish and proceed to draw, and finally conclude, one or more lottery or lotteries, for the purposes aforesaid. Provided, there shall not be raised, by means thereof, a sum exceeding five thousand dollars.

XXIV. And be it further enacted, That from and after the passing of this Act, the power and duty of organizing, detailing and enforcing the performance of patrol duty in the beat company or other companies in the town of Beaufort, be, and the same is hereby, transferred to the town council of the said town.

XXV. And be it further enacted by the authority aforesaid, That the members of the said town council shall be subject to the same penalties for the neglect of patrol duty, that the captains of beat companies now are, or may hereafter be, subject to by law.

XXVI. And be it further enacted, That the said town council be, and the same is hereby, authorized and empowered to demand and receive, for each and every license hereafter granted by the same, for the retailing of spirituous liquors, fifty dollars; and to impose and collect a tax on all carriages, except wagons, carts, drays and sulkeys, kept for use in said town of Beaufort, one dollar per wheel.
OF SOUTH CAROLINA.

Acts relating to Corporations.

A. D. 1828.

XXVII. And whereas, divers citizens, inhabitants of the village of Greenville, have, by their petition, set forth to the Legislature that the health of said village has been greatly injured, and much public inconvenience experienced, by a want of due attention to the streets, lanes and alleys of the same, there being no authority competent to open, clean and keep the same in repair; and have therein prayed for an Act of incorporation; Be it therefore enacted, That the Village of Greenville be, and the same is hereby declared to be, a town corporate, by the name of the "Town of Greenville."

XXVIII. And be it further enacted, That on the second Monday in February next, and on the second Monday in February in each and every year thereafter, an election, by ballot, for five commissioners of the streets to be appointed, and markets, shall be held at some public and convenient place in the town of Greenville; and that all free white male inhabitants of said town, of the age of twenty-one years, who have been citizens of this State two years, and who have resided in the said town twelve months previous to the said election, shall be entitled to vote for the said commissioners.

XXIX. And be it further enacted, That the commissioners so elected, as hereinbefore directed, or any three of them, shall have power to appoint managers for any succeeding election of commissioners of said town. And in case of the death, resignation or removal out of town, of any commissioner, the said commissioners shall have full power, and they are hereby directed, to appoint a day for, and managers to conduct, an election to fill the vacancy occasioned as aforesaid. And it shall be the duty of the said managers to give ten days notice, at least, previous to such election.

XXX. And be it further enacted, That the commissioners of the streets and markets of the said town shall be, and they are hereby, vested with all the power over the streets, lanes and alleys, within the said town, that are, by law, vested in the commissioners of roads; and the inhabitants of the said town are hereby excused from working on the public roads without the limits of the said town; except the power of granting licenses to tavern keepers and billiard-table keepers, which shall be vested in the commissioners of the roads, as heretofore; and the said commissioners shall be compelled to keep in repair all the roads leading to the said town, to the distance of one mile from the same.

XXXI. And whereas, sundry inhabitants of the parish of St. John's Colleton, have formed themselves into a society called "The Edisto Island Auxiliary Association," and prayed from the Legislature an Act of incorporation for the same: Be it therefore enacted, That those persons that now Edisto Island are, or hereafter may become, members of the same, shall be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Edisto Island Auxiliary Association."

XXXII. And be it further enacted by the authority aforesaid, That this Act shall continue and be of force for the term of fourteen years, and from thenceforth until the expiration of the then next ensuing session of the Legislature, and no longer; and shall be deemed and taken as a public Act, and judicially taken notice of as such without being specially pleaded.

XXXIII. And be it further enacted by the authority aforesaid, That Isaac Auld, M. D., as Grand Commander, the Rev. Frederick Delcho, M. D., as Past Grand Commander, James Moultrie, M. D., as Secretary General and Acting Lieutenant Commander, Moses C. Levy, Esq., as Treasurer-General, Moses Holbrook, M. D., Horatio Street, Alexander M'Donald, and Joseph M'Cosh, Esq's., with their associates and successors, be,
and they are hereby, incorporated, and declared a body politic and corporate, in deed and in law, by the name and style of "Inspectors-General of the Thirty-Third Degree." And the said Inspectors-General of the Thirty-Third Degree, shall have power to regulate all orders and degrees of Masonry, from the sixteenth to the said thirty-third degree, according to the constitutions of the said several degrees. And the said corporation, by its name and style aforesaid, shall have a common seal, with power to alter the same; and to make all necessary by-laws for their better government. And the said corporation shall have power to purchase lands or personal estate, and to accept any devise, bequest or donation; provided, the same shall not exceed the sum of ten thousand dollars; and provided, also, that nothing herein contained shall be construed to interfere with any powers, rights or privileges, heretofore granted to the most worshipful Grand Lodge in this State; or any other Grand Lodge of Masons heretofore incorporated.

XXXIV. And be it further enacted by the authority aforesaid, That the Protestant Episcopal Church in the district of Pendleton, near the court house, and the several persons of that persuasion who now are, or shall hereafter become, members thereof, and their successors, officers and members, shall be, and they are hereby declared to be, a body corporate and politic, by the name and style of "The Protestant Episcopal Church of St. Paul's, Pendleton;" and, by said name, shall have succession of officers and members, and a common seal. And the said corporation shall be able and capable in law to purchase and hold real and personal estate, of any value not exceeding the sum of two thousand dollars per annum; and may, by its said name, sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity in this State. And the vestry and wardens of said church are hereby vested with all the powers and authorities which are vested in any other established Protestant Episcopal church in this State.

XXXV. Whereas, the Medical Society of South Carolina have taken measures for the establishment of a medical school in Charleston, to be conducted by professors chosen by them, and at their own expense; and have petitioned for the authority to confer medical degrees: and whereas, it is the duty of an enlightened government to aid the advancement of science. Be it therefore enacted, That from and after the passing of this Act, the Medical Society of South Carolina shall be, and they are hereby, authorized to organize a medical school, to consist of such professorships as they may deem expedient, and to confer medical degrees upon such candidates as may qualify themselves therefor, under the regulations which they may establish.

XXXVI. And be it further enacted by the authority aforesaid, That James Coit and Henry N. Miller, of Cheraw, and J. W. Cheesborough, Charles Edmondston and John Robinson, of Charleston, and the several persons who may hereafter become members of the Cheraw Steam Boat Company, and their successors, officers and members thereof, shall be, and they are hereby declared, a body corporate and politic, in deed and in law, by the name and style of "The Cheraw Steam Boat Company;" and, by the said name, shall have perpetual succession of officers and members; and a common seal, with power to alter, change and make new the same, as often as the said corporation may judge necessary.

XXXVII. Be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law to purchase, have, hold,
OF SOUTH CAROLINA.

Acts relating to Corporations.  

enjoy and retain, to itself, any estate, real and personal; provided, the same do not exceed in value the sum of fifteen thousand dollars; and to sell, alien or lease the same, as it shall think proper; and, by its said name, to sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, not repugnant and contrary to the laws of the land, as for the order, rule, good government and management thereof, may be thought necessary.

XXXVIII. And be it further enacted, That it shall and may be lawful for the said corporation to take and hold, receive, enjoy, possess and retain, all such estate, real and personal, money, goods, chattels and effects, which it now possesses or is entitled to, or which have been already purchased or otherwise acquired, by whatsoever name such purchase or acquisition may have been made.

XXXIX. Whereas, sundry inhabitants of the State of South Carolina, professing the Roman Catholic religion, have associated themselves together, and adopted a constitution for the regulation of their religious affairs, and for the appointment of trustees to manage their money concerns and temporal matters of their church; and whereas, at a General Convention of their Clergy and Lay members, held agreeable to the provisions of the said constitution, they have appointed trustees, who are known by the name of The General Trustees of the Roman Catholic Church of South Carolina; and also, have petitioned the Legislature to incorporate the same: Be it therefore enacted, That from and immediately after the passing of this Act, all those persons who now are, or hereafter shall or may be appointed, trustees of the said church, shall be, and they are hereby, incorporated, and are hereby declared to be a body corporate, in deed and in law, by the name and style of “The General Trustees of the Roman Catholic Church of South Carolina;” and, by the said name, shall have 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.

XL. And be it further enacted, That the said corporation shall be capable in law, to purchase, have, hold, receive, enjoy, possess, and retain, to itself, in perpetuity, or for any term of years, any lands, tenements or hereditaments, or other property, of what nature soever, not exceeding the sum of ten thousand dollars; and to sell or alien the same, as the said corporation shall see fit; and, by its said name, to sue and be sued, impleaded and be impleaded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, not repugnant to the laws of the land, as for the order, rule, good government and management thereof, may be thought necessary or expedient; provided, no part of this Act shall impair or affect the existing charter and constitutional rules and regulations of the Roman Catholic Church of Charleston, South Carolina, as altered and amended, agreeable to Rule the thirteenth, at a quarterly meeting held on the seventh day of July, one thousand eight hundred and nineteen.

XLII. Be it further enacted by the authority aforesaid, That the city council of Charleston, and the commissioners of Cross Roads on Charleston Neck, shall be, and they are hereby, constituted a body corporate, in law and in deed, for the purpose of organizing and putting into full operation the Municipal Guard for the protection of Charleston and its vicinity, authorized to be raised by the Act of the last Legislature, with full power
to impose and receive the taxes authorized by the said Act; provided, that
the board constituted by the aforesaid Act shall elect the commissioned
officers of the said municipal guard, from time to time; but such officers
shall be subject to be tried, punished, or removed, by the said city council
and commissioners of cross roads; and shall not be re-eligible without the
consent of said city council and commissioners.

XLII. Be it further enacted, That the city council of Charleston shall
have power to make all by-laws, rules and regulations, consistent with
the law of the land, for the government and direction of such portion of
the said municipal guard as shall be employed within the corporate limits
of the city; and it shall be the duty of the officers and members of said
guard to obey the same; and the commissioners of cross roads on Charle-
ston Neck shall make such by-laws, rules and regulations, consistent with
the law of the land, for the direction and government of such portion of
said municipal guard as shall be employed beyond the corporate limits of
the city; and no non-commissioned officer or private of said municipal
guard, shall lawfully vote, at any election for officers of the city corpora-
tion; and in relation to other elections, shall be governed by such rules and
regulations as the body corporate aforesaid may ordain; and so much of
the fourth, sixth, and eighth sections of "An Act to establish a competent
force to act as a Municipal Guard for the protection of the city of Charle-
ton and its vicinity," as is repugnant hereto, be, and the same is hereby,
repealed.

In the Senate House, the twentieth day of December, in the year of our Lord one
thousand eight hundred and twenty-three, and in the forty-eighth year of the Indepen-
dence of the United States of America.

JACOB BOND PON, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.

No. 2382. AN ACT TO INCORPORATE THE SOCIETY OF THE CINCINNATI OF THE
STATE OF SOUTH CAROLINA.

WHEREAS, the president and other officers and members of the State
Society of Cincinnati of South Carolina, have, by their petition, set forth
the benevolent objects of their association; and have represented that an
Act of incorporation is requisite to enable them more effectually to obtain
the end of their institution.

I. Be it therefore enacted, by the Honorable the Senate and House of
Representatives, now met and sitting in General Assembly, That from and
after the passing of this Act, the present officers and members of the said
society, and such persons as may hereafter become members thereof, and
their successors, officers and members, shall be, and the same are hereby
declared to be, a body corporate and politic, in deed and in name, by the
name of "The Society of the Cincinnati of the State of South Carolina;" and,
by the said name, the same shall have perpetual succession of officers
and members; and a common seal, with power to change, alter, break and
make new the same, as often as the said corporation shall judge expedient; and the said corporation shall be liable and capable in law, to purchase, have, hold or receive, enjoy, possess and retain, to itself and its successors, in perpetuity, any and every estate, real or personal, whether accruing to the same by gift, purchase, devise or conveyance; and the same, or any part thereof, to sell, alien, demise, or exchange, as often as the said corporation may deem proper; and, by its name, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State; and, to make all such by-laws and rules for the government of the said corporation, as may, from time to time, be deemed necessary; provided, the same be not repugnant to the laws of the land; and provided, the same be made by such majority or quorum as may by the laws of said society be declared competent to make the same.

II. And be it further enacted by the authority aforesaid, That the said society be, and they are hereby declared, capable to have, hold, receive, enjoy, possess and retain, all such estates, real and personal, money, goods, chattels, effects, debts, dues, and choses in action, which the said association has been, and now is, (prior to incorporation,) possessed of and entitled unto, in any manner whatsoever, or under whatsoever name the same may have been acquired or is now held.

III. And be it further enacted, That the principal end of the said corporation shall be to succor and maintain its indigent members and their widows, and to support and educate their children, in such manner and according to such rules and regulations as they may see fit to establish.

IV. And be it further enacted, That this Act shall be deemed and taken in all courts of justice and elsewhere in this State as a public Act; and the same may be given in evidence on the trial of any issue or cause, without being specially pleaded.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand eight hundred and twenty-four, and in the forty-ninth year of the Independence of the United States of America.

JACOB BOND I'ON, President of the Senate.

JNO. B. O'NEALL, Speaker of the House of Representatives.

AN ACT TO INCORPORATE CERTAIN SOCIETIES.

WHEREAS, the societies and associations hereinafter mentioned, have, by their respective petitions, prayed for Acts of incorporation, which it is both expedient and right to grant.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the president and others, members of the Charleston Apprentices's Library Society, and their successors, be, and the same are hereby declared, a body corporate and politic, in law and in equity, by the name and style of "The Charleston Apprentices's Library Society."
STATUTES AT LARGE

Acts relating to Corporations.

A. D. 1824.

Cedar Spring Academies.

II. And be it further enacted by the authority aforesaid, That Robert Creswell, Elihu Creswell, Daniel White, James W. Cooper, Isaac Smith, James Brennan, Robert W. Young, John Glass, John W. Farrow, John W. Parker, Zachariah McDaniel, Francis H. Porter, Thomas Bomar, John Black, Ebin Smith, and Augustin Shand, and their successors, trustees of the Cedar Springs Male and Female Academies, of the District of Spartanburgh, be, and they are hereby declared, a body corporate and politic, in law and in equity, by the name and style of "The Trustees of the Cedar Springs Male and Female Academies."

III. And be it further enacted, That those persons who now are, or hereafter may become, members of the Salem Methodist Episcopal Church, Sparrow Swamp, in the District of Darlington, be, and the same are hereby declared, a body corporate and politic, in law and in equity, by the name and style of "The Salem Church, Sparrow Swamp."

IV. And be it further enacted by the authority aforesaid, That those persons who now are, or hereafter may become, officers and members of the Mechanics' Society of the Town of Hamburg, be, and the same are hereby declared, a body corporate and politic, in law and in equity, by the name and style of "The President and Members of the Mechanics' Society of Hamburg."

V. And be it further enacted by the authority aforesaid, That Burrell B. Cook, Thomas J. Cook, John Thompson, Jeremiah Glenn, John A. Martin, Thomas C. Wane, and William Watts, and their successors in office, Trustees of the Fairfield Broad River Academy, be, and the same are hereby declared, a body corporate and politic, in law and in equity, by the name and style of "The Trustees of the Fairfield Broad River Academy."

VI. And be it further enacted by the authority aforesaid, That Thomas Quilter, John Heffernan, Charles Brennan, Peter McGuire, and M. Antonio, and their successors, vestrymen of the Roman Catholic Church of Columbia, be, and the same are hereby declared, a body corporate and politic, in law and equity, by the name and style of "The Vestry of the Roman Catholic Church of Columbia."

VII. And be it further enacted by the authority aforesaid, That all those persons who now are, or hereafter may become, members of the Associate Reformed Society of Ebenezer, in Fairfield District, be, and the same are hereby declared, a body corporate and politic, in law and in equity, by the name and style of "The Associate Reformed Society of Ebenezer, in Fairfield District."

VIII. And be it further enacted by the authority aforesaid, That the officers and members of the Washington Light Infantry Company of Charleston, and their successors, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Officers and Members of the Washington Light Infantry."

IX. And be it further enacted by the authority aforesaid, That those persons who now are, or hereafter may become, members of the Third Presbyterian Church in the city of Charleston, be, and the same are hereby created and declared, a body corporate and politic, by the name and style of "The Third Presbyterian Church in the city of Charleston."

X. And be it further enacted by the authority aforesaid, That each and every of the societies hereinabove incorporated, shall be able and capable in law, to have, hold, receive, enjoy, possess and retain, all such property, real and personal, as they may now, respectively, be possessed of, or in any
wise entitled unto, or which shall have been already given, bequeathed, or
 devised to them, respectively, by whatever name such devise or bequest
 may have been made; and that they shall, respectively, be able and capa-
 ble to have, hold and receive, to possess, retain and enjoy, in perpetuity,
 or for a term of years, any estate, real or personal, whether derived from
 purchase, exchange, gift, devise or bequest; and to sell, alien, or otherwise
 part with the same, or any part thereof, as they shall, respectively, deem
 proper or expedient; provided the amount so held by the said societies or
 associations, respectively, shall in no case exceed ten thousand dollars.

XI. And be it further enacted by the authority aforesaid, That William
 J. Myddleton, President, and J. Wallace, W. Hall, William Briggs, and
 Richland
 James A. Black, Directors, of the Richland Steam Boat Company, and
 their successors, be, and they are hereby declared, a body corporate and
 politic, in law and equity, by the name and style of “The President and
 Directors of the Richland Steam Boat Company;” with a capital of six
 thousand dollars, and a right to increase the same to any amount not ex-
 ceeding thirty thousand dollars.

XII. And be it further enacted by the authority aforesaid, That the
 Winwyw
 president and members of the Winwyw Farming Society, and their suc-
 cessors, be, and the same are hereby declared, a body corporate and politic,
 in law and equity, by the name and style of “The President and Members
 of the Winwyw Farming Society.”

XIII. And be it further enacted by the authority aforesaid, That the
 Beaufort Vol-
oficers and members of the Beaufort Volunteer Guards, and their suc-
 cessors, be, and the same are hereby declared, a body corporate and politic,
 by the name and style of “The Beaufort Volunteer Guards.”

XIV. And be it further enacted by the authority aforesaid, That the
 First Presbyte-
charter of the First Presbyterian Church of Columbia, which expires at the
 rian Church of
present session, be, and the same is hereby, renewed, for the term of four-
teen years from the date of this Act.

XV. And be it further enacted by the authority aforesaid, That the sev-
 eral societies and associations above named and incorporated, by their sev-
 eral and respective names, shall have succession of officers and members,
 to be chosen or received according to the rules made or to be made for
 their several and respective government and direction; and shall have
 power and authority to make by-laws, not repugnant to the laws of the
 land; and to have, keep and use a common seal, and the same to change
 and alter; 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 the rights and
 privileges incident or belonging to incorporate bodies.

XVI. And be it further enacted by the authority aforesaid, That the
 Buckhead
 several persons who shall or may hereafter associate together, as is herein-
 Bridge Compa-
after prescribed, for the purpose of establishing a bridge over Little Salt-
cy incorpora-
catcher River, at, or near Buckhead Ford, in the Parish of Saint Bartho-
ted; lomew, and their successors, shall be, and they are hereby, incorporated, as
 a body politic, in deed and in law, by the name of “The Buckhead Bridge
 Company.”

XVII. And be it further enacted, That the said corporation, by their name
 Powers.
aforesaid, shall have a succession of officers and members, to be appointed
 according to the by-laws and regulations which they may establish for
 the regulation of the said company; and may have a common seal, with power
 to break, alter and make new the same, as often as they shall judge expe-
 dient.
XVIII. And be it further enacted, That the said corporation shall be able and capable in law, to purchase, have, hold, take, receive, possess, retain and enjoy, to itself, in perpetuity or for any term of years, any estate, real or personal, of what kind or nature soever; and to sell, alien and dispose of the same, as they may think proper; and, by the name aforesaid, to sue and be sued, plead and be implanted, answer and be answered unto, in any court of law or equity; and to make such rules and by-laws, not repugnant or contrary to the laws of the land, as for the government of the said company may be thought expedient and necessary; provided, nevertheless, that the said real and personal estate shall not produce a nett income exceeding twelve hundred dollars per annum.

XIX. And be it further enacted, That John Rice, James McQueen, Isham Walker, James D. Erwin, and E. L. Miller, or a majority of them, be, and are hereby, appointed commissioners to receive subscriptions to the capital stock of the said company, for which purpose, they, or a majority of them, at such times and places as they shall appoint, shall receive subscriptions of all such persons as shall be desirous of associating for the purpose of becoming members of the said company.

XX. And be it further enacted by the authority aforesaid, That the capital stock of the said company shall be divided into two hundred shares; and if on the first day of May next more than the said number of shares shall be subscribed for, then the same shall be apportioned among the subscribers, in average and proportion to the number of shares by them respectively subscribed. Provided, however, that the subscribers, respectively, shall have at least one share allotted to them, unless there shall not be a sufficient number of shares to make such apportionment; in which case, the same shall be apportioned by lot, so that neither of the said subscribers shall have more than one share.

XXI. And be it further enacted, That the said company shall be, and they are hereby, authorized and empowered to establish a bridge over Little Saltketcher, at or within one mile of Buckhead Ford, in the Parish of Saint Bartholomew's, which shall be vested in the said company, their successors and assigns. And they shall be authorized and empowered to exact and receive the following toll, viz:—for every carriage with four wheels, drawn by four horses, mules or oxen, one dollar; for every such carriage, drawn by two or three horses, mules or oxen, seventy-five cents; for every such carriage, drawn by one horse, mule or oxen, fifty cents; for every carriage with two wheels, fifty cents; for a man and horse, twenty-five cents; for a led horse or mule, twelve and a half cents; for each horse, mule or head of black cattle in drove, six and a quarter cents; for each hog, sheep or goat, three cents; and for each foot passenger, six and a quarter cents.

XXII. And be it further enacted, That the charter hereby granted to the Buckhead Bridge Company shall be forfeited, and deemed ipso facto void, in case the said bridge shall not be commenced within six months from the time the said subscription shall be filled, or shall not be completed within two years after the commencement of the same.

XXIII. Whereas, by the 27th Section of an Act passed on the twentieth day of December last, entitled "An Act to incorporate certain Societies, and for other purposes," the village of Greenville was incorporated by the name of the Town of Greenville; and other provisions were enacted, which for certain reasons have not gone into operation, and some modification thereof is desirable. Be it therefore enacted by the authority
aforesaid, That the commissioners of the streets and markets in the town of Greenville, shall consist of three, instead of five, as provided in the 27th section of said Act; that they shall be elected by the free white male persons over the age of twenty-one years, living in the said village, and within one mile thereof, on the second Monday in February next; that John Crittenden, John H. Goodlett, and William Choice, shall conduct said election, after giving ten days notice thereof; and the commissioners for the time being shall appoint managers to conduct every subsequent election, which shall be advertised ten days; that the commissioners of the streets and markets in the town of Greenville so elected, shall serve four years; and in case of any vacancy, by death, removal or otherwise, the remaining commissioners shall immediately order an election to be held, and appoint managers to conduct the same; that the commissioners of the streets and markets in the town of Greenville shall form a body corporate, by that name; have power to make and enforce contracts; sue and be sued; and have such other corporate powers as may be necessary to carry into complete beneficial operation the provisions hereinafter enacted.

XXIV. And be it further enacted by the authority aforesaid, That the said commissioners shall have all the powers of commissioners of roads, in the town of Greenville and within one mile thereof; that it shall be their duty to open, clear, cut, and keep in perfect order and repair, all the streets, lanes and alleys of said town, and all public roads leading thence, to the distance of one mile; that all the persons liable by law to work on the high roads within the said limits, shall be subject to their orders, and shall be exempted from working elsewhere; that they shall have power to erect a market, and establish such rules and regulations concerning the same, as they may deem expedient; and that they shall have the power of granting licenses to retailers of spirituous liquors, tavern keepers, and keepers of billiard tables, in the said town, and within one mile thereof, to fit and proper persons; and are authorized to take bonds with adequate security from such persons, that they will keep orderly and well governed houses.

XXV. And be it further enacted by the authority aforesaid, That the said commissioners, paid over to the commissioners of roads for Greenville district.

XXVI. And be it further enacted by the authority aforesaid, That Royal Bullard, Thomas Salmond, and John McCaa, be, and they are hereby appointed, commissioners to open a subscription at Camden, on the third Monday in January next, for the capital stock of a Toll Bridge Company, to be called the Camden Bridge Company; and the said subscription shall be kept open for the term of eight months, unless sooner filled up by the whole stock being subscribed for by the present proprietors of the Camden Ferry, who, in exclusion of all other persons, are authorized, for the term aforesaid, to subscribe for the whole stock; but in case the proprietors of the said ferry shall not, within the term aforesaid, subscribe for the whole of the said stock, or in case they shall at any earlier period make known to the said commissioners in writing their determination not to subscribe for the whole of the said capital stock, then it shall be the duty of the said commissioners immediately to receive subscriptions, after public notice given for that purpose, for so much of the capital stock as may not have been subscribed by the proprietors of the said ferry; and in case the whole
Acts relating to Corporations.

of the said stock shall, in either or both of the ways above mentioned, be subscribed within one year from the passing of this Act, the subscribers therefor shall thenceforth constitute a body corporate and politic, by the name and style of "The Camden Bridge Company."

XXVII. And be it further enacted by the authority aforesaid, That the said company shall be authorized to construct a bridge over the Wateree River, at or near the Camden Ferry, or at or near Belton's Boat-landing; and in case the said bridge shall be erected at the said boat-landing, the road leading therefrom shall be constructed in some practicable route entering the town of Camden at or below York-street.

XXVIII. And be it further enacted by the authority aforesaid, That when the said bridge shall be completed, it shall and may be lawful for the said bridge company to erect a toll gate thereat, and to establish and receive tolls for the following description of travelling, and not exceeding the following rates; viz:—for every carriage with four wheels, for the conveyance of persons, drawn by four horses or mules, one dollar and fifty cents; by three horses or mules, one dollar and twenty-five cents; by two horses or mules, one dollar; by one horse or mule, seventy-five cents; for every carriage with four wheels, other than for the conveyance of passengers, drawn by six horses, mules or oxen, one dollar and fifty cents; by five mules, horses or oxen, one dollar twenty-five cents; by four horses, mules or oxen, one dollar; by three horses, mules or oxen, seventy-five cents; by two horses, mules or oxen, fifty cents; by one horse, mule or oxen, fifty cents; for every other carriage, fifty cents; for every foot passenger, six and one-fourth cents; for every horse, mule or oxen, not in draft or drove, twelve and a half cents; for every horse, mule or oxen not in draft or drove, not exceeding three, six and one-fourth cents; for every sheep, goat or hog, two cents.

XXIX. And be it further enacted by the authority aforesaid, That the said bridge company shall have and hold the said bridge, to them and their successors or assigns, forever, in fee simple.

XXX. And be it further enacted by the authority aforesaid, That the said company shall forfeit their charter, and the same shall be ipso facto void, in case the said bridge shall not be commenced within six months after the time of the subscription being filled, or shall not be completed within three years after the same shall be commenced.

XXXI. And be it further enacted by the authority aforesaid, That in case the proprietors of the Camden Ferry shall not subscribe the whole of the stock aforesaid, then they shall be compensated by the bridge company hereby created, for the value of the said ferry, and the land used for the said bridge, according to an assessment to be made by commissioners to be appointed for that purpose by the court of common pleas for Kershaw district; and in case the said bridge shall be erected at or near Belton's boat-landing, then, as soon as the said bridge, or the roads leading therefrom, on both sides of the river, shall be completed, the present Camden ferry road passing through the lands of the proprietors of the said ferry, shall be closed and discontinued as a public road.

XXXII. And be it further enacted by the authority aforesaid, That the said company, by its name aforesaid, shall have perpetual succession of officers and members; and shall have power to adopt, from time to time, such regulations and by-laws as may be necessary; it shall have a common seal; and shall have power to purchase, possess, use and enjoy, any
OF SOUTH CAROLINA.


real or personal estate; and the same to alien and convey at pleasure; and, by its name aforesaid, to sue and be sued, plead or be impleaded, in any court of law or equity in this State; and shall possess and enjoy all the rights and privileges, and subject to all the liabilities, by the laws of this State incident or belonging to corporate bodies.

XXXIII. And be it further enacted by the authority aforesaid, That Gilgal Baptist all those persons who now are, or hereafter may become, members of the Church. Gilgal Baptist Church of Edgefield District, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Gilgal Baptist Church of Edgefield District."

XXXIV. And be it further enacted by the authority aforesaid, That the Act incorporating certain societies, passed in December, one thousand Euphradian eight hundred and twenty, be, and the same is hereby, altered and Society, when amended, so as to authorise the Euphradian Society to meet in its corporate capacity, on the Saturday before the first Monday in December in each and every year, instead of the Tuesday after the first Monday in December, as heretofore.

XXXV. And be it further enacted by the authority aforesaid, That the Act shall be a public Act, and shall continue and be of force and during the term of fourteen years, and no longer.

XXXVI. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, every white man who is by the constitution of this State entitled to vote for members of either branch of the Legislature, shall be entitled to vote for intendent and wardens of the town of Camden; any law, usage or custom to the contrary notwithstanding; provided, such person so offering to vote as aforesaid, shall have resided in said town one year immediately preceding the election of said officers; the persons so voting, if required, shall produce to the managers of election a certificate from the intendant or recorder of said town, of his having performed patrol and road duty, or paid an equivalent for not doing so, within said town.

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

JACOB BOND I'ON, President of the Senate.
JNO. B. O'NEALL, Speaker of the House of Representatives.

AN ACT TO ALTER AND AMEND THE CHARTER OF THE PROTESTANT EPISCOPAL SOCIETY FOR THE ADVANCEMENT OF CHRISTIANITY IN SOUTH CAROLINA.

WHEREAS, the Board of Trustees of the Protestant Episcopal Society for the advancement of Christianity in South Carolina, have, by their petition, represented that it is desirable for said institution to possess the power and right to become trustees for the preservation and improvement
of funds dedicated to charitable or pious uses, by associations or individuals, having in view objects the promotion of which must contribute essentially to the fulfilment of the ends of the society, viz: the advancement of Christianity in South Carolina, upon the principles of the Protestant Episcopal Church. And whereas, it is reasonable and expedient that such authority should be granted to the said body politic, as being consistent with the ends of its institution.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and after the passing of this Act, it shall and may be lawful for the said society, either by act of the said society itself, at any regular or special meeting, or of its corporate agents, the board of trustees, at any like meeting, to accept and execute the office of trustee for and on behalf of any other association, whether corporate or not, but being a part of, or connected with, the Protestant Episcopal Church in this State, and having for the end of their institution objects and views consistent with the character of the Episcopal church, as a religious community, and with the purposes and field of usefulness prescribed to the said Society for the Advancement of Christianity in South Carolina. And that it shall, in like manner, be lawful for the said Protestant Episcopal Society to become trustees for the preservation and improvement of such funds as have been, or may hereafter be, dedicated to pious or charitable uses, by individuals; provided, such uses shall be consistent with the character of said church, and with the plan of said society; and provided, likewise, that the said society and its corporate agents, the board of trustees, shall have no other control over said funds, whether principal or interest, than may be delegated to them by the person or association confiding the same to them.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and twenty-four, and in the forty-ninth year of the Independence of the United States of America.

JACOB BOND T'ON, President of the Senate.
JNO. B. O'NEALL, Speaker of the House of Representatives.

No. 2368. AN ACT TO INCORPORATE THE CHARLESTON WATER-COMPANY; AND FOR OTHER PURPOSES THEREIN [MENTIONED.]

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Robert Mills, and such other persons as may join with him to form a company for the purpose of supplying the city of Charleston with water, be, and are hereby, incorporated and made a body politic, in deed and in law, by the name of "The Charleston Water Company;" and shall have full and ample powers and authority to do, perform and execute all and every matter and thing which any other similar corporation may or rightfully can do; and shall have perpetual succession; and, by the name
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1835.

aforesaid, may sue and be sued, answer and be answered, in any court of law or equity in this State or elsewhere.

II. And be it further enacted, That the said company shall have full power and authority to make canals, lay conduits or tunnels, for the conveyance of the said water through, under and along any high-way in the country adjacent, or any street or streets, lane or lanes, alley or alleys, of the city of Charleston, for the purpose of conveying and distributing the said water; and the said conduits, canals or tunnels, from time to time, to renew and repair; and, for such purposes, to dig, break up and open, at their own expense, all or any part of such high-ways, streets, lanes and alleys, and of the middle or side pavements thereof, leaving, at all times, a sufficient passage for carriages, horses and foot passengers, and restoring, forthwith, to their former condition, all such high-ways, streets and alleys, and the pavements thereof, as may be, at any time, so dug, opened or taken up.

III. And be it further enacted by the authority aforesaid, That the company shall have full power and authority to establish reservoirs and public fountains, in such parts of the streets and squares of the said city, or adjacent thereunto, as they may think proper; and to grant to all persons whomssoever, and to all bodies politic and corporate, the privilege of using the said water, so to be introduced, in such a manner, and on such terms and conditions, and in such quantities, respectively, as they shall think fit; and the said water so to be introduced, together with all reservoirs, canals, tunnels, engines, buildings and machines, to be by them made and used for the purpose of introducing, raising and distributing the said water, to hold to them, their successors and grantees, forever, as their sole and exclusive property.

IV. And be it further enacted by the authority aforesaid, That any suit, action or complaint, by the said company, against any person or persons whosoever, on account of or grounded on a trespass or injury done to the said works, or any tunnels, conduits, canals, water-courses, mounds, plug, cock, reservoir, dyke, engine, machine or thing appertaining to the same, shall, in every instance, be held deemed as transitory in its nature, and may be brought, sustained and tried, in any court in this State having jurisdiction in such like cases.

V. And be it further enacted by the authority aforesaid, That if any person shall wilfully pollute the said water, by throwing any dead animals or other impure substances into the same, or by swimming, bathing or washing themselves, or washing clothes, or the skins of any dead animals, or other impure substances, or by erecting any privy or other nuisance so near the said water as to pollute the same, the person or persons so offending shall forfeit and pay to the company a sum not exceeding twenty dollars for every such offence, to be recovered before any court of competent jurisdiction; shall be obliged to remove said nuisance, or forfeit and pay the sum of ten dollars for every day the same shall continue, to the use of the company, to be recovered by action of debt, at the suit of the company.

VI. And be it further enacted by the authority aforesaid, That the said company shall have full power and authority to make all by-laws, rules and regulations, for the well ordering and conducting of the business of the company; and such by-laws, rules and regulations to alter, change and annul, at their pleasure; provided, the same be not repugnant to the laws of the land.
An Act to Incorporate Certain Societies.

WHEREAS, the societies and associations hereinafter named, have, by their respective petitions, prayed for acts of incorporation, which it is both right and expedient to grant,

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the members of the Forensic Club, in the city of Charleston, be, and the same are hereby declared, a body politic and corporate, by the name and style of "The Forensic Club."

II. And be it further enacted by the authority aforesaid, That Aaron Phillips, Michael Lazarus, Isaac Harby, Samuel Hyams, J. N. Cardozo, D. N. Carvalho, and others, members of the Reformed Society of Israelites for promoting the true principles of Judaism, according to their purity and spirit, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Reformed Society of Israelites, for promoting the true principles of Judaism, according to their purity and spirit."

III. And be it further enacted by the authority aforesaid, That the Farmers Society of Barnwell district be, and the same is hereby declared, a body corporate and politic, by the name and style of "The Farmers Society of Barnwell District."

IV. And be it further enacted by the authority aforesaid, That William Murray, jr., George Sistrunk, Joel Sistrunk, John Gavin, Dr. William Carr, John Isabnit, John Murray, Daniel Moorer, David Hughes, and their successors, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Trustees of the Buck Spring Academy of St. George's Dorchester."

V. And be it further enacted by the authority aforesaid, That all the property which has heretofore escheated, or may hereafter escheat, in the said parish of St. George's Dorchester, to the amount of ten thousand dollars, be, and the same is hereby, vested in the trustees of said academy, for the benefit of the same. Provided, that nothing herein contained
shall be so construed as to prevent the Legislature from vesting any escheated property in said parish, in any person or persons who may have an equitable claim thereto; and provided, also, that nothing herein contained shall interfere with the rights vested in any other corporation, by or under any Act of the Legislature of this State.

VI. And be it further enacted by the authority aforesaid, That the elders and members of the Liberty Spring Church of Laurens district, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Elders and Members of the Liberty Spring Church of Laurens District."

VII. And be it further enacted by the authority aforesaid, That the pastor and members of the Bethel Baptist Church of Edgefield district be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Bethel Baptist Church of Edgefield District."

VIII. And be it further enacted by the authority aforesaid, That all those persons who now are, or hereafter may become, members of the Associate Church Little River Congregation of Fairfield district, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Associate Church Little River Congregation."

IX. And be it further enacted by the authority aforesaid, That those persons, and their successors, who were, by an Act of Assembly, passed in the year of our Lord one thousand eight hundred and eleven, incorporated by the name and style of the Pendleton Circulating Library Society, be, and the same are hereby, re-incorporated, by the name and style of "The Board of Trustees of the Pendleton Academy."

X. And be it further enacted by the authority aforesaid, That all such property, not otherwise disposed of, as has heretofore escheated, or shall hereafter escheat, to the State, in the district of Pendleton, be, and the same is hereby, vested in the said board of trustees; provided, the same shall not exceed ten thousand dollars; and provided, also, that nothing herein contained shall be so construed as to prevent the Legislature from vesting any escheated property in said district in any person or persons having an equitable claim thereto.

XI. And be it further enacted by the authority aforesaid, That all those persons who now are, or hereafter may become, members of the Edisto Island Ferry Company, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Edisto Island Ferry Company."

XII. And be it further enacted by the authority aforesaid, That a public Ferry be, and the same is hereby, established over Dawho River, from Hooping Island to the nearest point of land on the north end of them. Said company be authorized and empowered to exact and receive the following rates of toll; for every carriage of four wheels, drawn by four or more horses, mules or oxen, one dollar and fifty cents; for every such carriage drawn by two or three horses, mules or oxen, one dollar; for every such carriage drawn by one horse, mule or ox, fifty cents; for every man and horse, twelve and a half cents; for each mule, horse, ass, or head of black cattle, six and a quarter cents; for each hog, sheep or goat, three cents: and for each foot passenger, six and a quarter cents.

XIII. And be it further enacted by the authority aforesaid, That all those persons who now are, or hereafter may become, members of the Medical Socie-
Charleston Medical Society of Emulation, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Charleston Medical Society of Emulation."

XIV. And be it further enacted by the authority aforesaid, That the Edgefield Farmer’s Society of Edgefield district, be, and the same is hereby incorporated, by the name and style of "The Edgefield Farmer’s Society."

XV. And be it further enacted by the authority aforesaid, That Antonio Della Torre, James C. W. McDonald, and all such persons as shall hereafter associate with them, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Agricultural Wine and Silk Company of South Carolina."

XVI. And be it further enacted by the authority aforesaid, That those persons that now are, or hereafter may become, members of the Lutheran Synod of South Carolina, Georgia, and the adjoining States, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Lutheran Synod of South Carolina, Georgia, and the adjoining States."

XVII. And be it further enacted by the authority aforesaid, That all those persons who now are, or hereafter may become, members of the State Convention of the Baptist denomination of South Carolina, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The State Convention of the Baptist Denomination in South Carolina."

XVIII. And be it further enacted by the authority aforesaid, That the officers and members of the Union Bible Society of Beaufort district, be, and they are hereby, incorporated, as a body corporate and politic, by the name and style of "The Union Bible Society of Beaufort District."

XIX. And be it further enacted by the authority aforesaid, That each of the societies and associations hereinabove incorporated, shall, respectively, be able and capable, in law and equity, to have, hold, receive, enjoy, possess and retain, all such property, real and personal, as they may now be respectively possessed of, or in any wise entitled to, or which shall have been, or shall hereafter be, given, bequeathed, or in any way acquired; and to sell, alien, or otherwise part with the same, or any part thereof, as they shall, respectively, deem proper or expedient; provided, the amount so held by the societies or associations, respectively, shall, in no case, exceed the sum of ten thousand dollars; except the Agricultural Wine and Silk Company of South Carolina, and the State Convention of the Baptist Denomination in South Carolina, who shall, respectively, be limited, the first to one hundred thousand dollars, and the last to two hundred thousand dollars.

XX. And be it further enacted by the authority aforesaid, That the objects and purposes of the State Convention of the Baptist Denomination in South Carolina, are hereby declared to be, to erect and establish an academical and theological seminary for the education of youth, generally, and of indigent pious young men, particularly, who may be designated for the gospel ministry, and for all other purposes necessary for carrying the foregoing objects into effect.

XXI. And be it further enacted by the authority aforesaid, That the said societies and associations, shall, respectively, by their proper names, have succession of officers and members, to be chosen according to the rules and
Acts relating to Corporations.

A. D. 1826.

by-laws made or to be made for their several government and direction; and shall have power and authority to make by-laws, not repugnant to the laws of the land; and to have, keep and use a common seal, and the same to change and alter; to sue and be sued, plead and be impleaded, in any court of law or equity in this State; and to have and enjoy all the rights and privileges incident or belonging to incorporated bodies.

XXII. And be it further enacted, That the Winyaw Indigo Society be and they are hereby, authorized and empowered to bind out to any trade or occupation, such pupil or pupils on the bounty of that institution, as they may deem expedient and proper.

XXVII. And be it further enacted by the authority aforesaid, That from and after the first day of January, one thousand eight hundred and twenty-six, the power and duty of regulating and superintending the patrol within the limits of the town of Beaufort, be, and the same are hereby, vested in and devolved upon the intendant and wardens of said town, who are hereby vested with full power to make all such ordinances relative to the times and manner of performing patrol duty within the limits of the said town, as may be necessary to preserve the peace, good order and safety of the same.

XXIV. And be it further enacted by the authority aforesaid, That the Clarissofic Society, incorporate, may hereafter hold and possess property, real and personal, to the amount of ten thousand dollars; that the annual Society, when meeting of the said society shall be held on the Thursday next ensuing the first Monday in December, of every year; and that special corporate meetings may be held at such times as the society shall deem proper.

XXV. And be it further enacted, That so much of the Act incorporating the said society, passed the twentieth day of December, A. D. 1820, Repealing as is repugnant to the foregoing clause, be, and the same is hereby, repealed.

XXVI. And be it further enacted by the authority aforesaid, That this Act shall be deemed a public Act, and continue in force for the term of fourteen years.

XXVII. And be it further enacted by the authority aforesaid, That the time of commence of said bridge over the Wateree river, near Camden.

XXVIII. And be it further enacted by the authority aforesaid, That Joseph Black, of the Senate, E. S. Davis, Alexander Speer, Alexander Hunter, Lyttelton Myrick, John M'Comb, and Edmund Ware, of the House of Representatives, and their successors in office, or a majority of them, forever, be, and they are hereby appointed, as the delegation from Abbeville district, trustees of the estate of the late Dr. John De La Howe, in lieu of the present trustees, for the purpose of carrying into effect his last will and testament.

XXIX. And be it further enacted by the authority aforesaid, That it shall be the duty of the trustee or trustees, now acting, to deliver over to the trustee herein named, before the first day of February next, all funds of said estate in their hands, title deeds, evidences of debt, and such other papers, books, or articles, belonging to the trust aforesaid, as have come into their possession.

XXX. And be it further enacted by the authority aforesaid, That it shall be the duty of the trustees herein appointed, to elect a treasurer, who
shall also perform the duties of secretary, and shall continue in office for such term of time as the trustees shall prescribe; and who shall give a bond, payable to the said trustees and their successors in office, in such sum, and with such securities, as shall be approved of by said trustees, or a majority of them, for the faithful performance of his duties; and who shall receive such compensation for his services, as are allowed to executors and administrators.

XXXI. And be it further enacted by the authority aforesaid, That it shall be the duty of the treasurer to make an annual return, on oath, to the ordinary of the district, of the receipts and expenditures of the said estate, a copy of which it shall be the duty of the ordinary to transmit to the succeeding Legislature, for their information.

XXXII. And be it further enacted by the authority aforesaid, That the said trustees be, and they are hereby, incorporated, as a body politic and corporate, in deed and in law, by the name of "The Trustees of the Estate of Dr. John De La Howe," who may sue and be sued, plead and be implored; and may make such other rules or laws for their government, not repugnant to the existing laws, as shall be approved of by a majority of said trustees.

XXXIII. And be it further enacted by the authority aforesaid, That all former Acts, or parts of Acts, contrary to this Act, be, and the same are hereby, repealed.

XXXIV. And be it further enacted by the authority aforesaid, That the Charleston Water Company shall commence their operation within two years from the date of the Act incorporating the said company, and shall conduct their operations, subject to such rules and regulations as the city council of Charleston shall or may, from time to time, by ordinance, order and direct. And in case the said company do not commence their operations within the said period, or having commenced them, shall not pursue them, as directed by such ordinance, they shall forfeit the privileges granted to them under the provisions of the said Act.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and twenty-five, and in the fifth year of the Independence of the United States of America.

JACOB BOND ION, President of the Senate.

JNO. B. O’NEALL, Speaker of the House of Representatives.

No. 2400.

AN ACT TO INCORPORATE CERTAIN SOCIETIES.

I. Be it enacted by the Honorable the Senate and House of Representatess, now met and sitting in General Assembly, and by the authority of the same, That all those persons who now are, or hereafter shall become, members of the United Agricultural Society of South Carolina, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The United Agricultural Society of South Carolina."
OF SOUTH CAROLINA.

Acts relating to Corporations.

II. And be it further enacted by the authority aforesaid, That all those persons who now are, or hereafter may become, members of the Beaufort Agricultural Society, be, and the same are hereby declared, a body corporate and politic, by the name and style of “The Beaufort Agricultural Society.”

III. And be it further enacted by the authority aforesaid, That all those persons who now are, or hereafter may become, members of the Charleston Bible Society, be, and the same are hereby declared, a body corporate and politic, by the name and style of “The Charleston Bible Society.”

IV. And be it further enacted, That all those persons who now are, or hereafter may become, members of the South Carolina Jockey Club, be, S. C. Jockey and the [same] are hereby declared, a body corporate and politic, by Club. the name and style of “The South Carolina Jockey Club.”

V. And be it further enacted, That all those persons who now are, or hereafter may become, members of the United Blues, a volunteer company attached to the 19th regiment of South Carolina militia, be, and the same are hereby declared, a body corporate and politic, by the name and style of “The United Blues.”

VI. And be it further enacted, That all persons who now are, or hereafter may become, members of the Phoenix Fire Engine Company of Charleston, be, and the same are hereby declared, a body corporate and politic, by the name and style of “The Phoenix Fire Engine Company of Charleston.”

VII. And be it further enacted, That all those persons who now are, or hereafter may become, members of the Charleston Fire Engine Company, be, and the same are hereby declared, a body corporate and politic, by the name and style of “The Charleston Fire Engine Company.”

VIII. And be it further enacted, That all those persons who now are, or hereafter may become, members of the Clerk’s Association of Charleston, be, and the same are hereby declared, a body corporate and politic, by the name and style of “The Clerk’s Association of Charleston.”

IX. And be it further enacted, That all those persons who now are members of the association of the Sisters of Charity of Charleston, or hereafter may become members of the same, be, and the same are hereby declared, a body corporate and politic, by the name and style of “The Sisters of Charity.”

X. And be it further enacted, That all those persons who now are, or hereafter may become, members of the Georgetown Rifle Guards, be, and the same are hereby declared, a body corporate and politic, by the name and style of “The Georgetown Rifle Guards.”

XI. And be it further enacted, That all those persons who now are, or hereafter may become, members of the Franklin Debating Club of Columbia, be, and the same are hereby declared, a body corporate and politic, by the name and style of “The Franklin Debating Club of Columbia.”

XII. And be it further enacted, That Joseph T. Copeland, Isaac Timmons, James Fields, Turner Bryan, Ahas Rogers, William T. Lowry, John Nighton, and James Knotts, and their successors, trustees and members of the Elizabeth Baptist Church of Chesterfield, be, and the same are hereby declared, a body corporate and politic, by the name and style of “The Elizabeth Baptist Church of Chesterfield.”

XIII. And be it further enacted, That Hugh Wilson, William Harris, Thomas R. Witherspoon, Absalom Wilson, and James H. Wilson, and
their successors, trustees and members of the Presbyterian Mount Zion Church, of Salem county, in Sumter district, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Trustees and Members of the Presbyterian Mount Zion Church of Salem."

XIV. And be it further enacted, That all those persons who now are, or hereafter may become, officers and members of the Grand Encampment of Knights Templars and the Appendant Orders in the State of South Carolina, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Grand Encampment of Knights Templars, and the Appendant Orders, in the State of South Carolina;" and that the said corporation shall have full power and authority to assemble where and as often as may be expedient; and to charter and regulate Subordinate Encampments in this State, and to superintend their transactions.

XV. And be it further enacted by the authority aforesaid, That all those persons who now are, or hereafter may become, members of the Unity Lodge, No. 55, of Ancient Free Masons, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Unity Lodge, No. 55.

XVI. And be it further enacted, That all those persons who now are, or hereafter may become, members of the Diamond Hill Library Society of Abbeville district, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Diamond Hill Library Society."

XVII. And be it further enacted, That all those persons who now are, or hereafter may become, members of the South Carolina Bar Association, be, and they are hereby declared, a body corporate and politic, by the name and style of "The South Carolina Bar Association."

XVIII. And be it further enacted, That all those persons who now are, or hereafter may become, members of the South Carolina Manufacturing Company, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The South Carolina Manufacturing Company."

XIX. And be it further enacted, That the said societies and associations, shall, respectively, by their proper names, have succession of officers and members, to be chosen according to the rules and by-laws made or to be made for their respective government and direction; and shall have power and authority to make by-laws, not repugnant to the laws of the land; to have, use and keep a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any court of law or equity in this State; and to have and enjoy all and every right and privilege incident to and belonging to incorporate bodies.

XX. And be it further enacted, That each and every of the societies and associations hereinabove incorporated, shall, severally and respectively, be able and capable, in law and equity, to have, hold, receive, possess, enjoy and retain, all such property, real and personal, as they may now, respectively, be possessed of, or in any wise entitled to, or which shall have been, or shall hereafter be, given to, bequeathed or in any way acquired by them, respectively; and to sell, alien or otherwise part with the same, or any part thereof, as they shall, respectively, deem proper and expedient; provided, the amount so held by the said societies and associations, respectively, shall in no case exceed the sum of five thousand dollars; except The South Carolina Manufacturing Company, The United Agricultural Society of
OF SOUTH CAROLINA.

Acts relating to Corporations.

South Carolina, The Beaufort Agricultural Society, and The Bible Society of Charleston, which shall be limited, respectively, the first, to fifty thousand dollars; the second, to twenty thousand dollars; and the two last, to ten thousand dollars each.

XXI. And be it further enacted, That the corporate name of the Calvanistic Church of French Protestants of the city of Charleston, be, and that Church, the same is hereby, changed, to that of "The French Protestant Church in the city of Charleston."

XXII. And be it further enacted, That the charter of the Free Masons's Hall Company of the city of Charleston, which expires at the present session of the Legislature, be, and the same is hereby, renewed; and that the said company are hereby authorized and empowered to establish and draw one or more lottery or lotteries, for the purpose of completing their hall, and paying for the same; provided, there shall not be raised by means thereof a sum exceeding ten thousand dollars.

XXIII. And be it enacted by the authority aforesaid, That the South Carolina Society shall have full power and authority, in addition to the power now vested in them by law, to erect and support any such school or schools, or other seminaries of education, as they may deem necessary and proper; and to appropriate therefor such sum or sums of money as may hereafter accrue or be vested in them, as may by them be deemed necessary.

XXIV. And be it further enacted, That any Acts, or clauses of Acts, repugnant to this, be, and the same are hereby, repealed.

XXV. And be it further enacted, That so much of the second Section of an Act of the General Assembly of this State, passed on the seventeenth day of December, one thousand eight hundred and twenty-four, as requires that two Wardens of the town of Columbia shall be elected by the inhabitants of each ward, respectively, be, and the same is hereby, repealed; and that hereafter all the inhabitants of said town by law qualified to vote therefor, shall, by general ballot, at the times now appointed by law, and at all such times as the Intendant and Wardens may designate, elect the whole number of Wardens, in the same manner as the Intendant for said town is now elected by law; provided, nevertheless, that two of said Wardens shall reside in each ward.

XXVI. And be it further enacted, That this Act shall be a public Act, and continue in force for the term of fourteen years.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and twenty-six, and in the fifty-first year of the Independence of the United States of America.

JACOB BOND, President of the Senate.

JNO. B. O'NEALL, Speaker of the House of Representatives.
AN ACT TO INCORPORATE CERTAIN SOCIETIES.

1. Be it enacted by the Honorable the Senate and House of Representatives, That the following societies and associations, be, and the same are hereby declared, bodies corporate and politic, by the names and styles to them respectively assigned.

1. All those persons who are, or may become, members of the Presbyterian Church and Congregation of Hopewell, in Abbeville district, by the name and style of "The Presbyterian Congregation of Hopewell."

2. John Craig, John Chapman, John Evans, Edward Mulloy, Hugh Craig, Peter L. Robson, and their successors, by the name and style of "The Trustees of the Chesterfield Academy."

3. All those persons who now are, or hereafter may become, members of the Washington Library Society of the city of Charleston, by the name and style of "The Washington Library Society."

4. All those persons who are, or may become, members of the Charleston Benevolent Society, by the name and style of "The Charleston Benevolent Society."

5. All those persons who are, or may become, members of the Buck Spring Library Society of St. George's Parish, by the name and style of "The Buck Spring Library Society."

6. All those persons who are, or may become, members of the Friendly Library Society of Pendleton District, by the name and style of "The Friendly Library Society of Pendleton."

7. All those persons who are, or may become, members of the Mount Ariel Academy Society of Abbeville district, by the name and style of "The Mount Ariel Academy Society."

8. All those persons who are, or may become, members of the Cheraw Literary Society, by the name and style of "The Cheraw Literary Society."


10. All those persons who are, or may become, members of the Goose Creek Baptist Church of Saint James's Goose Creek, by the name and style of "The Goose Creek Baptist Church."

11. All those persons who are, or may become, members of the Treadaway Baptist Church, of the Upper Three Runs of Barnwell District, by the name and style of "The Treadway Baptist Church."

12. The said societies and associations, shall, by their proper names, respectively, have succession of officers and members, to be chosen according to the Rules and by-laws made or to be made for their respective government and direction; and shall have power and authority to make by-laws, not repugnant to the laws of the land; to have, use, and keep a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any court of law or equity in this State; and to have and enjoy all and every right and privilege incident of and belonging to corporate bodies.

13. Each and every of the societies and associations hereinabove incorporated, shall, severally, be able and capable, in law and equity, to have, hold, possess, receive, enjoy and retain, all such property, real and personal, as they may now, respectively, be possessed of, or in any wise entitled to, or which shall have been, or shall hereafter be, given to, bequeathed, or
in any wise acquired by them, respectively; and to sell, alien, or otherwise part with the same, or any part thereof, as they shall, respectively, deem proper and expedient; provided, the amount so held by the said societies and associations shall not exceed, by the Mount Ariel Academy Society, fifty thousand dollars; by the Presbyterian Congregation of Hopewell, thirty thousand dollars; by the Trustees of the Chesterfield Academy, the Washington Library Society, the Charleston Benevolent Society, and the Goose Creek Baptist Church, each ten thousand dollars; and by the Buck Spring Library Society, and the Friendly Library Society, each five thousand dollars.

II. And be it further enacted, That the Antipodo Baptist Church of the Antipodo town of Georgetown, be, and the same is hereby, incorporated, with all the Baptist church privileges and powers heretofore granted, by the name and style of "The Baptist Church of Christ, in Georgetown, South Carolina."

III. And be it further enacted, That the Jefferson Monticello Society Jefferson Mon- of Fairfield, be, and the same is hereby, reincorporated, with all the powers ticulo Society. and privileges heretofore granted to the same, by the name and style of "The Jefferson Monticello Society."

IV. And be it further enacted, That the Charleston Fire Company of Axemen, be, and they are hereby, incorporated, with all the powers and Fire company privileges heretofore granted the same; and the said company have author- ity to increase their number to seventy-five members.

V. And be it further enacted, That the Franklin Library Society of Axe, by, and they are hereby, reincorporated, with all the powers Fire company privileges heretofore granted the same.

VI. And be it further enacted, That hereafter, no person shall erect or cause to be erected, more than one dwelling house on each half acre lot in the town of Moultrieville on Sullivan's Island; and if any person shall build, or attempt to build, such a dwelling house, such person may be com- pelled to desist from such building, and to remove the same, by the court of chancery; and it shall be lawful for the Intendant or any one of the Wardens of the said town, to execute such order, under the direction of the Sheriff of the district or his lawful deputy.

VII. And be it further enacted, That hereafter, the Town Council of the Council of Town of Cheraw shall not have power to assess, levy or collect, any taxes Cheraw, not to on the personal or real property within the limits of said town.

VIII. And be it further enacted, That the South Carolina Manufacturing Company, be, and the same is hereby, authorized and empowered to hold, possess and enjoy, estate, real and personal, to the amount of two hundred thousand dollars, upon the same terms as are declared in the Act heretofore passed, incorporating said company.

IX. And be it further enacted, That this Act be a public Act, and con- tinue in force for fourteen years.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and twenty-seven, and in the fifty-second year of the Independence of the United States of America.

JACOB BOND I'ON, President of the Senate.

JNO. B. O'NEALL, Speaker of the House of Representatives.

VOL VIII.—45.
No. 2417. AN 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 HAMBURGH.

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

1. The formation of a corporate company is hereby authorized, for the construction of a Rail Road or a Canal, or a Rail Road and Canal, from the City of Charleston, on the most practicable routes, to each of the towns of Columbia, Camden and Hamburgh; and that the formation, organization, and subsequent proceedings, of said company, shall be according to the provisions of an Act, passed during the present session, entitled "An Act to establish the principles on which companies shall be incorporated, and the charters of ferries, bridges and turnpike roads, shall hereafter be granted;" and that the said company shall be entitled to all the rights and protection granted by the said Act to turnpike companies on the conditions of said Act; provided, that nothing contained in said Act shall be construed so as to prevent the said company hereby authorized to be formed and incorporated, from constructing all such engine, toll and ware houses, and from purchasing such amount of real estate, as shall be incidental and necessary to the construction of the several works contemplated by this Act.

2. The said company shall be called "The South Carolina Canal and Rail Road Company;" and the capital stock thereof shall be composed of seven thousand shares, with the right of increasing said capital, (by sale or subscription,) to an amount not exceeding twenty thousand shares.

3. The said company, after being duly organized and incorporated, shall, at all times, have power to invest any surplus stock on hand, in any public stock bearing interest, until the same may be required for meeting the contracts entered into.

4. The said company shall, at all times, have the exclusive right of transportation on all the several Rail Roads to be by them constructed; provided, the charge for the transportation of goods, produce, &c, shall not exceed thirty-five cents per hundred pounds, on heavy articles, and ten cents per cubic foot, on articles by measurement, for every one hundred miles, and five cents per mile, on every passenger, and at the above rates for any greater or less distance; provided also, the said company may rent or farm out all or any part of their exclusive right of transportation above secured, to any individual or other company, subject to the restrictions of the above proviso.

5. The said company may, when they deem it most expedient, open all or any of their said Canals or Rail-ways to public use, and may establish suitable rates of toll on the same; but shall not derive therefrom an annual income, clear of expense, exceeding twenty-five per cent. on the cost thereof.

6. The rights and privileges of the company hereby authorized to be formed and incorporated, shall be sole and exclusive for the term of thirty-six years; and no other person, persons or incorporation, shall have the right of constructing any Rail Road or Canal communication, from the city of Charleston, to either of the towns of Columbia, Camden or Hamburgh, or to any other point on the Savannah river, during this time, without the consent of this company; provided, the said company shall commence
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1829.

the Canals and Rail Roads, either or all of them, as herein authorized, within two years, and shall complete the same within six years; and provided also, that on failure to commence either of the above Rail Roads or Canals within the time limited, or on neglect to keep the same in repair after constructed, for the period of two years together, such failure or neglect shall be deemed a forfeiture of this charter, as to such Rail Road or Canal.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and twenty-seven, and in the fifty-second year of the Independence of the United States of America.

JACOB BOND I'ON, President of the Senate.

JNO. B. O'NEALL, Speaker of the House of Representatives.

AN ACT TO AMEND AN ACT ENTITLED "AN 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 HAMBURGH."

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the company provided for in the aforesaid Act, and hereinafter more especially incorporated and authorized, shall and may direct and confine their first efforts and enterprise to the formation and completion of the Rail Road communication between Charleston and the Savannah river, at or near Hamburgh, and other points or places on said river, by branch or branches of the said Rail Road, in the manner hereinafter mentioned; and when such communication shall be completed, or before, if the said company shall find it practicable and advantageous, they shall have power and authority to lay off and construct branches thereof to Columbia and Camden, or to the most convenient points at or near these towns, or otherwise to construct Rail Road or Rail Roads between these two towns and Charleston; and the right to make, keep up and employ such Rail Roads, shall be vested in the company herein and hereby incorporated, exclusively; and for the term of time hereinafter mentioned, no other communication between Charleston and Savannah river, at or near Hamburgh, or the waters of the Savannah river, or the towns of Columbia and Camden, or to any point on the rivers at or near the same, by other Rail Roads or newly constructed Canals, shall be constructed by or under the authority of this State.

II. And be it further enacted by the authority aforesaid, That the Amount of stock of the company authorized and incorporated by this Act, shall consist of seven thousand shares, of one hundred dollars each share, and the said company to be formed on that capital; but that the said company shall be at liberty to enlarge their capital, as in the progress of their undertaking they may find necessary, and that either by additional assessments on the
original shares, not to exceed, in the whole, the sum of twenty dollars, in addition to each original share, or by opening books for enlarging their capital by new subscriptions, in shares of not more than one hundred dollars, so as to make their capital adequate to the works they may undertake; and also, prescribe the terms and conditions of new subscriptions. And it shall be lawful for the company, from time to time, to invest so much or such parts of their capital, or of their profits, as may not be required for immediate use, and until it may be so required, in public Stock of the United States or of this State, or of any incorporated Bank, and draw and apply the dividends; and when, and as they shall see fit, sell and transfer any parts or portions thereof.

III. And be it further enacted by the authority aforesaid, That books for subscription to the stock of the company hereby authorized, shall be opened in Columbia, Camden, Hamburgh and Charleston, by three commissioners in each place, to wit:—in Columbia, by William Law, David Ewart, and James Boatwright; in Camden, by Thomas Lang, James S. Murray, and Charles J. Shannon; in Hamburgh, by Christian Brighthaupt, Paul Fitzsimons, and Samuel L. Watt; and in Charleston, by Timothy Ford, Stephen Elliott, and Rene Godard; and the books shall be opened in each of the said places on the same day, which is hereby fixed to be on the seventeenth day of March next; and the different sets of commissioners shall advertise the time and place of subscribing, in the public gazette or gazettes of the places, respectively; and if no gazette be published at any of the places, those commissioners shall advertise in the State Gazette at Columbia; and such advertisement shall be inserted at least three weeks prior to the day fixed for the opening of the books; provided, that if any one of the commissioners, at the time of opening the books, shall be sick and unable to attend, the other two commissioners may choose a proper and discreet person to supply his place; and if any of the commissioners before named, shall, after the passing of this Act, remove or decline acting, his Excellency the Governor, upon being notified thereof, is hereby requested to nominate and appoint fit and proper person or persons to supply the vacancy of him or them so declining to act. Upon the books being opened as aforesaid, the commissioners shall receive from individuals subscriptions for so many shares as they see fit to subscribe for, on the condition, that at the time of subscribing there be paid down to the commissioners, ten dollars on each share subscribed, for which they shall give a receipt, and directly deposit the money in the Bank of the State of South Carolina, or the Branches thereof, in the place of subscription, and the Hamburgh commissioners, in the Bank of Augusta, subject to the joint check of the commissioners for such sums as may be refunded to subscribers, upon adjustment made in the case of over subscription to the stock of the company, the residue to remain subject to the draft or order of the said company, by its president or board of directors, after the company shall be organized.

IV. The books shall be kept open at each place for four days, between the hours of nine in the morning, and three in the afternoon, and being closed on the last day, each set of commissioners shall transmit, from Hamburgh, Columbia and Camden, to the commissioners in Charleston, a list of the subscribers, designating, on such lists, as in the subscription books, the days on which the persons respectively subscribed, with the number of shares and sums paid set opposite to each name, with a certificate at the bottom of the list, to be signed by each commissioner, that the money is
OF SOUTH CAROLINA.

Acts relating to Corporations.

A. D. 1839.

deposited in the Bank conformably to this Act, naming the Bank; and thereupon the commissioners in Charleston shall, from all the lists of subscribers, make out one general list, specifying the days, respectively, on which each subscribed, so that, on summing up the whole, it may appear whether the stock is filled up, or falls short, or exceeds the aforesaid capital. If the number of shares subscribed, and ten dollars each paid thereon, shall fall short of the seven thousand shares, but amount to a moiety thereof, to wit, three thousand and five hundred shares, the said company may be formed thereon, and for the residue of the original number of shares, the said corporation, when organized, may cause books to be opened by the directors, under sixty days notice of the time and place of subscription, and receive such additional subscriptions as can be obtained, on the same terms as aforesaid, of ten dollars being paid on each share at the time of subscription; and may keep the books open until the whole number of seven thousand shares shall be subscribed. But if the number of shares that shall be subscribed at the first period of opening the books, before the commissioners aforesaid, shall exceed seven thousand shares, then the shares shall be reduced to that number, rateably, or in the same ratio of per centage. Provided, no subscription of five shares, or less, shall be reduced thereby.

V. Be it further enacted by the authority aforesaid, That on the subscriptions of shares in the stock of the company, to any amount exceeding a moiety of the number as aforesaid, being made, or in case of excess of to be formed. subscriptions, upon the number being reduced to seven thousand, in manner aforesaid, the said company shall be considered as formed, and this Act of incorporation shall and may attach and become effectual, and the corporation may take measures to become organized. For this purpose the commissioners in Charleston shall appoint a convenient time and place for the meeting of the stockholders, which they shall cause to be advertised in one or more of the gazettes in Charleston, and the State gazette at Columbia, for five weeks in succession, previously to the day; at which time and place the subscribers may attend in person, or by proxy; and no one but a subscriber shall be capable of being a proxy; and the appointment shall be in writing, signed by the appointing member, duly authenticated by the oath of a subscribing witness, endorsed thereon, or annexed thereto, by a lawful magistrate; and the meeting being assembled, the proxies examined and admitted, and a proper registry made of all the subscribing members, by person or by proxy, who may be present, the Charleston commissioners, or a majority of them attending, shall present a ballotting box, in which the subscribers may vote for officers by ballot; and the presiding commissioners shall count the ballots, enter the same, and declare the result of the election, of which they shall make and deliver proper certificate or certificates, under their hands. The officers to be elected shall consist of a president and twelve directors, to serve for one year, and until a new election be made.

VI. And be it further enacted by the authority aforesaid, That in the said election for president and directors, the votes shall be taken by the Manner of vo- following scale: the owner of one or two shares shall be entitled to one vote; the owner of not less than three shares nor more than four shares, shall be entitled to two votes; the owner of not less than five nor more than six shares, shall be entitled to three votes; the owner of not less than seven nor more than eight shares, to four votes; the owner of not less than nine nor more than eleven shares, to five votes; the owner of not
less than twelve nor more than fifteen shares, to six votes; the owner of not less than sixteen nor more than twenty shares, to seven votes; the owner of not less than twenty-one nor more than twenty-six shares, to eight votes; the owner of not less than twenty-seven shares nor more than thirty-three shares, to nine votes; the owner of not less than thirty-four shares nor more than forty shares, to ten votes; and the owner of every ten shares above forty shall be entitled therefor to one vote. Any person, being a subscriber or stockholder, who may offer to vote as a proxy, may be required, by any subscriber or stockholder, to swear that he has no interest, directly or indirectly, in the stock in which he so offers to vote as proxy. A trustee of stock shall not vote on shares held by him in trust, expressed or declared, where the _cestui que_ trust holds other shares, either in his own name or in the name of another trustee. But the _cestui que_ trust may vote on all shares owned by him, whether legally or equitably, according to the scale aforesaid. And on all future elections of president and directors; in the making, altering or repealing of by-laws; in determining on measures involving the general interests of the company, at any stated or occasional corporate meeting, the votes shall be governed by the above scale, and the rules and regulations above mentioned.

VII. _And be it further enacted_ by the authority aforesaid, That the election of president and directors shall be made annually, according to a by-law to be made for that purpose. And in case any vacancy occur in the board, between two periods of general election, the board of directors, or a majority of them, at any regular or stated meeting of the board, may elect by ballot, from amongst the stockholders, a person to fill the vacancy so occurred, until the next general election of directors. But if it should so happen that the day of annual election of president and directors should pass without an election being effected, or any of them, the corporation shall not thereby be dissolved, or be deemed to be discontinued, but it shall be lawful on any other day to hold and make such election, in such manner as may be prescribed by the by-laws of the corporation; subject, always, to the scale and regulations of the sixth clause of this Act.

VIII. _And be it further enacted_ by the authority aforesaid, That the aforesaid company to be organized, as aforesaid, shall be called "The South Carolina Canal and Rail Road Company," and have perpetual succession of members; may make and have a common seal, and break or alter it at pleasure; and, by their corporate name aforesaid, may sue and be sued, answer and be answered unto, in all courts of law or equity or judicial tribunals of this State; and shall, at all times, be capable of making and establishing, altering and revoking, all such regulations, rules and by-laws, for the government of the company and its direction, as they may find necessary and proper for the effecting of the ends and purposes intended by the association, and contemplated in this Act; provided, such regulations, rules and by-laws shall not be repugnant to the laws or constitution of this State; but this Act, and the corporation hereby authorized, shall be exempted from the operation of the Act passed at the late session of the Legislature, entitled "An Act declaring the principles on which companies shall be incorporated, and the charters of ferries, bridges and turnpike roads, shall hereafter be granted; and for other purposes therein mentioned."

IX. _And be it further enacted_ by the authority aforesaid, That the said South Carolina Canal and Rail Road Company shall have power and capacity to purchase, and have and hold, in fee simple or for years, to them and their successors, any lands, tenements or hereditaments, that they may
find necessary for the site on and along which to locate, run and establish the aforesaid rail road and rail roads, or any branches thereof, or to vary or alter the plan or plans, and of such breadth and dimensions through the whole course of the road and roads, as they may see fit; and also, in like manner, to purchase any lands contiguous or in the vicinity of the rail road and rail roads hereby authorized, that they may find necessary for the procuring, and, from time to time, readily obtaining all necessary or proper materials, of what kind soever, for the constructing, repairing and adequately guarding and sustaining, the said rail road or rail roads; and, in like manner, to purchase all private rights of way on land, and all necessary privileges in waters or water courses, that may lie on or across the route through which the said rail road or rail roads may pass; and, also, all lands, contiguous thereto, that may be found necessary for the erecting of toll-houses, store-houses, work-shops, barns, stables, residences and accommodations for servants or agents or mechanics, and for the stationing and sustaining all animals of labor. And the said company shall have power, if need be, to conduct their rail road across any public road, and, by suitable bridges, over and across all or any rivers, creeks, waters or watercourses, that may lie in the route; or if they should find it more convenient and suitable, may pass carriages using the road, by convenient boats across the same, or through canals connecting different parts of the rail road; provided, the said company shall not thereby obstruct the navigation thereof; and provided, that the said company shall so construct their rail road across all public roads as not to obstruct or injure the same.

X. And be it further enacted by the authority aforesaid, That in all or any case where lands or private rights of way may be required by the said company, for the purposes aforesaid, and the same cannot, for want of the 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 a 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 said commissioners, before they act, shall, severally, take an oath before some justice of the peace, faithfully and impartially to discharge the duty assigned them. In making the said valuation, the commissioners shall take into consideration the loss or damage which may occur to the owner or owners, in consequence of the land being taken, or the right of way obstructed; and, also, the benefit and advantage he, she or they may receive from the erection and establishment of the rail road or works; and shall state, particularly, the nature and amount of each; and the excess of loss and damage, over and above the benefit and advantage, shall form the measure of valuation of the said land or right of way. The proceedings of the said commissioners, accompanied with a full description and plat of the said land, shall be returned, under the hands and seals of a majority of the commissioners, to the court from which the commission issued, there to remain of record. In case either party to the proceedings shall appeal from the said valuation, to the next session of the court granting the commission, and give reasonable notice to the opposite party of such appeal, the court, upon satisfactory proof that the appellant has been injured by the said valuation, shall order a new valuation to be made by a jury, who shall be charged therewith in the same term, and their verdict shall be final and conclusive between the parties, unless a new trial shall be granted. And the lands or rights of way so valued by the commissioners or a jury, shall vest in the said company,
in fee simple, so soon as the valuation thereof may be paid, or when refused, may be tendered. Where there shall be an appeal, as aforesaid, from the valuation of commissioners, by either of the parties, the same shall not prevent the works intended to be constructed, from proceeding: but where the appeal is made by the company requiring the surrender, they shall be at liberty to proceed in their work, only on condition of giving to the opposite party a bond with good security, to be approved of by the clerk of the court where the valuation is returned, in a penalty equal to double the said valuation, conditioned for the payment of the said valuation and interest, in case the same be sustained, and in case it be reversed, for the payment of the valuation thereafter to be made by the jury, and confirmed by the court.

XI. And be it further enacted by the authority aforesaid, That the said South Carolina Canal and Rail Road Company shall, at all times, have the exclusive right of transportation or conveyance of persons, merchandize and produce, over the rail road and rail roads and canals to be by them constructed, while they see fit to exercise the exclusive right; provided, that the charge of transportation or conveyance shall not exceed thirty-five cents per hundred pounds, on heavy articles, and ten cents per cubic foot, on articles of measurement, for every one hundred miles, and five cents per mile for every passenger. Provided, always, that the said company may, when they see fit, rent or farm out all or any part of their said exclusive right of transportation or conveyance of persons, on the rail road or rail roads, with their privileges, to any individual or individuals, or other company, and for such term as may be agreed upon; subject to the rates above mentioned. And the said company, in the exercise of their right of carriage or transportation of persons or property, or the persons so taking from the company the right of transportation or conveyance, shall, so far as they act in the same, be regarded as common carriers. And it shall be lawful for the said company to use or employ any sections of their intended rail road, subject to the rates before mentioned, before the whole shall be completed, and in any part thereof which may afford public accommodation for the conveyance of persons, merchandize or produce; and, also, to lay off and construct, and put in operation and use, any branch or branches of the said rail road, so as to communicate with the waters of the Savannah river, or navigable waters of the Edisto, or its branches; subject to the aforesaid rates of transportation. And the said company shall have power to take, at the store-houses they may establish on or annexed to their rail road, all goods, wares, merchandizes and produce, intended for transportation or conveyance, prescribe the rules of priority, and charge such just and reasonable terms and compensation for storage and labor, as they may, by rules, establish, (which they shall cause to be published,) or as may be fixed by agreement with the owners; which compensation shall and may be distinct from the aforesaid rates of transportation.

XII. And be it further enacted by the authority aforesaid, That if any person or persons shall intrude upon the said rail road or rail roads, or any part thereof, by any manner of use thereof, or of the rights or privileges connected therewith, without the permission or contrary to the will of the said company, he or they shall forthwith forfeit to the company all the vehicles, articles and animals that may be so intrusively introduced and used thereon, and the same may be seized by the company or its agents, or recovered by suit at law; and, moreover, the person or persons so intruding
shall and may be indicted as for a misdemeanor, and, upon conviction, fined and imprisoned by the sentence of the court of sessions of the district. And if any person shall, wilfully and maliciously, destroy, or in any manner hurt, damage, injure or obstruct, or shall, wilfully and maliciously, cause, or aid and assist, or counsel and advise, any other person or persons to destroy, or in any manner to hurt, damage or injure or obstruct the said rail road, or any branch thereof, or any bridge, boat or canal connected therewith, or any vehicle, edifice, right or privilege granted by this Act, or constructed for use, under the authority thereof, such person, so offending, shall be liable to be indicted, and, on conviction thereof, shall be imprisoned not more than six nor more [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. The one half of all the fines that may be imposed by the court, under this Act, shall be paid to the informer, and the other half to the said company.

XIII. And be it further enacted by the authority aforesaid, That whostsoever the company aforesaid shall see fit to farm out, as aforesaid, to any other person or persons, or body corporate, any part of their exclusive conveyance, right of conveyance and transportation, or shall deem it expedient to open the said rail road, or any part thereof, to public use, they shall and may adopt and enforce all necessary rules and regulations, and have power to prescribe the construction and size or burthen of all carriages and vehicles, and the materials of which such shall be made, that shall be permitted to be used or to pass on the said rail road, and the locomotive power that shall be used with them.

XIV. And be it further enacted by the authority aforesaid, The exclusive right to make, keep up and use the rail roads and transportation there by, authorized by this Act, shall be for and during the term of thirty-six years, to be computed from the time when the said rail road from Charles ton to Savannah river, at at near Hamburgh, shall be completed for transportation. Provided, that the subscriptions of stock or shares of the said company, to the amount of at least three thousand five hundred shares, as aforesaid, be filled up within six months from the passing of this Act, and the work from or between Charleston and the place aforesaid, be commenced within two years, and be completed within six years, after the three thousand five hundred shares shall be subscribed. And after the said term of thirty-six years shall have elapsed, though the Legislature may authorize the construction of other rail roads or canals, for the trade or intercourse contemplated herein, nevertheless, the South Carolina Canal and Rail Road Company shall remain and be incorporated, and vested with all the estate, powers and privileges, as to their own works, herein granted and secured, except the exclusive right to make, keep up and use rail roads over and through such parts of the country that shall so have expired by the foregoing limitation. But the Legislature may renew and extend that exclusive right, upon such terms as may be prescribed by law, and be accepted by the said incorporated company. And that during the first period of thirty-six years, the stock of the company, and the real estate that may be purchased by them, and connected with and be subservient to the works herein authorized, shall be exempted from taxation.

XV. And be it further enacted by the authority aforesaid, That after the president and directors shall be elected, as aforesaid, it shall always be in the power of the said president and directors, at a meeting of the board,
SECRETARY and TREASURER to be appointed, a majority being present, to nominate and appoint a secretary, a treasurer, and all other officers, agents and servants that they may deem necessary, or as may be prescribed in the by-laws of the said company, removable at the pleasure of the board of directors; and also require and take from all the officers, agents and servants, such bond or bonds and security as the board or the by-laws may prescribe, for securing the fidelity, obedience, accountability and correct conduct of the officers, agents or servants so appointed, and their punctually surrendering up all monies and property, on their being removed or displaced, or the term of their appointment expiring.

XVI. And be it further enacted by the authority aforesaid, That the president and directors, by an order signed by the president, shall have power to draw from the Bank of the State of South Carolina, and any of the branches thereof, or from the Bank of Augusta, (and the several boards of commissioners shall, and are hereby directed to, co-operate with and aid the direction in so doing, if need be,) all such monies as may have been received by the different sets of commissioners, for the first payments by subscribers on their subscriptions of stock, as before provided; except the sums for such shares, if any, as may be cancelled and thrown out by the reducing of the whole number of shares subscribed, in the event of over subscriptions, as aforesaid, the monies on which shares thrown out, shall be paid back to the subscribers by the commissioners in whose books such persons subscribed, immediately on the surplus shares being ascertained, and notified to the commissioners, who shall advertise for such subscribers to call and receive their money.

XVII. And be it further enacted by the authority aforesaid, That every person who shall be a subscriber to, or holder of, stock in the said company, shall pay to the company the instalment of ten dollars on each every share, in such periods, of not less than sixty days, as shall be prescribed and called for by the directors, until one half, or fifty dollars on each share, shall be paid up, after which the directors may call for the further moiety of each share, in payments not exceeding fifteen dollars per share, in periods of not less than sixty days; of which periods of payments, by instalments on the shares, and the sums required, the board of directors shall cause public notice to be given, for at least four weeks previously to the day of payment, by advertising the same in one or more of the gazettes in Charleston, and the State gazette in Columbia; and failure to pay up any one of the instalments so called for, as aforesaid, shall induce a forfeiture of the share and shares on which default shall be made, and all past payments made thereon, and the same shall vest in and belong to the company, and may be appropriated as they shall see fit. It shall be the duty of the company, as soon as may be after they are organized, or of the board of directors, to issue scrip to each subscriber, for the shares he holds, and deliver the same at the time of the second payment; on which, if convenient and practicable, receipts for the instalments paid, and that may successively be paid, may be indorsed; and the scrip issued may be made assignable and transferable, in person or by attorney, at the office and on the books of the company. And the said corporation shall and may, in and by their by-laws, rules and regulations, prescribe the modes of issuing the evidences of shares of stock, and the terms and conditions, as also the times and manner, in which shares in the company may be transferred.

XVIII. And be it further enacted by the authority aforesaid, That whenever the said company shall find occasion hereafter to increase their capital, by additional assessments on the original shares, as before mentioned
in the second section of this Act, within the limits therein mentioned, the said further sum on each share shall not be called for in less than two instalments, at similar periods and with like notices as are mentioned and provided in the immediately preceding section; and failure to pay up such additional assessments, shall, in like manner as therein provided, induce a forfeiture to the company of the share or shares of stock on which default shall so be made.

XIX. The president and directors shall be styled the direction of the corporation, and shall make all contracts and agreements in behalf thereof, and have power to call for all instalments, declare all dividends of profits, and to do and perform all other lawful acts and deeds which, by the by-laws of the corporation, they may be empowered or required to do or perform. And the acts of the direction, or their contracts, authenticated by the signatures of the president and secretary, shall be binding on the corporation without seal. Regular minutes shall be kept of all meetings of the direction, and of the acts there done; and the direction shall not exceed in their contracts the amount of the capital of the corporation; and in case they shall do so, the president and directors who are present at the meeting at which such contract or contracts so exceeding the capital shall be made, shall be, jointly and severally, liable for the amount of the excess, both to the contractor or contractors, and to the corporation. Provided, that any one may discharge himself from such liability, by voting against such contract or contracts, and causing such vote to be recorded in the minutes of the direction, and giving notice thereof to the next general meeting of the stockholders. The direction shall, once in every year at least, make a full report on the state of the corporation, and of its affairs, to a general meeting of the stockholders, and often, if so directed by the by-laws; and shall have power to call a general meeting of the stockholders, when the direction shall deem it expedient. And the corporation may provide in their by-laws for occasional meetings being called, and prescribe the mode thereof.

XX. And be it further enacted by the authority aforesaid, That the Act passed at the late sitting of the Legislature, entitled “An 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,” so far as the provisions thereof are in any wise repugnant to this Act of incorporation, shall be, and the same is hereby, repealed; and that this Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of as such, without special pleading.

In the Senate House, the thirtieth day of January, in the year of our Lord one thousand eight hundred and twenty-eight, and in the fifty-second year of the Independence of the United States of America.

JACOB BOND I'ON, President of the Senate.
JNO. B. O'NEALL, Speaker of the 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 following societies and associations be, and the same are hereby, declared bodies corporate and politic, by the names and styles to them, respectively, assigned.

1. All those persons who now are, or hereafter may become, members of the South Carolina Association, by the name and style of "The South Carolina Association," for the purpose of aiding in the execution of the laws in relation to negroes and other persons of color, and of taking all lawful means for the prevention of disturbance or insurrection among them.

2. All those persons who now are, or hereafter may become, members of the Sampit Seventy-Six Sharp Shooters, by the name and style of "The Sampit Seventy-Six Sharp Shooters."

3. All those persons who now are, or hereafter may become, members of the Mechanic Society of Beaufort, by the name and style of "The Mechanic Society of Beaufort."

4. All those persons who now are, or hereafter may become, members of the Lake Swamp Baptist Church of Darlington district, by the name and style of "The Lake Swamp Baptist Church."

5. All those persons who now are, or hereafter may become, members of the Friendship Methodist Church of Chesterfield district, by the name and style of "The Friendship Methodist Church."

6. All those persons who now are, or hereafter may become, members of the Baptist Fellowship Church, of Clarendon county, by the name and style of "The Baptist Fellowship Church."

7. All those persons who now are, or hereafter may become, members of the Baptist Church at the head of Cedar Shoal, in Spartanburg district, by the name and style of "The Cedar Shoal Baptist Church."

8. All those persons who now are, or hereafter may become, members of the Baptist Church at New Hope, in Spartanburg district, by the name and style of "The New Hope Baptist Church."

II. And be it further enacted, That the said societies and associations, by their proper names, shall, respectively, have succession of officers and members, to be chosen according to the rules and by-laws made or to be made for their respective government and direction; and shall have power and authority to make by-laws, not repugnant to the laws of the land; to have, use and keep a common seal, and the same to alter at will; to sue and be sued, plead and be implored, in the courts of law or equity in this State; and to have and enjoy all and every right and privilege incident and belonging to incorporated bodies.

III. And be it further enacted, That each and every of the societies and associations hereinabove incorporated, shall, severally and respectively, be able and capable, in law and equity, to have, hold, receive, possess, enjoy and retain, all such property, real and personal, as they may now be, respectively, possessed of, or in any wise entitled to, or which shall have been, or shall hereafter be, given to, bequeathed, or in any way acquired by them; and to sell, alien or otherwise part with the same, or any part thereof, as they shall, respectively, deem proper and expedient; provided, the amount so held by the said societies and associations, respectively, shall in no case exceed the sum of ten thousand dollars.
IV. And be it further enacted, That the Protestant Episcopal Church in the City of St. Paul, in Charleston, be, and the same is hereby, re-incorporated, with the same powers and privileges heretofore granted by law.

V. And be it further enacted, That the vestry of the Roman Catholic Church of Columbia, be allowed the further term of two years to draw the lottery heretofore granted to said church.

VI. And be it further enacted, That the Grand Lodge of Ancient Free Masons of South Carolina, be, and the same is hereby, authorized and empowered to raise, by one or more lotteries, to be drawn and completed within three years, a sum not exceeding fifty thousand dollars, for erecting a Masonic Hall in the city of Charleston, for the purposes of said body; and that the said grand lodge is hereby empowered to establish the schemes and appoint commissioners for the same.

VII. And be it further enacted, That the Fellowship Society of the city of Charleston shall have full power and authority, in addition to the powers now vested in it by law, to erect and support, or to assist in erecting and supporting, such school or schools, or other seminaries of learning, as said society may deem proper; to appropriate therefor such sums of money as may be requisite; and to make all such arrangements and by-laws for the government of the same, as may be deemed advisable; provided, the same be not repugnant to the laws of the land.

VIII. And be it further enacted, That the Intendant and Wardens of the town of Columbia, shall hereafter be empowered to regulate sales at auction within the limits of said town; to grant licenses to auctioneers, and to lay such taxes on sales at auction, as they may deem expedient; provided, that nothing herein contained shall extend to sales by or for Sheriffs, Commissioners in Equity, Coroners, Ordinaries, Executors or Administrators, or by any other person under the order of any court or magistrate.

IX. And be it further enacted, That the said Intendant and Wardens shall have power and authority to impose such tax as they may judge expedient, upon such wagons, carts, drays, and other carriages, as haul for hire within the limits of said town for more than one day at a time, and are owned by persons residing without the limits of said town; provided, said tax does in no instance exceed that imposed on similar vehicles belonging to residents of the town; and provided also, nothing herein contained shall be construed to extend to wagons, carts, drays, or other carriages, going to or returning from market.

X. And be it further enacted, That no property belonging to the State, within the limits of any corporation, shall be liable to any tax or duty.

XI. And be it further enacted, That this Act shall be a public Act; and all incorporations granted thereby, be for the term of fourteen years.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and twenty-eight, and in the fifty-third year of the Independence of the United States of America.

H. DEAS, President of the Senate.

BENJ. F. DUNKIN, Speaker of the House of Representatives.
AN ACT TO INCORPORATE CERTAIN SOCIETIES.

I. Be it enacted by the Senate and House of Representatives, That the following societies and associations are hereby declared bodies corporate and politic.

1. All those persons who now are, or hereafter may become, trustees of the Platt Springs Academy of Lexington District, by the name and style of "The Trustees of the Platt Springs Academy."

2. All those persons who now are, or hereafter may become, members of the Agricultural and Police Society of Saint Andrew's Parish, by the name and style of "The Agricultural and Police Society of Saint Andrew's Parish."

3. All those persons who now are, or hereafter may become, members of the society of Trinitarian Universalists of the city of Charleston, by the name and style of "The Trinitarian Universalist and Library Society."

4. All those persons who now are, or hereafter may become, members of the Camden Independent Fire Engine Company, by the name and style of "The Camden Independent Fire Engine Company;" provided, the number of said company shall never exceed thirty-five; and provided also, the said company shall be subject to such regulations as may be made by the town council of Camden for the government of the company.

5. All those persons who now are, or hereafter may become, members of the Ætna Fire Engine Company of the city of Charleston, by the name and style of "The Ætna Fire Engine Company;" provided, the members of said company never exceed fifty; and provided also, the said company be, and it is hereby declared to be, subject to such rules and regulations as the city council shall, from time to time, either by ordinance or resolution, establish for its government; and in case the said company, or any member or members thereof, shall neglect or refuse to obey any ordinance or resolution passed by the city council for its government, the said city council shall have power, and they are hereby authorized, to suspend or annul the charter of said company, as they may deem proper and expedient.

6. All those persons who now are, or hereafter may become, members of the First Cheraw Fire Engine Company, by the name and style of "The First Cheraw Fire Engine Company;" provided, said company at no time exceed twenty-five men.

7. All those persons who now are, or hereafter may become, members of the Episcopal Church of Christ Church, Greenville, by the name and style of "The Protestant Episcopal Church of Christ Church, Greenville."

8. All those persons who now are, or hereafter may become, members of the Bethlehem Baptist Church of Edgefield, by the name and style of "The Bethlehem Baptist Church."

9. All those persons who now are, or hereafter may become, members of the Edisto Island Academical Association, by the name and style of "The Edisto Island Academical Association."

10. All those persons who now are, or hereafter shall become, members of the Ebenezer Lutheran Church of Columbia, by the name and style of "The Ebenezer Lutheran Church of Columbia."

11. All those persons who now are, or hereafter shall become, members of The First Baptist Church of Columbia, by the name and style of "The First Baptist Church of Columbia."
OF SOUTH CAROLINA.


12. All those persons who now are, or hereafter may become, members of the Long Cane Associate Reformed Congregation of Abbeville District, by the name and style of "The Long Cane Associate Reformed Congregation."

13. All those persons who now are, or hereafter may become, members of the Charleston Protestant Episcopal Domestic Female Missionary Society, by the name and style of "The Charleston Protestant Episcopal Domestic Female Missionary Society."

14. All those persons who now are, or hereafter may become, members of the Troop of All Saints Light Dragoons, attached to the eighth Brigade of South Carolina Militia, by the name and style of "The All Saints Light Dragoons."

15. Benjamin Holt, Edward B. Wheeler, Thomas Evans, Abner Leggett, sr., John A. Cherry, and others, who now are, or hereafter may become, members of the Marion Academy Society of Marion District, by the name and style of "The Marion Academy Society;" and all the estate, real and personal, which belonged to the society of that name heretofore incorporated, is hereby vested in the society hereby incorporated.

16. All those persons who now are, or hereafter may become, members of the Elam Baptist Church of Darlington District, by the name and style of "The Elam Baptist Church."

II. The said societies and associations shall, by their proper names, respectively, have succession of officers and members, to be chosen according to their respective by-laws; and shall have power to make by-laws, not repugnant to the laws of land; to have, keep and use a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any court of this State; and to have and enjoy every right incident to incorporation.

III. They shall also be empowered, severally, to retain, hold, possess and enjoy, all such property, real and personal, as they may now be, respectively, possessed of, or in any wise entitled unto, or which shall hereafter be given, bequeathed to, or in any way acquired by them; and to sell, alien, or in any way transfer the same, or any part thereof: provided, the amount so held shall in no case exceed five thousand dollars; except the Charleston Protestant Episcopal Domestic Female Missionary Society, which may hold property, real and personal, to an amount not exceeding the annual income of three thousand dollars.

IV. The Charleston Fire and Marine Insurance Company are hereby authorized to reduce their capital from five to three hundred thousand dollars, provided, the stockholders shall, individually, be liable to make good all insurances effected by the company before such reduction.

V. It shall not hereafter require more than seven members of the Board of Trustees of the Charleston College to form a quorum for the transaction of business.

VI. The Act of Assembly, passed on the twentieth day of December, one thousand eight hundred and twenty-six, incorporating the village of Academy-in-Walterboro', which expires at the present session of the Legislature, is incorporated hereby revived and continued of force for fourteen years; and that those persons who have lately been elected to the offices of said corporation, shall continue therein until the period fixed for the next election.

VII. All the property that has heretofore escheated to the State, or that shall hereafter escheat, in the district of Lexington, is hereby vested in the party given to trustees of the Platt Springs Academy, until the sums received shall
PLAT SPRINGS ACADEMY.

That is Marion Academy Society.

That in Marion to the Marion Academy Society.

VIII. All the property which has heretofore, or shall hereafter be, escheated to the State in the district of Marion, is hereby vested in the Marion Academy Society, until the same shall amount to five thousand dollars; provided, nothing herein contained shall prevent the Legislature from vesting any escheated property of said district in any person who may have an equitable claim thereto.

IX. The members of the Camden Fire Engine company, and the First Chexaw Fire Engine Company, shall, during the existence of said companies, be exempted from ordinary militia duty.

X. The Intendant and Wardens of Moultrieville are hereby authorized to lay and collect a tax upon all the property within their jurisdiction, to raise one thousand dollars for building a jail for said corporation.

XI. Hereafter, the Vestry and Wardens of the Episcopal Church of the Parish of Saint Luke, shall be elected in such manner, by such persons, and at such times, as the said corporation may, in their by-laws, direct.

XII. This shall be a public Act, and continue of force fourteen years, and from thence until the adjournment of the next session of the Legislature.

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

H. DEAS, President of the Senate.

BENJ. F. DUNKIN, Speaker of the House of Representatives.

No. 2514. AN ACT TO AUTHORIZE THE FORMATION OF A COMPANY FOR THE PURPOSE OF CONSTRUCTING A TURNPIKE ROAD, FROM EDGEFIELD COURT HOUSE TO THE TOWN OF HAMBURGH.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and after the passing of this Act, the formation of a company, to be known as the Edgefield and Hamburgh Turnpike Company, is hereby authorized, for the purpose of constructing a Turnpike Road from Edgefield Court House to the Town of Hamburgh, according to the provisions of an Act entitled "An Act establishing the principles on which companies shall be incorporated, and the charters of ferries, bridges and turnpike roads shall hereafter be granted, and for other purposes expressed."

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

H. DEAS, President of the Senate.

H. L. PINCKNEY, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to corporations.

AN ACT TO INCORPORATE CERTAIN SOCIETIES.

I. Be it enacted by the Senate and House of Representatives, That the following societies and associations be bodies corporate and politic, by the names to them respectively assigned.

1. The vestry and wardens of Grace Church, in the town of Camden, by the name aforesaid.

2. The trustees of the Laurensville Male and Female Academy, by the name aforesaid.

3. The Antioch Baptist Church of Darlington, by the name aforesaid.

4. The Poplar Springs Baptist Church of Laurens District, by the name aforesaid.

5. The Cheraw Presbyterian Society of the town of Cheraw, by the name aforesaid.

6. The Methodist Benevolent Society of Charleston, by the name aforesaid.

7. The Horticultural Society of Charleston, South Carolina, by the name aforesaid.

8. The St. Stephen’s Lutheran Church at Lexington Court House, by the name aforesaid.

9. The Pleasant Hill Methodist Episcopal Church of Chesterfield district, by the name aforesaid.

10. The Hebrew Benevolent Society of Charleston, by the name aforesaid.

11. The Grahamville School Academy, by the name aforesaid.

12. The Trustees of the Buck Swamp Baptist Church in Marion district, by the name aforesaid.

13. The Methodist Episcopal Society of Britton’s Neck, in the district of Marion, by the name aforesaid.

II. The said societies and associations, shall, by their respective names, have succession of officers and members, to be chosen according to their respective by-laws; and shall have power to make by-laws, not repugnant to the laws of the land; to have, keep, and use a common seal, and the same to alter at will; to sue and be sued, plead and be imploained, in any court of this State; and to have and enjoy every right incident to incorporation.

III. They shall also be empowered, severally, to retain, hold, possess, and enjoy, all such property, real and personal, as they may now be, respectively, possessed of, or in any wise entitled unto, or which shall hereafter be given, bequeathed to, or in any wise acquired by them; and to sell, alien, or in any way transfer the same, or any part thereof; provided, the amount so held shall in no case exceed five thousand dollars; except the Vestry and Wardens of Grace Church in the town of Camden, may hold property, real and personal, to the value of thirty thousand dollars.

IV. The Societe Francaise of the city of Charleston is hereby reincorporated, with all the powers and privileges heretofore granted the same.

V. The Vigilant Fire Engine Company of the city of Charleston is hereby authorized to increase its members to the number of one hundred men.

VI. The Vestry of the Roman Catholic Church of Saint Peter, in Columbia, are hereby allowed the further term of three years to draw the Church of Columbia lottery heretofore granted to said church.

VOL. VIII.—47.
STATUTES AT LARGE

Acts relating to Corporations.

VII. The Town Council of Barnwell shall hereafter have the sole power and authority to grant tavern and retailers licenses within the limits of said corporation.

VIII. Hereafter, no person shall vote for the Vestry and Wardens of the Episcopal Church of the Parish of Saint Luke's except such person be an inhabitant of said Parish, and has, one year before said election, subscribed and paid five dollars for the use of said church, or within the said year received the communion from the officiating Minister of said church, or been confirmed by the Bishop of the Diocese.

IX. The Town Council of Camden shall hereafter have power and authority to classify and arrange the inhabitants of said town who are liable to perform patrol duty, and to enforce the performance of said duty as often as occasion may require, by such penalties as they may deem necessary and proper, in addition to those now fixed by law; and to release such persons from the performance of said duty as may desire it, upon the payment of a pecuniary equivalent; provided, all said regulations be made by such ordinance or ordinances as may be necessary to effect said objects.

X. This shall be a public Act, and continue in force fourteen years.

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

H. DEAS, President of the Senate.
H. L. PINCKNEY, Speaker of the House of Representatives.

No. 2531. AN ACT TO REVIVE THE CHARTER OF THE WINYAW AND WANDO CANAL COMPANY.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Winyaw and Wando Canal Company be revived and renewed, and the stock and property in the said company be vested in such of the present owners of the stock, and in such of the heirs, executors and administrators, of the stockholders who are dead, as shall, within one year from the time due notice shall be given them of the passing of this Act, file in the office of the Secretary of State a written declaration, under their hands and seals, consenting to remain members of the said company under this revived charter; and that every stockholder, and every heir, executor, and administrator of a stockholder, who shall not file such a declaration within the time aforesaid, shall be from thenceforth forever barred from taking any interest under this renewed charter, or any property, real or personal, which belongs to the company hereby renewed.

II. And be it further enacted, That this State does hereby renounce and release all their shares in the said company, and in all the property, real and personal, belonging to the same.
OF SOUTH CAROLINA.

Acts relating to Corporations.

III. And be it further enacted, That it shall be lawful for the said company to divide their present shares of stock, so as to increase them to any number not exceeding two hundred and sixty, and to admit new stockholders into the company for any number of shares not exceeding five hundred and twenty.

IV. And be it further enacted, That this charter shall be forfeited in case the revived company shall not commence the work on the canal within three years, and complete that part of the canal which is situate between Winyaw Bay and Santee River, within six years from the passing of this Act.

V. And be it further enacted, That the said company shall forfeit all right to construct a canal between Santee and Wando Rivers, in case the work thereon shall not be begun within seven years, and be completed within ten years, from the passing of this Act.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty-one, and in the fifty-sixth year of the Independence of the United States of America.

H. DEAS, President of the Senate.
H. L. PINCKNEY, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE MEDICAL COLLEGE OF SOUTH CAROLINA. No. 2534.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That a board of trustees be, and they are hereby, established, by the name and style of "The Board of Trustees of the Medical College of South Carolina," who are hereby declared to be a corporate body, by the style and title of "The President, Trustees and Faculty, of the Medical College of South Carolina."

II. And be it further enacted by the authority aforesaid, That the said board shall consist of thirteen members, whereof six shall be elected by the Medical Society of South Carolina, who shall be members of the Medical profession, and shall also have been members of the said society for a period of not less than ten years; six members of the said board shall be nominated by the Governor of the State; and the President of the Medical Society aforesaid, for the time being, shall be, ex officio, a member, and president of the board of trustees.

III. And be it further enacted That when any vacancy shall occur among the members of the said board, nominated by the medical society, the same shall be filled by the said society; and any vacancy among the members nominated by the Governor, shall be filled by that portion of the board of trustees.

IV. And be it further enacted, That the said Medical College shall, by its said name, have perpetual succession of officers and members; with a common seal; and the said board of trustees shall have power to make all lawful and proper rules and by-laws, for the government and regulation of
No. 2539. AN ACT TO INCORPORATE CERTAIN SOCIETIES; AND FOR OTHER PURPOSES.

I. Be it enacted by the Senate and House of Representatives, That the following societies and associations, to wit: "The Horeb Congregation of Fairfield District;" "The Black Swamp Baptist Church of St. Peter's Parish;" "The Neal's Creek Baptist Church of Anderson;" "The Bethesda Baptist Church of Kershaw;" "The Jackson Grove Methodist Church of Greenville;" "The Antioch Methodist Church of Chesterfield;" "The Newberry Baptist Church;" "The Baptist Church of Christ, of Darlington court house;" "The St. James Church of James Island, St. Andrew's parish;" "The Pipe Creek Baptist Church of St. Peter's parish;" "The St. Paul's Agricultural Society of Colleton;" "The Emerald Isle Benevolent Society of Charleston;" "The Trustees of the Verennes Academy of Anderson;" "The Trustees of the Fairview Academy of Greenville;" "The Richland Volunteer Rifle Company;" and "The Protestant Episcopal Sunday School Society of St. Philip's Church, in Charleston," be bodies corporate and politic, by the names to them respectively assigned.
II. The said societies and associations shall, by their respective names, have succession of officers and members, to be chosen according to their respective by-laws; and shall have power to make by-laws, not repugnant to the laws of the land; to have, keep and use a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any court of this State; and to have and enjoy every right incident to incorporation.

III. They are also empowered, severally, to retain, hold, possess and enjoy, all such property, as they may now be, respectively, possessed of, or entitled to, or which shall hereafter be given, bequeathed to, or in any wise acquired by them; and to sell, alien, or in any way transfer the same, or any part thereof; provided, the amount so hold shall, in no case, exceed ten thousand dollars; except the Black Swamp Baptist Church, which may hold property, real and personal, to the value of twenty-four thousand dollars.

IV. "The Ladies Benevolent Society of Charleston," and "The Beaufort Female Benevolent Society," are hereby re-incorporated, with all the powers and privileges heretofore granted the same, respectively; and all acts done by the said societies, respectively, subsequent to the expiration of their respective charters, are declared to be valid, and have the like effect as though they had been done under a charter.

V. The town of Beaufort, and the town of Lancaster, are hereby re-incorporated, with all the powers and privileges heretofore granted the same, respectively.

VI. Samuel McBride, William W. Bradly, John Shaw, and Robert Muldrow, a committee appointed by the Salem Church of Sumter District, to sell the parsonage or glebe land of said church, are hereby authorized to execute the necessary titles for the same, to James W. English, the purchaser.

VII. The Grand Lodge of Ancient Free Masons of South Carolina shall have the further term of three years to draw the lottery heretofore authorized by law.

VIII. The escheated property of the estate of John Elcork is hereby vested in the Library Society of Edisto Island.

IX. This Act shall be a public Act, and continue in force twenty-one years.

X. The Board of Trustees of the South Carolina College are hereby invested with full power and authority, in all investigations where they may deem it necessary to the interest of the College, by subpoena, rule and attachment, to compel witnesses to appear and testify, and papers to be produced and read before the board.

XI. The board of trustees are also invested with full power and authority, whenever they may deem it essential to the interest of the College, to dismiss from office any officer of said institution.

XII. John M'Lean, of the town of Columbia, is hereby invested with the exclusive right, for twenty-one years, to construct a rail road from the Columbia bridge, along the public streets, to any part of the town of Columbia; and when the same or any part thereof is finished, with exclusive right to transport thereon, from and to any part of said road, any article of merchandise, trade or produce; and to charge for transportation, not exceeding eight cents for a bale of cotton, eight cents for a sack of salt, fifty cents for a hogshead, eight cents for a barrel, and for all other articles not exceeding two and a half cents per hundred pounds. Provided,
the said John M'Lean, or those who hold under him, in the construction and continuance of such road, shall not obstruct nor in any wise hinder the free passage of the streets of said town; nor use any locomotive engine upon such road: and provided, also, the said work shall be commenced within six months, and completed within two years after the passing of this Act.

XIII. William Lang, Thomas Lang, and John Boykin, sen., proprietors of the Camden Boat Landing, are hereby invested with the exclusive privilege, for twenty-one years after its completion, to construct a rail road from the Camden boat landing to any part of the town of Camden, along the public highway and the streets of the said town; and when the same, or any part thereof, is finished, with exclusive right to transport thereon, from and to any part of said road, any article of merchandise, trade or produce, and to charge for transportation, not exceeding ten cents for a bale of cotton, eight cents for a sack of salt, fifty cents for a hogshead, ten cents for each barrel, and for all other articles not exceeding three cents per hundred pounds. Provided, the said William Lang, Thomas Lang, and John Boykin, sen., or those who hold under them, in the construction and continuance of said road, shall not obstruct, nor in any wise hinder, the free passage of the streets of said town; and also, that said work shall be commenced within twelve months, and completed within three years after the passing of this Act.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty-one, and the fifty-sixth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.

H. L. PINCKNEY, Speaker of the House of Representatives.

No. 2568. AN ACT CONCERNING THE CAMBRIDGE ASSOCIATION.

WHEREAS, the surviving members of the said association have, by their petition to the Legislature, set forth that the school established by the same has ceased to exist, and the real estate belonging thereto much depreciated in value, and the members reduced, by death and removals, to a few persons; and whereas, by reason thereof, the purposes of the said association are frustrated; and whereas, the said surviving members have solicited authority to sell the said real estate, and to collect and receive any debts which may be due to the said association, and that the monies arising therefrom may be appropriated and transferred to the endowment and establishment of a school at Greenwood, in Abbeville district.

I. Be it therefore enacted, by the Senate and House of Representatives, That the said surviving members, or a majority of them, be, and they are hereby, authorized and empowered to sell and convey all the real estate and other property of every description, belonging to the said association, either at public or private sale, and on such terms and credits as they may deem proper; and, also, to collect and receive all debts due the same.
II. Be it further enacted, That the said surviving members are further authorized and empowered to appropriate and transfer the monies arising from the said sales or debts, to the endowment and establishment of a school at Greenwood, aforesaid.

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

H. DEAS, President of the Senate.
H. L. PINCKNEY, Speaker of the House of Representatives.

AN ACT TO INCORPORATE, UNDER A NEW NAME, THE JACKSON GUARDS.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the name and title of the Jackson Guards, a company attached to the sixteenth regiment of South Carolina militia, be, and the same are hereby, changed to the name and title of "The Sumter Guards;" and that the present officers of the said corps be commissioned, by the Commander-in-chief of this State, conformably to the change of the name and title of the said corps, with the same rank to which they are now entitled, as officers of the militia.

II. And be it further enacted by the authority aforesaid, That those persons who now are, or hereafter may become, members of the said corps, be, and the same are hereby declared, a body politic and corporate, by the name and style of "The Sumter Guards."

III. And be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law to have succession of officers and members, to be chosen and admitted according to the rules and regulations made or to be made for its government and direction; to make all lawful by-laws; to have a common seal, and to alter the same; and, by its said name, to sue and be sued, implead and be impleaded, answer or be answered, in any court of law or equity in this State.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and thirty-two, and in the fifty-seventh year of the American Independence.

H. DEAS, President of the Senate.
H. L. PINCKNEY, Speaker of the House of Representatives.
AN ACT to Incorporate Certain Societies.

I. Be it enacted, by the Senate and House of Representatives, That the following societies and associations, to wit: "The General Committee of the Savannah River Baptist Association;" "The Milford Baptist Church, of Greenville district;" "The Deacon and Members of the Salem Baptist Church of Marlborough district;" "The Swift Creek Baptist Church, of Darlington District;" "The Welch Neck Baptist Association;" "The Bennettsville Baptist Church;" "The Coosawhatchie Baptist Church;" "The Hamburg Library Society;" "The Board of Directors of the Theological Seminary of the Evangelical Lutheran Church of South Carolina;" "The Charleston Firemen's Benevolent Association;" "The Trustees of the Saint Matthew's Academy;" "The South Carolina Sugar Refining Company;" "The South Carolina Iron Manufacturing Company;" and "The Board of Directors of the Theological Seminary of the Synod of South Carolina and Georgia," be bodies corporate and politic, by the names to them, respectively, assigned.

II. The societies and associations aforesaid shall, by their respective names, have succession of officers and members, to be chosen according to their respective by-laws; and shall have power, respectively, to make by-laws, not repugnant to the laws of land; to have, keep and use a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any court of this State; and to have and enjoy every right incident to incorporation.

III. They are also, severally, empowered to retain, hold, possess and enjoy, all such property as they may now, respectively, be possessed of, or entitled to, or which shall hereafter be given or bequeathed to, or in any manner acquired by them; and to sell, alien, or in any way transfer the same, or any part thereof: Provided, the amount so held shall in no case exceed ten thousand dollars; except the South Carolina Sugar Refining Company, which may hold to the amount of one hundred thousand dollars, the South Carolina Iron Manufacturing Company, which may hold to the amount of one hundred thousand dollars, and the Board of Directors of the Theological Seminary of the Synod of South Carolina and Georgia, which may hold to the amount of two hundred thousand dollars.

IV. And be it further enacted, That the stock of the said South Carolina Sugar Refining Company shall consist of twelve hundred shares of fifty dollars each share, and the said company to be formed on that capital; but the said company shall be at liberty to enlarge their capital, as in the progress of their undertaking they may find it necessary, by opening books for new subscriptions, not to exceed eight hundred shares of fifty dollars each; and also, to prescribe the terms and conditions of such new subscriptions.

V. And be it further enacted, That books for subscription to the stock of the company hereby authorized, shall be opened in Columbia, Hamburg and Charleston, by three commissioners in each place, to wit: in Columbia, by William Law, David Ewart, and Robert Waddell; in Hamburg, by B. M. Rogers, T. M. Sullivan, and B. F. Whittier; and in Charleston, by George Henry, Alexander Sinclair, and John C. Burckmayer. And the books shall be opened in each of the said places on the same days, which are hereby fixed to be on the tenth and eleventh of January, one thousand eight hundred and thirty-three, between the hours of nine in the morning and three in the afternoon. And the different sets of commissioners shall
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1832.

advertize the time and place of subscribing, in the public gazette or gazettes of the places, respectively; and if no gazette be published at any of the places, those commissioners shall advertize in the State gazette of Columbia; and such advertisement shall be inserted at least fifteen days prior to the day fixed for the opening of the books. Provided, that if any one of the commissioners, at the time of opening the books, shall be sick, or unable to attend, the other two commissioners may choose a proper and discreet person to supply his place. And if any of the commissioners before named shall, after the passing of this Act, renounce or decline acting, his Excellency the Governor, upon being notified thereof, is hereby requested to nominate fit and proper persons to supply such vacancy or vacancies. Upon the books being opened, as aforesaid, the commissioners shall receive from individuals subscriptions for so many shares as they see fit to subscribe for, on the condition that at the time of subscribing there be paid down to the commissioners five dollars on each share subscribed, for which they shall give a receipt, and directly deposit the money in the Bank of the State of South Carolina, or the branches thereof, in the place of subscription, subject to the joint check of the commissioners, for such sums as may be refunded to subscribers, upon adjustment made, in case of over-subscription to the stock of the company; the residue to remain subject to the draft or order of said company, by its president or board of directors, after the company shall be organized. That on the closing of the books, each set of commissioners shall transmit from Hamburg and Columbia, to the commissioners in Charleston, a list of the subscribers, designating on such list, as in the subscription book, the number of shares and sums paid, set opposite to each name, with a certificate at the bottom of the list, signed by each commissioner, that the money is deposited in the bank, conformably to this Act, and naming the bank; and thereupon the commissioners in Charleston shall, from all the lists of the subscribers, make out one general list, so that in summing up the whole, it may appear whether the stock is filled up or falls short, or exceeds the aforesaid capital. If the number of shares subscribed, and five dollars paid thereon, shall fail short of the twelve hundred shares, but amount to two-thirds thereof, to wit, eight hundred shares, the company may be formed thereon, and for the residue of the original number of shares, the said corporation, when organized, may cause books to be opened by the directors, under thirty days notice of the time and place of subscription, and receive such additional subscriptions as can be obtained, on the same terms as aforesaid, of five dollars being paid on each share at the time of subscription; and may keep the books open until the whole number of twelve hundred shares be subscribed. But if the number of shares that shall be subscribed at the first period of opening the books before the commissioners, shall exceed twelve hundred shares, then the shares shall be reduced to that number, rateably, or in the same ratio of per centage. Provided, no subscriptions of five shares or less shall be reduced thereby.

VI. And be it further enacted, That on the subscriptions of shares in the stock of this company amounting to or exceeding two thirds of the number, as aforesaid, the said company shall be considered as formed, and this Act of incorporation shall and may attach and become effectual, and the corporation may take measures to become organized. For this purpose the commissioners in Charleston shall appoint a convenient time and place for the meeting of the stockholders, which they shall cause to be advertized.

VOL. VIII.—48.
in one or more of the gazettes in Charleston, and the State gazette in Columbia, for two weeks in succession, previous to the day, at which time and place the subscribers may attend, or be represented and vote by proxy; (and no one but a subscriber shall be capable of being a proxy, and the appointment shall be in writing, signed by the appointing member.) The Charleston commissioners, or a majority of them attending, shall present a balloting box, in which the subscribers may vote for officers by ballot, and the presiding commissioners shall count the ballots, enter the same, and declare the result of the election, of which they shall make proper certificate or certificates, under their hands. The officers to be elected shall consist of a president and four directors, to serve for one year, and until a new election be made.

VII. And be it further enacted, That every person who shall be a subscriber to or holder of stock in the said company, shall pay to the company the remainder of the stock on which they have so subscribed, in such periods as the board of directors may call for; provided, nevertheless, that said board shall not call for a larger amount on each share, at one time, than twelve dollars and a half, nor in shorter periods of time than thirty days between each instalment; which periods of payment by instalments on the shares, and the sums required, the board of directors shall cause public notice to be given for at least two weeks previous to the day of payment, by advertising the same in one or more of the gazettes in Charleston, and the State gazette in Columbia; and failure to pay up any one of the instalments so called for, as aforesaid, shall induce a forfeiture of the share and shares on which default shall be so made, and all past payments made thereon, and the same shall vest in and belong to the company, and may be appropriated as they see fit. And the said corporation shall and may, by their by-laws, rules and regulations, prescribe the mode of issuing the evidences of shares of stock, and the terms and conditions, and also, the time and manner, in which shares in the company may be transferred. And the acts of the direction, or their contracts, authenticated by the signature of the president, shall be binding on the corporation, without seal. This Act of incorporations shall be a public Act, and continue in force for twenty-one years.

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

H. DEAS, President of the Senate.

H. L. PINCKNEY, Speaker of the House of Representatives.
AN ACT TO INCORPORATE THE MEDICAL COLLEGE IN SOUTH CAROLINA.

I. Be it enacted by the Senate and House of Representatives, That a Board of Trustees and Professors be, and are hereby, established and declared to be a corporate body, under the style and title of "The President, Trustees and Faculty of the Medical College of the State of South Carolina."

II. And be it further enacted, That the said board of trustees shall consist of eleven members, viz: Nathaniel Hayward, C. J. Colcock, Henry L. Pinckney, Robert J. Turnbull, Samuel Prioleau, Elias Horry, William Drayton, Jacob Ford, H. A. DeSaussure, Jasper Adams, and Mitchell King, Esq'rs., who shall elect a president from among themselves.

III. And be it further enacted, That when a vacancy shall occur among the members of the said board of trustees, such vacancy or vacancies shall be filled by the remaining members of the board.

IV. And be it further enacted, That the Faculty shall consist of J. Edward Holbrook, Samuel Henry Dickson, Thomas G. Prioleau, Edmund Ravenel, Henry B. Frost, and John Wagner, Professors.

V. And be it further enacted, That the said board of trustees and faculty shall have perpetual succession of officers and members, with a common seal; shall have power to make all lawful and proper rules and by-laws, for the government and regulation of themselves and of the said College; and that the said corporation is declared capable of receiving and holding real and personal estate, not exceeding sixty thousand dollars, whether acquired by gift, devise, bequest or purchase, for the benefit of the said College.

VI. And be it further enacted, That whenever a vacancy shall occur in the faculty of the said College, the said board of trustees and faculty shall have power to elect to the vacant professorship, and also to establish such other or assistant professorship, under such regulations as they may deem essential to the interest of the said College, and to remove any professor or professors for incapacity or misconduct.

VII. And be it further enacted, That the said board of trustees and faculty shall have power to confer medical degrees, with license to practice medicine and surgery, on such persons as may have attended lectures in the said College, and may be recommended by the faculty, and on such other persons as they may propose.

VIII. And be it further enacted, That this shall be deemed a public Act; that the same need not be pleaded, but may be given in evidence under the general issue.

IX. And be it further enacted by the authority aforesaid, That this Act shall be and continue of force for the term of twenty-one years.

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

H. DEAS, President of the Senate.

H. L. PINCKNEY, Speaker of the House of Representatives.
STATUTES AT LARGE

A.D. 1832.

Acts relating to Corporations.

No. 2586. AN ACT CONCERNING THE SOUTH CAROLINA CANAL AND RAIL ROAD COMPANY.

I. Be it enacted by the Senate and House of Representatives, That the following officers and persons in the actual employment of the said company, be, and they are hereby, exempted from the performance of Jury and ordinary militia duty, to wit: the Chief Engineer and the Assistant Engineers, the Commissioner or superintending officer, the Secretary and the Auditor of the Directors, the Keeper of the Depositories, the guards stationed on the road to protect it from injury, not exceeding one white man to every five miles, and such persons as may be actually employed in working the locomotive engines, and in travelling with cars for the purpose of attending to the transportation of passengers and of goods on the said road, not exceeding one white engineer, and his white assistant, to each steam engine, and one white person to each passenger car, and to every five cars for transporting goods.

II. Be it further enacted, That the said Company be, and they are hereby, authorized and empowered to construct a single track of their road, and the necessary number of turnout tracks, from the present termination of their road, at Line street, on Charleston Neck, to the boundary line of the city of Charleston, through any public streets, roads or squares on the said neck. Provided, that no locomotive steam engine be used below Line street; and provided, also, that the rail road be so constructed as not to impede the ordinary passage of carriages and persons along the said roads, streets or squares.

III. Be it further enacted, That the city council of Charleston be, and they are hereby, authorized and empowered to permit the extension and construction of the said road through public streets and lands of the city, under the same restrictions as are contained in the preceding clause.

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

H. DEAS, President of the Senate.

H. L. PINCKNEY, Speaker of the House of Representatives.

No. 2591. AN ACT TO INCORPORATE THE DOCKON AND WAPAHOOLA 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 Mary Motte, H. M. Haig, C. G. Morris, James G. Holmes, and such other persons as may hereafter be associated with them by their consent, be, and they are hereby declared, a body politic and corporate, by the name of "The Dockon and Wapaahoola Rail Road Company;" and may construct a Rail Road or Rail Roads, and branches thereof, from Dockon and Wapa-
OF SOUTH CAROLINA.

Acts relating to Corporations.

A. D. 1833.

boola Creeks, to the main road from Charleston to Monk's Corner, and thence across the said road, through the lands of the persons who may associate for the purpose of constructing the said Rail Road or Roads; and the said corporation shall have perpetual succession of members; may have a common seal; may sue and be sued, plead and be impleaded, in any court of law or equity in this State; and may make all such regulations, rules and by-laws, as are necessary for the government of the corporation, or for effecting the object of it; provided, such regulations, rules and by-laws, shall not be repugnant to the laws or constitution of this State; and the company hereby incorporated are exempt from the provisions of an Act entitled "An Act establishing the principles on which companies shall be incorporated, and the charters of ferries, bridges and turnpike roads, shall be hereafter granted; and for other purposes therein expressed."

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-three, and in the fifty-eighth year of the Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

AN ACT TO INCORPORATE CERTAIN SOCIETIES. No. 2593.

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

II. All those persons who now are, or hereafter may become, members or stockholders in the following societies or associations, to wit:—"The York Mining Company," "The Vauclose Manufacturing Company," "The Totness Academy Association," "The Camp Creek Methodist Church of Lancaster District," "The Protestant Episcopal Church at Society Hill," "The Saint Peter's Church of Charleston," "The Methodist Episcopal Church of Smyrna, in Abbeville District," "The Great Pee Dee Church in Marlborough District," "The Greenville Baptist Church," "The Home Mission Board of the Moriah Baptist Association," be bodies corporate and politic, by the name and style to each above respectively assigned.

III. The societies and associations aforesaid, by their respective names, shall have succession of officers and members, to be chosen or admitted according to their respective by-laws; and shall have power, respectively, to make by-laws, not repugnant to the laws of the land; to have, keep and use a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any court of this State; and to have and enjoy every right incident to incorporation.

IV. They are also severally empowered to retain, possess and enjoy, all such property as they may now, respectively, be possessed of or entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by them; and to sell, alien, or in any way transfer the same,
or any part thereof; provided, the amount of property so held or stock invested, shall in no case exceed ten thousand dollars; except the York Mining Company, which may hold to the amount of one hundred and fifty thousand dollars; and the Vaucluse Manufacturing Company, which may hold to the amount of one hundred thousand dollars.

V. The German Fusileer Society of Charleston is hereby reincorporated, with all the powers and privileges heretofore granted, and subject to all the limitations imposed on the same.

VI. The name and style of the Board of Directors of the Theological Seminary of the Evangelical Lutheran Church of South Carolina, incorporated at the last session of the Legislature, shall hereafter be, "The Theological Seminary of the Evangelical Lutheran Church of South Carolina and the adjacent States."

VII. Be it enacted by the authority aforesaid, That a company be, and is hereby, incorporated, by the name and style of "The Columbia Rail Road Company;" to be formed in the manner and for the purposes following, to wit:—the following persons, Abraham Blanding, Richard O’Neale, John A. Crawford, and William Law, are hereby appointed commissioners to treat with the South Carolina Canal and Rail Road Company, for a transfer of their right to construct a Rail Road between Columbia and some point on their Rail Road near Branchville, to the said Columbia Rail Road Company, on such terms as may be stipulated by the said South Carolina Canal and Rail Road Company; and that as soon as the said commissioners shall have received written proposals, containing the terms on which the said transfer will be made, they shall open books for the purpose of receiving subscriptions for stock in the said Columbia Rail Road Company, at such times and places, and to be received by such persons, as they may appoint; that the said books for subscriptions may be kept open for such time as the said commissioners shall direct; provided, the same shall not extend beyond the first Monday in December next.

VIII. Be it enacted by the authority aforesaid, That as soon as two thousand shares of the capital stock of the said company, of one hundred dollars each, shall have been subscribed, on each of which ten dollars shall have been paid to the commissioners before named, the Columbia Rail Road Company shall have corporate existence, and their subscribers or their assigns shall constitute a body corporate, and shall be authorized to accept from the South Carolina Canal and Rail Road Company, a transfer of their right, so far as respects the Rail Road between Columbia and some point on the Rail Road near Branchville, according to the terms proposed by them to the commissioners aforesaid, or on such other terms as may be agreed on by and between the said companies; and on such transfer being made, all the rights, privileges and immunities and corporate powers vested in the South Carolina Canal and Rail Road Company, at the time of such transfer, shall, so far as respects the Rail Road between Columbia and the point aforesaid, be vested in the Columbia Rail Road Company, subject to the terms of such transfer.

IX. Be it enacted by the authority aforesaid, That when the Columbia Rail Road Company shall be formed as aforesaid, it shall have power to increase its capital stock, by a sale of shares therein, to five thousand shares of one hundred dollars each.

X. Be it enacted by the authority aforesaid, That all the provisions of the Acts of the Legislature, incorporating or granting powers, privileges
and immunities to, and imposing conditions and restrictions upon, the South Carolina Canal and Rail Road Company or its branches, in force at the time of such transfer, shall be construed to apply to the Columbia Rail Road Company, for the purposes expressed in this Act.

XI. And be it further enacted, That N. G. W. Walker, James Clark, Thomas M’Whorter, and Etienne Lartigue, trustees of the Blackville Academy in Barnwell District, and their successors, be, and the same are hereby, incorporated, as a body politic, entitled to all the privileges, and subject to all the liabilities, incidental to such bodies.

XII. If those persons who were elected intendant and wardens of the Village of Orangeburgh at the last election, shall neglect or refuse to qualify and act in the offices to which they were respectively elected, or before the first Monday in January next, the intendant and wardens, or a majority of them, who were elected on the second Monday of September, eight hundred and thirty-two, shall order and advertise, as often as may be necessary, until an election is made, and those elected shall qualify, for an election of intendant and wardens of said corporation, giving five days notice at each election; the officers so elected, to continue in office until the next general election, and until successors are elected and sworn in as provided by law.

XIII. The regular annual election of the intendant and wardens of said corporation, shall take place as heretofore, and the intendant’s term of service shall continue until his successor shall have been sworn; and the wardens’s term of service shall continue until the election of their successors shall have been declared, and until one of the successors shall have been sworn, when the intendant and successor so sworn shall determine which of the wardens shall be thereby displaced; and the others shall continue in office until another successor shall be sworn, when the intendant and two wardens so sworn, shall determine which other shall be thereby displaced; and so on, until the whole of the successors shall have been sworn. In case any person elected intendant or warden shall refuse or neglect to be sworn within ten days after election, or an election should fail to be made at the regular annual election, a special election shall be ordered by the intendant and wardens, or a majority of them, as often as may be necessary, giving five days notice in every case.

XIV. Be it further enacted by the authority aforesaid, That the Provident Savings Institution in the city of Charleston, be a body corporate and politic; by the name aforesaid; and have succession of officers and members, to be chosen according to its by-laws; and the said corporation shall have power to make by-laws, not repugnant to the laws of the land; to have, keep, and use a common seal; to sue and be sued, plead and be impleaded, in any court of this State; and to have and enjoy every right incident to incorporation.

XV. And be it further enacted, That the said last mentioned incorporation is hereby vested with full power to receive on deposit any sum or money on deposit and persons making deposits may agree to; and to use, employ, and improve the same, for the advantage and benefit of the persons so depositing; provided, that the members of the said institution shall, and they are hereby declared to be, personally liable and bound to perform and fulfill all contracts and agreements which the corporation may enter into with persons so depositing; and provided also, that the said corporation shall, semi-annually, make, or cause to be made, a true and full
AN ACT concerning the South Carolina Canal and Rail Road Company.

WHEREAS, for the public benefit, the South Carolina Canal and Rail Road Company have constructed, under their charter, a Rail Road from Charleston to Hamburgh, and may construct branches thereof.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all lands not heretofore granted to any person, or appropriated by law to the use of the State, within one mile of the centre of the main track of the said road, and the branches thereof that may be constructed, be, and they are hereby, vested in the said company and their successors forever.

II. And be it further enacted by the authority aforesaid, That in the absence of any contract or contracts with the said company, in relation to the lands through which the said road, or any of its branches, is now, or hereafter may be, constructed, signed by the owner thereof, or by his agent, or by any claimant or person in possession thereof, which may be confirmed by the owner thereof, it shall be presumed that the land upon which the said road, or any of its branches, now is, or hereafter may be, constructed, together with a space of one hundred feet on each side of the centre of said road or roads, has been granted to the said company by the owner or owners thereof; and the said company shall have good right and title to the same, and shall have, hold, and enjoy the same, unto them and their successors, so long as the same may be used only for the purposes of said road, and no longer; unless the person or persons to whom any right or title to such lands, tenements or hereditaments descend or come, shall prosecute the same within two years next after the passing of this Act, or within five years next after the construction of such road or roads, or the part or portion thereof that may be constructed upon the lands of the person or persons so having or acquiring such right or title as aforesaid; and if any person or persons to whom any right or title to such lands, tenements or hereditaments, belong, or shall hereafter descend or come, do not prosecute the same within two years next after the ratification of this Act, or within five years next after the construction of such road or roads, or the part
Acts relating to corporations.

thereof that may be constructed upon the lands of the person or persons so having or acquiring such right or title as aforesaid, that then, he or they, and all claiming under him and them, shall be forever barred to recover the same; provided, that nothing herein contained shall affect the rights of feme covertis, infants, or persons beyond seas, until two years after the removal of their respective disabilities; and provided also, that assessments to be had as heretofore in all such claims as may be set up at any time after the next two years, reference shall be had to the true value of the lands at the erection of said road.

III. And be it further enacted by the authority aforesaid, That the provisions of the twelfth Section of the Act entitled "An Act to amend an 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 Hamburgh," be considered, and the same is hereby declared, to extend as well to the owners of land through which the said road is actually constructed, or may hereafter be constructed, as to other persons; and it shall not be lawful for the owner or owners, or other person claiming under him or them, to avoid the provisions of the said section of the said Act, by the plea of liberum tenementum, or by any other plea whatever.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-three, and in the fifty-eighth year of the Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

AN ACT TO RENEW THE CHARTER OF THE SOUTH CAROLINA 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 charter of the South Carolina Insurance company, be, and the same is hereby, renewed, for and during the term of two years from the twentieth day of December, instant.

II. And be it further enacted by the authority aforesaid, That the South Carolina Insurance Company shall be, and are hereby, permitted to enjoy all the privileges, powers, immunities, and benefits, which they now enjoy under their charter, and be subject to all the restrictions imposed thereby.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty-four, and in the fifty-ninth year of the Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.
STATUTES AT LARGE

Acts relating to Corporations.

No. 2621. AN ACT TO ESTABLISH A COMPANY UNDER THE NAME OF THE ATLANTIC STEAM PACKET 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 a company be, and the same is hereby, established, for the conveyance of passengers, and the transportation of goods, wares and merchandise, by Steam Packets, between Charleston, in the State of South Carolina, and Norfolk, in the State of Virginia, or any port upon the Atlantic board, at the election, from time to time, by the directors of said company; the capital stock of which company shall not exceed the sum of five hundred thousand dollars, to be divided into shares, each of one hundred dollars.

II. And be it further enacted, That the following persons, to wit:—William Seabrook, Walter Dubois, Joel Vickers, John S. McKin, Joseph King, jr., Andrew F. Henderson, James LeFevre, and James Rogers, their associates, successors and assigns, be, and they are hereby created, a corporation, by the name and style of ‘‘The Atlantic Steam Packet Company;’’ and, by that name, shall have power and capacity to sue and be sued, in any of the courts of law or equity within this State; and to purchase, take, enjoy, sell and alien, lands and tenements, hereditaments, goods, chattels, rights and credits, which may be connected with or in any manner conducive to the purposes for which said company is established.

III. And be it further enacted, That the following shall be the fundamental articles of said corporation.

1st. The business and concerns of said corporation shall be managed by seven directors; the directors shall be elected by the stockholders; the first election shall be held as hereafter appointed; all the subsequent elections shall be held at the annual meeting of the stockholders; the directors shall continue in office until the annual meeting of the Stockholders next succeeding their election, and until successors to them be duly chosen; but a vacancy occasioned by death, resignation or otherwise, in the office of a director, may be filled by appointment made by a majority of the Board of Directors; the directors must be stockholders, and the office of a director shall be vacated by his ceasing to be a stockholder; the directors shall choose one of their number to be president; they shall meet according to the by-laws of the corporation; any four of them shall form a board to do business; and if the president shall be absent, a president may be appointed pro temp.

2d. The directors shall have power to employ engineers and servants, and agree upon and pay their wages; to appoint officers and agents, and agree upon and pay their salaries or compensations; to take bond from any officer or agent, as the by-laws shall require, or as may be deemed expedient, with surety or without; and to do all acts requisite to effect and carry on the purpose for which the company is established; and to this end, to use and employ the capital stock and funds of the company, under such regulations as the by-laws may prescribe; and to bind, by their contracts, deeds or writings, under the seal of the corporation and the hand of the president, all the property and estate, common stock, and joint funds of the corporation aforesaid, but not the persons or separate property of themselves or any other stockholder; and the directors shall have power to make by-laws for the government of the said corporation, and regulating
OF SOUTH CAROLINA.

Acts relating to Corporations.

A. D. 1834.

the management of the business and concerns thereof; and to revise, repeal, and amend the same, subject, always, to the control of the stockholders in regular meetings; the by-laws, amongst other things, shall prescribe the offices of the corporation, other than those of the President and Directors; the bonds to be taken from the officers; the place or places of holding the meetings of the stockholders; the manner of calling occasional meetings; and the mode and regulations of assigning the shares of the capital stock.

3d. There shall be an annual meeting of the stockholders, on the first Monday of June in every year, during the continuance of the corporation; if any election shall not be held at the annual meeting, or if a meeting shall not take place on the day appointed in any year, the corporation shall not for that cause be dissolved; but in such case, directors may be chosen at an occasional meeting regularly held; the first annual meeting shall be held on the first Monday of June, in the year of our Lord one thousand eight hundred and thirty-five.

4th. In all meetings of the stockholders regularly held, those assembled may proceed to business; all elections of directors shall be by ballot, and shall be decided by plurality of votes; on all other questions, a majority of votes shall be necessary to a determination; in all elections, and upon every other subject or question, each stockholder shall be entitled to as many votes as he or she may hold shares, one vote for every share; and stockholders absent from any meeting, shall be entitled to vote in all elections, and upon every other subject, by proxy.

5th. No director shall be entitled to any emolument, excepting the same shall be allowed by the stockholders at a regular meeting.

6th. The shares of the capital stock shall be personal property; and shall be assignable, subject to the regulation of the by-laws.

7th. The directors shall make dividends of the clear profits of the business of the corporation, of or such parts of the said clear profits as may be deemed advisable; the time of making the dividends shall be prescribed by the by-laws; the directors shall lay before the stockholders every year, at their annual meeting, a general account of the stock, funds, debts, and credits of the corporation; and any by-laws by them made, shall be open to the inspection of every stockholder.

8th. The stockholders shall have power, at any annual or other regular meeting, to make and ordain by-laws for the government of the corporation and regulation of the concerns thereof; which by-laws shall not be repealed or altered by the directors; and the directors shall not have power to make any by-laws repugnant to or inconsistent with any by-law made by the stockholders.

IV. Be it further enacted, That the before named persons shall be, and they are hereby, constituted directors of the said company, until an election can take place under this charter. And they are hereby authorized to appoint, &c.

V. Be it further enacted, That the persons before named, or the directors hereafter to be elected, are hereby fully authorized and empowered to take up, by subscription, at such times and such places as may be deemed necessary, either the whole, or from time to time, such part of the said capital as may be deemed proper for the further conducting the business of

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act for incorporating the Society for the relief of Elderly and Disabled Ministers, and of the Widows and Orphans of the Clergy of the Independent or Congregational Church in the State of South Carolina," ratified on the seventh day of March, seventeen hundred and eighty-nine, be, and the same is hereby, repealed, by and with the consent of the said corporation.

II. And be it further enacted by the authority aforesaid, That the persons and members of the society, hitherto known by the name of "The Society for the relief of Elderly and Disabled Ministers, and of the Widows and Orphans of the Clergy of the Independent or Congregational Church in the State of South Carolina," and their successors, officers and members, shall be hereafter, and they are hereby declared to be, one body corporate, in deed and in name, by the name of "The Society for the relief of Elderly and Disabled Ministers, and of the Widows and Orphans of the Clergy of the Independent or Congregational Church in the city of Charleston;" and, by the said name, shall have perpetual succession of officers and members; and a common seal, with power to change, alter, break and make new the same, as often as the said corporation shall judge expedient; and the said corporation, and its successors, shall be able and capable in law, to purchase, hold, have, receive, enjoy, possess and retain, to itself, and its successors, in perpetuity or for any term of years, any estate or estates, lands, tenements or hereditaments, of what kind or nature whatsoever; and to sell, alien, exchange, demise or lease the same, or any part thereof, as it shall think proper; and, by its said name, to sue and be sued, implead and be impleaded, answer and be answered unto, in any court of
OF SOUTH CAROLINA.


law or equity in this State; and to make such rules and by-laws, not repugnant and contrary to the laws of the land, for the benefit and advantage of the said corporation, and for the order, rule, good government and management of the said corporation, as shall from time to time be agreed upon by a majority of the members of the said society.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said corporation hereby erected, to take and to hold, to itself and to its successors forever, any charitable donations or devises of lands and personal estate, and to appropriate the same, as also all other their funds, real and personal, to such charitable, benevolent, religious, and other purposes, for the benefit of the said corporation and of the said Independent or Congregational Church in the city of Charleston, in such manner as may be determined by a majority of the members thereof.

IV. And be it further enacted by the authority aforesaid, That the said corporation shall be, and is hereby declared, able and capable in law, to have, receive, enjoy, possess and retain, all such estate, real and personal, money, goods, chattels and effects, which it is now possessed of or entitled unto, or which has already been given, devised, or bequeathed to it, by whatever name such devise or bequest may have been made.

V. And be it further enacted by the authority aforesaid, That this Act shall be and continue of force for the term of twenty-one years; and shall be deemed and taken as a public Act.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty-four, and in the fifty-ninth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE INSURANCE COMPANY OF COLUMBIA, SOUTH CAROLINA.

No. 2828.

I. Be it enacted by the Honorable the Senate and House of Representa-tives, now met and sitting in General Assembly, and by the authority of Company in the same, That Andrew Wallace, Alexander Kirk, John I. Gracey, Benjamin L. McLauchlin, John Bryce, P. M. Butler, B. T. Elmore, Thomas Harrison, Richard O’Neale, M. H. DeLeon, John W. Clark, Abram Blanding, James D. Tradewell, R. W. Gibbes, A. Crawford, and James Boatwright, and others, who have formed an association under the firm or name of the Insurance Company of Columbia, South Carolina, and their successors and assigns, shall be, and they are hereby, erected into one body, politic and corporate, in law and in fact, under the name, style and title of "The Insurance Company of Columbia, South Carolina;" and, by the same name, style and title, shall have succession of officers and members, and all the powers, privileges and franchises incident to a corpora-tion; and shall be capable of taking, holding and disposing of, their capital
stock, according to their present or future rules, regulations and institutions: and also, of taking, holding and disposing of, or investing, as the said corporation shall, from time to time, judge fit, the increased profit and emolument of their said capital stock, to their own proper use; and shall have full power and authority to make, have and use a common seal, with such device and inscription as they shall deem proper, and the same to break, alter and renew, at their pleasure; and, by the name, style and title aforesaid, shall be able and capable, in law and equity, to sue and be sued, implead and be 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 president and other officers and directors, in such numbers, and at such periods, and with such duties, as they shall see fit; and also, to make rules, by-laws and ordinances; and to do every thing needful for the good government and management of the affairs of the said corporation. 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.

II. That the said corporation shall be, and they are hereby, authorized and empowered to receive subscriptions for capital or stock, to the amount of two hundred thousand dollars. And it shall not be lawful for the said corporation to make any contract of indemnity, or underwrite any policy of insurance upon risks of vessels, or of goods and merchandise, or make any contract of indemnity, or underwrite any policy of insurance against fire, or make any insurance on life, or contract for or grant any annuity, until the sum of one hundred and fifty thousand dollars shall have been subscribed and actually paid. And the said corporation are hereby authorized, at any future period during the continuance of this charter, to increase their capital stock to any amount not exceeding four hundred thousand dollars.

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

IV. That the said corporation shall have the right and power, by their said name, and in manner and form aforesaid, to make insurances on lives, by sea and on shore; and to contract for, grant and sell annuities and reversionary payments; and generally, to make all kinds of contracts in
OF SOUTH CAROLINA.

Acts relating to Corporations.

A. D. 1834.

which casualties of life and interest of money are principally involved; and to make, execute and perfect such and so many contracts, agreements, bargains, policies, and other instruments, as shall or may be necessary, and as the nature of the case shall or may require; and the said corporation shall remain a body politic, indefinitely, as far as relates to the contracts permitted to be made by this clause. And if at any time it shall appear to the Legislature that the privileges granted by this clause are injurious to the public welfare, the power thereof to repeal this clause shall not be hereby denied or impaired; but such repeal shall not affect any engagements to which said company or corporation may have become a party previously thereto; and that the said corporation shall have a reasonable time to bring their accounts to a final close.

V. That the said corporation shall have a right and power to purchase, acquire, take and hold, in their said corporate name, lands and real estate; and the same to grant, sell, assign and convey, in fee or otherwise; provided, the yearly income of the real estate so to be held, shall not, at any time, exceed six thousand dollars.

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

VII. That on the expiration or dissolution of the said corporation, that then, and in such case, the estate by said corporation possessed shall not escheat, but be vested in the several members of said corporation, in average and proportion to their several and respective shares in the capital stock aforesaid, after the payment of the debts of the said corporation.

VIII. That this charter (excepting the fourth clause thereof) shall cease and determine after the lapse of twenty-one years from the date of the same; and that this Act shall be deemed a public Act.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty-four, and in the fifty-ninth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.
STATUTÉS AT LARGE

Acts relating to Corporations.

AN ACT TOINCORPORATE CERTAIN SOCIETIES.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all persons who are now, or may hereafter become, members or stockholders in the following societies and associations, to wit; "The Turkey Creek Baptist Church, of Abbeville district;" "The May River Baptist Church, of St. Luke's Parish;" "The Darlington Presbyterian Church;" "The Association of the Second Presbyterian Church, in the city and suburbs of Charleston;" "The Trustees of the Methodist Episcopal Church, of York district;" "The Methodist Benevolent Society of the Methodist Episcopal Church, in Charleston;" "The Vestry and Wardens of the Church of the Holy Trinity, in St. Luke's parish;" "The Columbia Hebrew Benevolent Society;" "The Trustees of the Cokesbury Manual Labor School of the South Carolina Conference of the Methodist Episcopal Church;" "The Orangeburg Medical Society;" "The Board of Trustees of the Edgehill Academy, of Sumter district;" "The President and Directors of the Pendleton Manual Labour School;" "The Washington Volunteers, and "The French Volunteers," two uniformed companies attached to the seventeenth regiment of South Carolina militia; "The Calhoun Hussars," of St. Peter's parish; "The Clarendon Troop of Cavalry;" "The French Fusilier Charitable Society;" "The Trustees of the Walterborough Academy;" "The Hays's Station Monument Association;" "The Edgefield Village Female Academy;" and "The Methodist Protestant Church in Charleston," be bodies corporate and politic, by the name and style to each, respectively, above assigned.

Powers.

II. The societies and associations aforesaid, by their respective names, shall [have] succession of officers and members, to be chosen or admitted according to their respective by-laws; and shall have power, respectively, to make by-laws, not repugnant to the laws of land; to have, keep and use a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any courts of this State; and to have and enjoy every right incident to incorporation.

May hold property.

III. They are also empowered to retain, possess and enjoy, all such property as they may now, respectively, be possessed of, or entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by them; and to sell, alien, or in any way transfer the same, or any part thereof: provided, the amount of property so held, or stock invested, shall, in no case, exceed ten thousand dollars; except in the case of the French Fusilier Charitable Society, which may hold property to the amount of fifty thousand dollars.

IV. The Sumterville Baptist Church is hereby re-incorporated, with all the rights, powers and privileges heretofore granted, and subject to all the liabilities and restrictions imposed on the same.

Trustees of Newberry Academy.

V. Frederick Nance, sen., John B. O'Neall, Job Johnston, G. L. Harrington, James Farnandis, Thomas Pratt, William Wilson, Burr Johnson, and Francis B. Higgins, trustees of the Newberry Academy, who are the regular successors of the trustees of said Academy heretofore incorporated, are hereby re-incorporated, as trustees of the Newberry Academy, with all the rights, powers and privileges heretofore granted, and subject to all the liabilities and restrictions imposed on the same.

VI. No person shall be allowed to vote for the vestry and wardens of the Church of the Holy Trinity, in St. Luke's Parish, unless such person
OF SOUTH CAROLINA.

Acts relating to Corporations.

A. D. 1804.

has, one year before the election, subscribed and paid the sum of five dollars for the use of said church, or within the said year received the communion, or been baptized by the officiating minister of said church, or been confirmed by the bishop of the diocese.

VII. All the charters herein above granted to the societies and associations therein named, shall continue for twenty-one years.

VIII. The town Council of Winnsborough are hereby vested with all the powers, rights and privileges granted under the second and third sections of this Act. Provided, the property held shall not exceed fifteen thousand dollars in value.

IX. The Act of the General Assembly, ratified on the twentieth day of December, one thousand eight hundred and thirty-two, entitled "An Act to incorporate the town of Abbeville," is hereby revived and made perpetual, subject, at all times, to revival or repeal by the Legislature.

X. The trustees of the Minerva Society are hereby authorized and empowered to sell the lands of said society, whereon their Academy buildings are erected, and from the proceeds to pay the debts of said society, and pay the balance to the Baptist Beula Church.

XI. All property which has escheated, or may hereafter escheat, within Edgefield district, not otherwise disposed of by law, to the amount of five thousand dollars, is hereby vested in the Edgefield Female Academy. Provided, nothing herein contained shall be construed to prevent the sale of the General Assembly of this State from granting any of said escheats to any such person or persons as may be equitably entitled thereto.

XII. All those persons who now are, or may hereafter be, associated under the name of "The Medical Society of the State of South Carolina," and are hereby declared, a body politic and corporate, under the name aforesaid.

XIII. The said society shall, by its proper name, have succession of officers and members, to be chosen according to the constitution and by-laws thereof; and shall have power to make by-laws, not repugnant to the laws of the land; to have, keep and use a common seal, and the same to alter at will; to sue and be sued, plead and be implored, in any court of this State; and have every right incident to an incorporation. And said society shall also have power to organize associate branches, in any district or parish of this State; and be capable in law to have, hold, receive and enjoy, in perpetuity or for a term of years, any estate, real or personal, whether acquired by purchase, devise or bequest; and the same to alien and dispose of. Provided, the said estate, real or personal, shall not produce a nett income exceeding five thousand dollars per annum. Provided, also, the incorporation hereby granted shall continue only for the term of twenty-one years.

XIV. All property which has escheated, or may hereafter escheat, to the State, in the parish of St. Bartholomews, is hereby vested in the trustees of the Walterborough Academy, to the amount of ten thousand dollars. Provided, nothing herein contained shall be construed to prevent the Legislature from hereafter granting any portion of such escheats to any person or persons who may be equitably entitled thereto.

XV. All persons residing within the corporate limits of the village of Barnwell, be, and they are hereby, exempted from all liability to perform road duty without the limits of said corporation.

XVI. The intendant and warden of the village of Orangeburgh are

VOL. VIII.—50.
STATUTES AT LARGE

 Acts relating to Corporations.

hereby empowered to grant licenses to tavern-keepers and retailers of spirituous liquors, within the limits of said corporation, for such times, and under such restrictions, as they may deem expedient.

XVII. This Act shall be deemed and taken as a public Act, in all the courts of this State.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty-four, and in the fifty-ninth year of the Independence of the United States of America.

H. DEAS, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.

No. 2631.

AN ACT TO INCORPORATE THE SALUDA MANUFACTURING COMPANY.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That David Ewart, Thomas Wells, John G. Brown, Shubel Blanding, John I. Gracey, and others, who now are members of the Saluda Manufacturing Company, and such other persons as may become members thereof, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Saluda Manufacturing Company," with a capital of sixty thousand dollars, and the right to increase the same hereafter to any sum not exceeding five hundred thousand dollars.

II. And be it further enacted, That the said Manufacturing Company shall have succession of officers and members, to be chosen according to the rules and by-laws, made or to be made for their government and direction; and shall have power and authority to make by-laws, not repugnant to the laws of the land; to have, use and keep a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any court of law or equity in this State; and to have and enjoy all and every right and privilege incident and belonging to incorporated bodies.

III. And be it further enacted, That said Manufacturing Company hereinafter incorporated, shall be able and capable, in law and equity, to have, hold, receive, possess, enjoy and retain, all such property, real and personal, as they may now be possessed of, or in any wise entitled to, or which shall have been, or shall hereafter be, given to, bequeathed, or in any way acquired by them; and shall alien, or otherwise part with the same, or any part thereof; provided, the amount so held by the said Manufacturing Company shall, in no case, exceed the sum of five hundred thousand dollars.

IV. And be it further enacted, That the said Manufacturing Company shall have the right to erect and keep up a dam across the Saluda river, at Beard's Falls, which shall not exceed six feet in height, above the common water of the river; in which dam it shall be their duty to keep a fish sluice open, from the first day of February to the first day of May, in each year, of the same construction and width of the fish sluice in the dam at the head
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1834.

of the Saluda Canal. If any question should be made as to the sufficiency of the said sluice, the same shall be decided by three commissioners, to be appointed by the Governor; and it shall be the duty of the said company to conform to the decision of the said commissioners, or a majority of them.

V. And be it further enacted, That this Act is and shall be deemed and adjudged a public Act, and shall continue in force for the term of thirty years.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty-four, and the fifty-ninth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE DURHAM CREEK RAIL ROAD COMPANY. No. 2834.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That William A. Carson, William L. Moultrie, John Harleston, and such other persons as may hereafter be associated with them, by their consent, be, and they are hereby declared, a body politic and corporate, by the name of "The Durham Creek Rail Road Company," and may construct a rail road or rail roads, and branches thereof, from Cooper river and Durham creek to the main road from Charleston to Monk's Corner, and from the Monk's Corner road to Strawberry ferry, and thence across the said road, through the lands of the persons who may associate for the purpose of constructing the said rail road or roads. And the said corporation shall have perpetual succession of members; may have a common seal; may sue and be sued, plead and be impleaded, in any court of law or equity in this State; and may make such regulations, rules and by-laws as are necessary for the government of the corporation, or for effecting the objects of it; PROVIDED, such regulations, rules and by-laws shall not be repugnant to the laws or constitution of this State. And the company hereby incorporated are exempt from the provisitons of an Act entitled "An Act establishing the principles on which companies shall be incorporated, and the charters of ferries, bridges and turnpike roads, shall be hereafter granted; and for other purposes therein expressed." PROVIDED, that nothing herein contained shall authorize the said company to obstruct or otherwise impede the passage of carriages and travellers on the public roads, over and across which the said rail road or rail roads may pass.

II. That this Act shall be and continue in force for the term of thirty-five years.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty-four, and in the fifty-ninth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.
AN ACT to authorize the formation of the Edgefield Rail Road Company.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the formation of a corporate company is hereby authorized, for the construction of a rail road, on the most practicable route, from the town of Edgefield to a point within one hundred feet of the Charleston and Hamburg rail road, at or near the town of Aiken; and the said company shall have the exclusive right to make, keep up and employ such rail road; and for the term of time hereinafter mentioned, no canal nor other rail road, between the town of Edgefield and the point aforesaid, shall be constructed by or under the authority of this State.

II. And be it further enacted by the authority aforesaid, That the stock of the company hereby authorized, shall consist of fifteen hundred shares of one hundred dollars each share; but the said company shall be at liberty to enlarge their capital, as in the progress of their undertaking they may find necessary, either by additional assessments on the original shares, not to exceed in the whole the sum of twenty dollars on each original share, or by new subscriptions, in shares of not more than one hundred dollars each; the terms and conditions of which new subscriptions the said company is authorized to prescribe. And it shall be lawful for the said company, from time to time, to invest so much of their capital or of their profits as may not be required for immediate use, and until it may be so required, in public stock of the United States, or of this State, or of any incorporated bank, and draw and apply the dividends, and, when and as they shall see fit, sell and transfer any parts or portions thereof.

III. And be it further enacted by the authority aforesaid, That books for subscription to the stock of the company hereby authorized, shall be opened in Charleston, Columbia, Greenville C. H., Anderson C. H., Laurens C. H., Newberry C. H., Abbeville C. H., and Edgefield, by three commissioners in each place, namely: in Charleston, by William Aiken, Charles Edmondson, and John Frazier; in Columbia, by J. L. Clark, John I. Gracey, and J. D. Tradewell; in Greenville, by Benajah Durham, William S. Rowland, and Roger Loveland; in Anderson, by John P. Benson, Christopher Orr, and Elijah Webb; in Laurens, by Dr. Samuel Farrrow, William Mills, and Col. William Hill; in Newberry, by Thomas Pratt, Minor W. Gracey, and John S. Carville; in Abbeville, by Robert W. Wardlaw, Morgan M'Morris, and John White; and in Edgefield, by H. Boulware, C. L. Goodwin, and J. L. Penn. And the books shall be opened in each of the said places on the same day, namely, the first Monday of March next, and be kept open at each place for four days, between the hours of nine in the morning and three in the afternoon; and the time and places of subscribing shall be advertised by the said commissioners, in one or more of the gazettes in Charleston and Columbia, and other gazettes that may be published at the places of subscription, for at least three weeks prior to the day for opening the books. If any of the commissioners before named shall, after the passage of this Act, decline to act, a majority of the delegates in the General Assembly from Edgefield district, may appoint a fit and proper person to supply the vacancy of him so declining to act. And if any one of the commissioners shall not attend at the time of opening the books, the other two commissioners at the place for which he was appointed may choose a fit and proper person to supply
OF SOUTH CAROLINA.

Acts relating to Corporations.

his place. Upon the books being opened, as aforesaid, individuals may subscribe for so many shares as they may fit, paying to the said commissioners, at the time of subscription, ten dollars on each share subscribed; and the commissioners shall designate in the books, opposite to the names of the subscribers, the day of subscription, the number of shares subscribed, and the sum of money paid, respectively; and for the sums so paid, the commissioners shall give receipts to the individuals paying, and, as soon as may be, deposit the money in the Bank of the State of South Carolina, or in some branch thereof, or in the Augusta Bank; subject, for so much thereof as may be refunded to the subscribers, upon adjustment made in case of over subscription to the stock of the company, to the joint check of said commissioners; and subject, for the balance, to the check or order of said company, (after it shall be organized,) by its president or board of directors.

IV. And be it further enacted by the authority aforesaid, That when the books shall be closed on the last day, the commissioners at Charleston, Columbia, Greenville, Anderson, Laurens, Newberry and Abbeville, respectively, shall transmit to the commissioners in Edgefield, a list of the subscribers, designating, as in the subscription books, opposite to each name, the day of subscription, the number of shares subscribed, and the sum paid, with a certificate at the bottom of the list, to be signed by each commissioner, that the money is deposited in a bank, conformably to this Act; and thereupon the commissioners in Edgefield, from all the lists of subscribers, shall make out one general list, and, summing up the whole, ascertain whether the shares subscribed are equal in amount to the capital prescribed for the company, or greater or less in amount than the said capital. If the number of the shares subscribed shall exceed fifteen hundred, then the shares shall be reduced rateably to that number, except that no subscription of five shares or less shall be reduced. If the number of shares subscribed be less than seven hundred and fifty shares, the commissioners at Edgefield may keep the books open at that place, until the number of seven hundred and fifty shares be subscribed, and ten dollars paid on each share, as aforesaid. If the number of shares subscribed shall be less than fifteen hundred, but amount to a moiety thereof, namely, seven hundred and fifty shares, the said company may be formed thereon; and the said company, when organized, may cause books to be opened by the directors, after sixty days notice of the time and place of subscription, and receive such additional subscriptions as can be obtained, on the condition aforesaid, that ten dollars be paid on each share at the time of subscription, and may keep the books open until the whole number of fifteen hundred shares be subscribed.

V. And be it further enacted by the authority aforesaid, That on the subscriptions of shares in the stock of the company, to an amount equal to or exceeding a moiety of the whole number, as aforesaid, being made, or in case of excess of subscriptions, upon the number being reduced to fifteen hundred, in manner aforesaid, the said company shall be considered as formed, and this Act of incorporation shall and may attach and become effectual, and the company may take measures for complete organization. For this purpose the commissioners in Edgefield shall appoint a convenient time and place for the meeting of the stockholders, and shall cause the same to be advertised in one or more, respectively, of the gazettes published in Charleston, Columbia and Edgefield district, for five weeks prior to
the day of meeting; at which time and place the subscribers of stock may
attend in person or by proxy. The commissioners at Edgefield, or a ma-
majority of them attending, shall present a ballot box, in which the subscribers
may vote, by ballot, for a president and twelve directors, to serve for one
year, and until a new election be made; and the presiding commissioners
shall count the ballots, declare the election, and make and deliver proper
certificates thereof, under their hands.

VI. And be it further enacted by the authority aforesaid, That in the
said election, and in all future elections of president and directors, and in
the making, altering or repealing of by-laws, and in determining on mea-

suress involving the general interests of the company, at any stated or
occasional corporate meeting, the votes of the stockholders shall be taken
and governed by the scale and regulations following:—the owner of one
or two shares, shall be entitled to one vote; the owner of three or four
shares, shall be entitled to two votes; the owner of five or six shares, shall
be entitled to three votes; the owner of seven or eight shares, to four
votes; the owner of not less than nine nor more than eleven shares, to five
votes; the owner of not less than twelve nor more than fifteen shares, to
six votes; the owner of not less than sixteen nor more than twenty shares,
to seven votes; the owner of not less than twenty-one nor more than twen-
ty-six shares, to eight votes; the owner of not less than twenty-seven nor
more than thirty-three shares, to nine votes; the owner of not less than
thirty-four nor more than forty shares, to ten votes; and the owner of
every ten shares above forty, shall be entitled therefor to one vote. No
one but a subscriber shall be capable of being a proxy, and the appoint-
ment of a proxy shall be in writing, signed by the stockholder appointing, and
authenticated by affidavit of a subscribing witness, made before some law-
ful magistrate, and indorsed upon the writing of appointment. Any person
offering to vote as a proxy, may be required by any stockholder to swear
that he has no interest, directly or indirectly, in the stock on which he offers
to vote as proxy. A trustee of stock shall not vote on shares held
by him in trust, expressed or declared, where the cestui que trust holds other
shares, either in his own name, or in the name of another trustee; but the
cestui que trust may vote on all shares owned by him, whether legally or
equitably, according to the scale aforesaid.

VII. And be it further enacted by the authority aforesaid, That the
election of president and directors shall be made annually, according to a
by-law to be made for that purpose; and in case any vacancy occur in the
board, between two periods of general election, a majority of the board of
directors, at any regular or stated meeting of the board, may elect by
ballot, from the stockholders, a person to fill the vacancy so occurred, until
the next general election of directors. But if it happen that the day of
annual election of president and directors should pass without election, as
to all or any of them being effected, the corporation shall not be dissolved
nor discontinued thereby, but it shall be lawful, on any other day, to hold
and make such election, in such manner as may be prescribed by the by-
laws of the corporation; subject, always, to the scale and regulations of
the sixth section of this Act.

VIII. And be it further enacted by the authority aforesaid, That the
said company, to be organized as aforesaid, shall be called "The Edgefield
Rail Road Company;" and have perpetual succession of members; may
make and have a common seal, and break and alter it at pleasure; may
sue and be sued, answer and be answered unto, by their corporate name
OF SOUTH CAROLINA.

Acts relating to Corporations.

A. D. 1834.

(provisional)

aforesaid, in all courts of law and equity, or judicial tribunals of this State; and shall be capable, at all times, of making and establishing, altering and revoking, all such regulations, rules and by-laws, for the government of the company and its direction, as they may find necessary and proper for effecting the ends and purposes intended by the association, and contemplated in this Act; provided, such regulations, rules and by-laws, be not repugnant to the constitution and laws of this State; but the said company, and the provisions of this Act, shall not be controlled nor effected by the operation of an Act, passed 17th December, 1827, entitled "An Act establishing the principles on which companies shall be incorporated, and the charters of ferries, bridges and turnpike roads, shall be hereafter granted, and for other purposes therein expressed."

IX. And be it further enacted by the authority aforesaid, That the said Edgefield Rail Road Company shall have power and capacity to purchase, take and hold, in fee simple, or for years, to them and their successors, any lands, tenements or hereditaments, that they may find necessary for the site, on and along which to locate, run and establish the Rail Road aforesaid, or to vary or alter the plan or plans, and of such breadth and dimensions through the whole course of the road, as they may see fit; and in like manner, to purchase, take and hold, any lands contiguous to or in the vicinity of the said Rail Road, that they may find necessary for the procuring, and from time to time, readily obtaining, all proper materials, of what kind soever, for constructing, repairing, guarding and sustaining the said Rail Road; and in like manner, to purchase all private rights of way on land, and all necessary privileges in waters or water courses, that may lie on or across the route through which the said Rail Road may pass; and also, all lands contiguous thereto, that may be found necessary for the erecting of toll and storehouses, workshops, barns, stables, residences, and accommodations for servants, agents or mechanics, and for the stationing and maintaining all animals of labor; and the said company shall have power, if need be, to conduct their Rail Road across and over any public road, river, creek, water or watercourse, that may be in the route; provided, the passage of the public road, or the navigation of the stream, be not obstructed thereby.

X. And be it further enacted by the authority aforesaid, That in any case where lands or private rights of way may be required by the said company, the said company for the purposes aforesaid, and the same cannot be purchased from the owner or owners, for want of agreement of the parties as to price, or for any other cause, the same may be taken by the company, at a valutation to be made by commissioners, or a majority of them, to be appointed by the court of common pleas of the district in which any part of the land or right of way may be situated. And the said commissioners, before they act, shall severally take an oath, before some justice of the peace, faithfully and impartially to discharge the duties assigned to them. In making the said valuation, the commissioners shall take into consideration the loss or damage which may occur to the owner or owners in consequence of the land or right of way being taken; and also, the benefit and advantage, be, she or they, may receive from the erection and establishment of the Rail Road and works; and shall state particularly the nature and amount of each; and the excess of loss and damage over and above the benefit and advantage, shall form the measure of valuation of the said land or right of way. The proceedings of the said commissioners, accompanied with a full description and plat of the said land, shall be returned,
under the hands and seals of a majority of said commissioners, to the court from which the commission issued, there to remain of record. Either party to the proceedings may appeal from the said valuation, to the next session of the court granting the commission, giving reasonable notice to the opposite party of such appeal; and the court, upon satisfactory proof that the appellant has been injured by such valuation, shall order a new valuation to be made by a jury, who shall be charged therewith in the same term, and their verdict shall be final and conclusive between the parties, unless a new trial be granted; and the lands and rights of way, so valued by the commissioners or jury, shall vest in the said company in fee simple, so soon as the valuation thereof may be paid, or tendered and refused. Where there shall be an appeal as aforesaid, from the valuation of commissioners, by either of the parties, the pendency of such appeal shall not prevent the company from proceeding in the construction of their works, in and upon said land or way; but when the appeal be made by the company, requiring the surrender, they shall be at liberty to proceed in their work, only on condition of giving to the opposite party a bond, with good security, to be approved by the clerk of the court where the valuation is returned, in a penalty equal to double the said valuation, conditioned for the payment of said valuation and interest, in case the same be sustained, and in case it be reversed, for the payment of the valuation thereafter to be made by the jury and confirmed by the court. In all assessments made by the commissioners or jury, as aforesaid, after the construction of the said road, or of the part thereof upon the land to be valued, reference shall be had to the true value of the land at the time of the erection of said road or part thereof; and the use thereof by said company, for the purposes of said road, shall be considered an actual possession of said land, covered by said road, and of the space of one hundred feet on both sides of said road, as aforesaid.

XI. And it be further enacted by the authority aforesaid, That in the absence of any written contract between the said company and the owner or owners of the lands through which the said rail road may be constructed, in relation to said lands, it shall be presumed that the land upon which the said road may be constructed, together with the space of one hundred feet on each side of the centre of the said road, has been granted to the said company by the owner or owners thereof, and the said company shall have good right and title to the same, and shall have, hold and enjoy the same, unto them and their successors, so long as the same may be used only for the purposes of said road, and no longer; unless the person or persons to whom any right or title to such lands, tenements or hereditaments, descend or come, shall prosecute the same within two years next after the construction of such part or portion of the said road as may be constructed upon the lands of the person or persons so having or acquiring such right or title as aforesaid. And if any person or persons to whom any right or title to such lands, tenements or hereditaments, belong, or shall hereafter descend or come, do not prosecute the same within two years next after the construction of the part of the said road upon the lands of the person or persons so having or acquiring such right or title as aforesaid, then, he or they, and all claiming under him or them, shall be forever barred to recover the same; provided, that nothing herein contained shall affect the rights of insane, infants, or persons beyond sea, until two years after the removal of their respective disabilities.
 XII. And be it further enacted by the authority aforesaid, That all lands not heretofore granted to any person, nor appropriated by law to the use of the State, within one mile of the centre of the main track of the said road that may be constructed, be, and they are hereby, vested in the said company and their successors, so long as the same may be used for the purposes of the said road, and no longer.

 XIII. And be it further enacted by the authority aforesaid, That the said company shall have, at all times, the exclusive right of conveyance or transportation of persons, merchandize and produce, over the rail road to be by them constructed, while they see fit to exercise the exclusive right; provided, that the charge of transportation or conveyance shall not exceed twenty cents per hundred pounds on heavy articles, and ten cents per cubic foot, on articles of measurement, for ten miles, and five cents per mile for every passenger. The said company may, when they see fit, rent or farm out all or any part of their said exclusive right of conveyance or transportation of persons, merchandize and produce, on the said Rail Road, with their privileges, to any individual or individuals, or other company, and for such term as may be agreed upon, subject to the rates above mentioned. And the said company, in the exercise of their right of conveyance and transportation of persons or property, and the persons taking from the company the right of conveyance or transportation, so far as they act in the same, shall be regarded as common carriers. And the said company may use or employ any sections of their intended Rail Road, subject to the rates before mentioned, before the whole shall be completed, and in any part thereof which may afford public accommodation for the conveyance of persons, merchandize or produce; and the said company shall have power to take, at the storehouses they may establish on or annex to the said Road, all goods, wares, merchandize and produce, intended for transportation or conveyance, prescribe the rules of priority, and charge such just and reasonable prices and compensation for storage and labor, as they may, by rules establish, which rules they shall cause to be published, or as may be fixed by agreement with the owners; which compensation shall and may be distinct from the aforesaid rates of transportation.

 XIV. And be it further enacted by the authority aforesaid, That whenever the said company shall see fit to farm out, as aforesaid, to any other person or persons or body corporate, any part of their exclusive right of conveyance and transportation, or shall deem it expedient to open the said Rail Road, or any part thereof, to public use, they shall and may adopt and enforce all necessary rules and regulations, and have power to prescribe the construction and size or burthen of all carriages and vehicles, and the materials of which they shall be made, that shall be permitted to be used or pass on the said Rail Road, and the locomotive power that shall be used with them.

 XV. And be it further enacted by the authority aforesaid, That if any person or persons shall intrude upon the said Rail Road, or any part thereof, by any manner of use thereof, or of the rights or privileges connected therewith, without the permission or contrary to the will of the said company, he, she or they, shall forthwith forfeit to the company all the vehicles, articles and animals, that may be so intrusively introduced and used thereon, and the same may be seized by the company or its agents, or recovered by suit at law; and moreover, the person or persons so intruding, shall and may be indicted as for a misdemeanor, and upon

VOL VIII.—51.
conviction, be fined and imprisoned at the discretion of the court of sessions of the district in which he, she or they, shall be tried and convicted. And if any person shall wilfully and maliciously destroy, or in any manner hurt, damage, injure or obstruct, or shall wilfully or maliciously, aid, assist counsel or advise, any other person to destroy, or in any manner hurt, damage, injure or obstruct the said Rail Road, or any work connected therewith, or any vehicle, edifice, right or privilege granted by this Act, and constructed or employed under the authority thereof; such person so offending, shall be liable to be indicted as for a misdemeanor therefor, and on conviction thereof, shall be imprisoned, not more than six months, and be fined, not more than five hundred, nor less than twenty dollars; and shall be further liable to pay to the said company any damages occasioned by the said injury, and all expenses of repairing the same. The one half of all fines that may be imposed by the court under this Act, shall be paid to the informer, and the other half to the said company. The provisions of this section shall extend as well to the owners of the lands through which the said road may be constructed, as to other persons; and no owner or other person claiming under him or her, shall avoid the said provisions by the plea of "liberum tegumentum," or by any other plea whatever.

XVI. And be it further enacted by the authority aforesaid, That the exclusive right to make, keep up and use the said Rail Road, and the conveyance and transportation thereupon, shall vest and continue in the said company, for and during the term of thirty-six years, to be computed from the time when the said Rail Road shall be completed for transportation; and that during the said term of thirty-six years, the stock of the company, and the real estate that may be purchased by them, and be connected with or subservient to the works hereby authorized, shall be exempted from taxation; and after the lapse of said term of thirty-six years, the said Edgefield Rail Road Company shall be and remain incorporate, and be vested with all the estate, powers and privileges, as to their own works, herein granted and secured, except that the Legislature may authorize the formation of other companies, and the construction of other Rail Roads or Canals, for the trade or intercourse contemplated herein; but the Legislature may renew and extend the exclusive right of said Edgefield Rail Road Company, upon such terms as may be prescribed by law, and accepted by the said company; provided, that the subscriptions of stock in the said company be filled up to the amount of at least seven hundred and fifty shares, within thirteen months from the passing of this Act, and the said Rail Road be commenced within two years, and be completed within six years, after the seven hundred and fifty shares shall be subscribed.

XVII. And be it further enacted by the authority aforesaid, That after the president and directors shall be elected as aforesaid, it shall always be in the power of the president and directors of the company, at a meeting of the board, a majority being present, to nominate and appoint a secretary, a treasurer, and all other officers, agents and servants, that they may deem necessary, or that may be prescribed in the by-laws of said company, and to remove the same at pleasure; and also, to require and take from all the officers, agents and servants, such bond or bonds and security, as the board or the by-laws may prescribe, for securing the fidelity, obedience and accountability of said officers, agents and servants, and their punctual surrender and delivery of all monies and property, on the termination of their offices, by resignation, removal or expiration of term.
OF SOUTH CAROLINA.


XVIII. And be it further enacted by the authority aforesaid, That the president and directors, by an order signed by the president, shall have power to draw from the Bank of the State of South Carolina, and its branches, and from the Bank of Augusta, all such sums of money as may have been received by the different sets of commissioners, for the first payments by subscribers on their subscriptions of stock, as before provided; except the sums for such shares as may be cancelled and thrown out upon adjustment of the shares in case of over subscription, which shall be drawn and repaid to the subscribers of such shares, by the commissioners respectively before whom such subscriptions were made, immediately upon notification to said commissioners of such adjustment.

XIX. And be it further enacted by the authority aforesaid, That every subscriber or holder of stock in the said company, shall pay to the company, the amount of the shares by him or her subscribed or held, in such instalments, not exceeding fifteen dollars on each share at one time, and at such periods, with intervals of not less than sixty days, as shall be prescribed and called for by the directors; of which periods of payment and the sums required, the board of directors shall cause public notice to be given, for at least four weeks previous to such periods of payment, by advertisements in one or more of the gazette published in Charleston, Columbia and Edgefield district; and on failure by any subscriber or stockholder to pay up any instalment so called for by the directors, the shares upon which default shall be made, together with any past payments thereon, shall be forfeited to the company, and be appropriated as they shall see fit. And the said company shall and may prescribe, in and by their by-laws, rules and regulations, the mode of issuing the evidences of shares of stock, and the manner, terms and conditions, of assigning and transferring shares of stock.

XX. And be it further enacted by the authority aforesaid, That if the said company determine to increase their capital by additional assessments on the original shares, as hereinbefore provided, the sums so assessed shall be called for, in such instalments, at such periods, and with such notices, and not otherwise, as are provided in the nineteenth section of this Act; and failure to pay up such assessments shall induce a forfeiture to the company, in like manner as provided in said section of the shares of stock on which default shall be made.

XXI. And be it further enacted by the authority aforesaid, That the president and directors shall be styled "The Direction of the Company;" and shall have power to call for all instalments, declare all dividends of profits, make all contracts and agreements in behalf of the company, and to do and perform all other lawful acts and deeds which by the by-laws of the corporation they may be authorized and required to do and perform; and the acts or contracts of the direction, authenticated by the signatures of the president and secretary, shall be binding on the company without seal. The direction shall not exceed in their contracts the amount of the capital of the company; and in case they do so, the president and directors who are present at the meeting when any contract, exceeding the capital, shall be made, shall be jointly and severally liable for the amount of the excess, as well to the contractor as the company; provided, that any one may discharge himself from such liability by voting against such contract, causing such vote to be recorded in the minutes of the direction, and giving notice thereof to the next general meeting of the stockholders. The direction shall keep regular minutes of all their meetings, and of the acts there done; and they shall make a full report of the state of the company.
and of its affairs, to a general meeting of the stockholders, at least once in every year, and oftener, if so directed by the by-laws; and they shall have power to call a general meeting of the stockholders, when they may deem it expedient; and the company may provide in their by-laws for occasional meetings of the stockholders, and prescribe the mode of calling the same.

XXII. And be it further enacted by the authority aforesaid, That the following officers and persons, while in the actual employment of the said company, shall be exempt from the performance of ordinary militia duty, and from service on juries, namely:—the Chief Engineer, and the Assistant Engineers, the Commissioner or Superintending Officer, the Secretary and the Treasurer of the Directors, the keeper of the Depository, the Guards stationed on the road to protect it from injury, (not exceeding one white man to every five miles,) and such persons as may be actually employed in working the locomotive engines, and in travelling with cars, for the purpose of attending to the transportation of passengers or goods on the said road, not exceeding one white engineer and his white assistant to each engine, and one white person to each passenger car, and to every five cars for transporting goods.

XXIII. And be it further enacted by the authority aforesaid That this Act shall be deemed a public Act.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty-four, and in the fifty-ninth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.

No 2836. AN ACT TO INCORPORATE THE CHARLESTON COTTON SEED OIL MANUFACTURING COMPANY.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That a joint stock company, for the purpose of manufacturing oil from the cotton seed, be, and the same is hereby, established, under the name of "The Charleston Cotton Seed Oil Manufacturing Company;" and, by that name and style, may sue and be sued, contract and be contracted with; may have and use a common seal, and alter the same at pleasure; and may hold real and personal estate; provided, the same do not exceed in value the sum of one hundred thousand dollars; and shall have power to establish manufactories, for the purposes aforesaid, in any part of this State; and make such by-laws and regulations, not contrary to the laws of the United States and of this State, as may be deemed expedient and proper for the government of the said corporation.

II. And be it further enacted by the authority aforesaid, That the capital stock of the said company shall not be less than thirty thousand dollars,
OF SOUTH CAROLINA.


nor more than one hundred thousand dollars, to be raised by subscription, in shares of one hundred dollars each; for which purpose books of subscription shall be opened in the said State, at such time and places hereafter, as Francis Follet, Jabez Smith, William R. Faber, and Benjamin R. Smith, or any two or more of them, shall appoint; who, so soon as the first mentioned sum shall be subscribed for, shall call a meeting of the stockholders, by advertisement for two weeks in some newspaper published in the city of Charleston.

III. And be it further enacted by the authority aforesaid, That for managing the affairs of the said company, there shall be chosen, at the first meeting of the stockholders, to be called as aforesaid, and on the first Saturday in the month of May in every year thereafter, five directors, who shall be stockholders of the company; in which election, and in all other meetings or elections, the stockholders shall be entitled to one vote for every share held by them, respectively, and may vote in person or by proxy, in such manner as may, from time to time, be prescribed in general meeting. The said directors, or any three or more of them, may choose from their own body a president, and, in his absence, a president pro tem.; and they shall have power to call meetings of the stockholders to supply vacancies in their body, or for any other purpose; to appoint such officers, agents and clerks, as the stockholders, in general meetings, shall authorize; to take bonds, with sufficient security, for the good conduct, fidelity and attention of such officers, agents and clerks; and to do all other acts and things touching the affairs of the company, and not otherwise provided for. And if there should be no election of directors at any annual meeting, as hereinbefore directed, the directors then in office shall continue until the next election, in which the majority of the stock shall be represented.

IV. And be it further enacted by the authority aforesaid, That if any subscriber shall fail to pay the amount subscribed by him, at the time required by the president and directors, it shall be lawful for the company to recover the amount which may be so due, by suit in any court of record within this State, and such delinquent shall receive no dividend until the amount so due upon his subscription shall have been paid.

V. And be it further enacted by the authority aforesaid, That if the whole amount of capital stock, authorized to be raised by this Act, shall not have been subscribed for before the said company shall have commenced its operations, it shall, in such case, be lawful for the president and directors of said company, whenever they may deem it expedient, to cause books of subscription to be opened, from time to time, in such places as they may deem fit, until the whole amount of capital stock, hereby authorized to be received, shall have been subscribed for; and also, if to them it shall seem proper, to fix the price of the additional stock at such a premium as they may, from time to time, direct; which premium shall be the common property of all the stockholders, in proportion to the capital stock owned by them, respectively.

VI. And be it further enacted by the authority aforesaid, That this Act is and shall be deemed and adjudged a public Act, and shall be and continue of force for the term of twenty-one years.

In the Senate, House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty-four, and in the fifty-ninth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.
No. 2847. AN ACT TO CAUSE SURVEYS FOR A RAIL ROAD BETWEEN CINCINNATI AND CHARLESTON.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, That the sum of ten thousand dollars, if so much be necessary, be, and the same is hereby, appropriated for the purpose of making a full examination and survey of the country between the Ohio river, near Cincinnati, and the rail road projected by the South Carolina Canal and Rail Road Company, for the purpose of ascertaining the best practicable route for such road, of making estimates of the cost thereof, the profits to be expected from transportation thereon, and the benefit it is likely to confer on the country.

II. Be it further enacted, That Robert Y. Hayne, Patrick Noble, Thomas Smith, Abraham Blanding, Charles Edmondston, and Thomas F. Jones, be appointed commissioners to cause the said examinations, surveys and estimates to be made; and that in doing so, they unite with any commissioners that may be appointed for a similar purpose, by all or any of the States of North Carolina, Tennessee and Kentucky. And the said sum of ten thousand dollars, or so much thereof as may be necessary, may be expended by the said commissioners, or a majority of them, in causing the said examinations, surveys and estimates to be made, and in publishing the report thereof.

III. Be it further enacted, That the said commissioners do hold their first meeting at Knoxville, in the State of Tennessee, on the first Monday in February next, (provided the other States above named shall appoint commissioners for that purpose,) or at such other time and place as may be appointed; and that they cause the said examinations, surveys, estimates, and reports thereof, to be made and published before the first day of October next, so that the said reports may be distributed along the entire line of the contemplated road, before books are opened for subscriptions for stock in the company to be formed for the construction of the said road.

IV. And be it further enacted, That the Governor be authorized to employ one of the above commissioners, or some other suitable person, to proceed to the different States through which the proposed road may pass, or which may be interested therein, to obtain the co-operation of the people thereof, and especially of those along the lines of the proposed road; to correspond with proper persons in this State, and the neighboring States, on this subject; to attend public meetings in those States, and in the several districts of this State, in order to afford such explanation as may be required; and, in conjunction with said commissioners, to employ surveyors, and assist in their operations; and, generally, to afford all such assistance, and, under the direction of the Governor, to exercise such superintendence, in respect to the measures contemplated by this Act, as may be necessary to carry the same into full effect. And the Governor be, and he hereby is, authorized to allow the person so employed a reasonable compensation, out of the amount above appropriated.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five, and in the sixteenth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to Corporations.

AN ACT TO INCORPORATE COXESBURY SCHOOL, AT COXESBURY, IN ABBEVILLE DISTRICT.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That William Capers, William M. Kennedy, Malcolm M'Pherson, William M. Wightman, Henry Bass, Nicholas Tally, James Dannelly, James Shackleford, Francis Conner, Thomas W. Williams, and George W. Hodges, be, and they are hereby, appointed Trustees of Coxsberry School, in Abbeville District.

II. And be it further enacted by the authority aforesaid, That the said trustees, and their successors in office, or a majority of them, shall have power and authority to make such by-laws and regulations as may be necessary for the government of said school; provided, such by-laws and regulations be not repugnant to the constitution and laws of this State.

III. And be it further enacted by the authority aforesaid, That the said trustees and their successors in office, under the name and style aforesaid, may use a common seal; and shall be, and are hereby declared to be, capable of suing and being sued, pleading and being impleaded, contracting and being contracted with, and of using all means necessary and lawful for securing and defending any money, property, debt or demands, which do now or may hereafter belong to said institution, and for receiving all grants, gifts, bequests, devises or conveyances of property, of any and all descriptions whatever; provided, nevertheless, that the whole amount of property of any and all kinds, belonging to their trust, shall not at any one time exceed fifty thousand dollars.

IV. And be it further enacted by the authority aforesaid, That the said trustees, and their successors in office, shall be intrusted with and entitled to all manner of property, both real and personal, all donations, gifts, bequests, legacies, privileges and immunities whatsoever, which may now belong to said institution, or which may hereafter be made or conveyed to it, not exceeding, as aforesaid, the sum of fifty thousand dollars; and no misnomer of the corporation shall prevent its rights from vesting, wherever it appears, or can be ascertained, that it was the intention of the party or parties to sell, give or bequeath any property, real or personal, or any right or interest, to the corporation.

V. And be it further enacted by the authority aforesaid, That the said trustees may appoint or remove all their officers, and compel them to give security, according to the by-laws of the institution; and that said board of trustees, and their successors in office, shall have power to remove any member of the board for a violation of their by-laws; provided, that no one shall be removed until he is indemnified for all responsibilities for the payment of money which he may have incurred as a trustee, aforesaid.

VI. And be it further enacted by the authority aforesaid, That when any vacancies shall happen in said board, by resignation, removal, or otherwise, the ministers of the Methodist Episcopal Church, composing the South Carolina Annual Conference, when in conference assembled, shall have the right of filling such vacancy as shall occur in the trust now filled up by the first seven incumbents named, to wit: William Capers, William M. Kennedy, Malcolm M'Pherson, William M. Wightman, Henry Bass, Nicholas Tally, and James Dannelly, so that, at all times, seven of the
eleven members of the board shall hold their offices by the appointment of the aforesaid conference, whose certificates, signed by the president for the time being of the conference, and witnessed by the secretary, shall be sufficient evidence of such appointments; and the said board of trustees shall fill up any vacancies that shall occur in the four remaining trusts.

VII. And be it further enacted by the authority aforesaid, That this Act shall be in force for the term of twenty-one years, and from thence until the adjournment of the next ensuing session of the Legislature.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five, and in the sixtieth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.

---

No. 2655. AN ACT TO AMEND THE CHARTER OF THE EDGEFIELD RAIL ROAD COMPANY.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Edgefield Rail Road Company, when formed according to the provisions of the charter, be authorized to construct a rail road from the town of Edgefield to a point at or near the town of Hamburg, on the most practicable route, instead of the rail road previously authorized, with the same rights, immunities and privileges herefore conferred for the rail road from Edgefield to Aiken.

II. And be it further enacted by the authority aforesaid, That the commissioners heretofore appointed for Edgefield, may open books at the town of Edgefield, for subscription to the stock of said company, at such time as may be found most convenient, after three weeks notice in some of the gazettes of this State, of such time, and keep said books open until the first Monday of January, 1837, unless the amount of seven hundred and fifty shares of the stock of said company be previously subscribed; and that the charter of said company shall not be forfeited if seven hundred and fifty shares of the stock be subscribed on or before the said first Monday of January, eighteen hundred and thirty-seven.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five, and in the sixtieth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.
AN ACT TO INCORPORATE THE CINCINNATI AND CHARLESTON RAIL
ROAD COMPANY.

I. Be it enacted by the Honorable the Senate and House of Representa-
atives, now met and sitting in General Assembly, and by the authority
of the same, That, for the purpose of establishing a communication, by a
corporated rail road, between the cities of Cincinnati, in the State of Ohio, and
Charleston, in the State of South Carolina, through the States of Kentucky,
Tennessee, North Carolina and South Carolina, the formation of a compa-
ny, to be called “The Cincinnati and Charleston Rail Road Company,”
is hereby authorized, which, when formed, shall have corporate existence
in perpetuity in each of the States aforesaid.

II. Books for subscriptions for sixty thousand shares of the capital stock
of the said company, of one hundred dollars each, shall be opened, on the
third Monday in October next, and shall be kept open for six successive
days, between the hours of ten o’clock in the morning and four o’clock
in the evening, of each of those days, at the following places, and by the
following commissioners, to wit: at Charleston, by Samuel Burger, Charles
M. Furman, and A. W. Campbell; at Columbia, by James Boatwright, A.
Wallace, and P. M. Butler; and at such other places in the State of
South Carolina, and by three such commissioners at each of the said places,
as the Legislature or Governor of the said State shall designate and ap-
point; at Asheville, Lincolnton, and Rutherford, and such other places in
the State of North Carolina, and by three such commissioners at each of
the said places, as the Legislature or Governor of the said last mentioned
State shall designate and appoint; at Knoxville, Jonesborough, and New-
port, and such other places in the State of Tennessee, and by three such
commissioners at each of the said places, as the Legislature or Governor
of the said last mentioned State shall designate and appoint; at Lexing-
ton, Frankfort, Louisville, Maysville, Paris and Richmond, and such other
places in the State of Kentucky, and by three such commissioners at each
of the said places, as the Legislature or Governor of the said last mentioned
State shall designate and appoint; at Cincinnati, in the State of Ohio,
by Daniel Drake, E. D. Mansfield, and John S. Williams, and at such
other places, and by three such commissioners at each of said places, as
the Governor of the said last mentioned State may designate and appoint;
at Lawrenceburg, and such other places in the State of Indiana, and by
three such commissioners at each of said places, as the Governor of the
last mentioned State may direct and appoint.

III. That the said commissioners, or a majority of them, at each of the
places aforesaid, or so as aforesaid to be designated, shall receive subscrip-
tions for stock in the said rail road company, during the times the said
books are directed to be kept open, and, on each share so subscribed, shall
demand and receive the sum of five dollars, without which the subscription
shall be void.

IV. That as soon as the time for receiving subscriptions, so as aforesaid,
shall have expired, the said commissioners shall, respectively, deposit all
money to be deposited in the money so received by them in some incorporated bank, redeeming its
notes in specie, in the State where the money shall have been received, banks.

VOL. VIII.—52.
to be composed of the following persons: David L. Swain, of Ashville; Wade Hampton, of Columbia; John Williams, of Knoxville; William Dickson, of Greeneville, Tennessee; and Robert Letcher, of Kentucky; who, or a majority of whom, shall meet at Knoxville on the first Monday in November next, ascertain the whole number of shares taken in said company, and publish the same in some newspaper in each of the cities or towns of Cincinnati, Frankfort, Lawrenceburg, Knoxville, Raleigh, Columbia, and Charleston, on or before the third Monday in November next. And if the number of forty thousand shares shall have been subscribed, on each of which there shall have been paid the sum of five dollars, the Cincinnati and Charleston Rail Road Company shall be regarded as formed, and the said central commission, or a majority of them, shall sign and seal four duplicate declarations to that effect, with the names of all the subscribers appended, and cause one of the said duplicates to be deposited in the office of the Secretary of State, in each of the States of Kentucky, Tennessee, North Carolina, and South Carolina; and thenceforth, and from the day of the closing the books of subscription, as aforesaid, the said subscribers to the stock shall form one body politic and corporate, in deed and in law, in all the States aforesaid, by the name and for the purposes aforesaid.

V. That in case any of the persons forming the said central commission should not attend at Knoxville on the said first Monday in November next, or attending, should refuse or be unable to act, the remaining member or members of the said central commission shall forthwith fill the vacancy, and the person or persons so appointed shall constitute a part of the said commission.

VI. But if, on closing the books aforesaid, the number of forty thousand shares shall not have been subscribed, then, and in that case, the said central commission, by themselves or their agents, may receive subscriptions from any of the States of Ohio, Indiana, Kentucky, Tennessee, North Carolina, and South Carolina, and also from individuals or bodies corporate, till the number of sixty thousand shares shall have been subscribed. Provided, the same shall be done on or before the first day of January, eighteen hundred and thirty-seven. And when the said number of sixty thousand shares shall have been subscribed, if the same shall be done on or before the last day aforesaid, or on that day, if a less number, but amounting to forty thousand shares or more, shall have then been subscribed, the said subscriptions shall be closed, the subscribers shall thereupon form a body corporate, as aforesaid, and the declaration thereof shall be made and deposited in the offices of the Secretaries of State, in manner aforesaid. Subscriptions of stock received by the central commission, or their agents, shall be accompanied with the certificate of some specie paying bank in some of the said States, that an amount equal to five dollars on each share subscribed, has been deposited therein by the subscriber, to the credit of the said company.

VII. In case more than sixty thousand shares shall have been subscribed, on closing the books, when they are first opened, the shares shall be reduced to that number, by deducting the surplus shares from the higher subscribers, placing them on an equality of numbers, as far as can be done; and after such reduction, the holders of the remaining shares shall form the company, and be interested therein in proportion to the number of shares which they may then, respectively, hold.
OF SOUTH CAROLINA.

Acts relating to Corporations.

VIII. If, on closing the books on the first day of January, in the year of our Lord one thousand eight hundred and thirty-seven, the number of forty thousand shares shall not have been subscribed, the money paid by each subscriber shall be returned to him, by one or more of the commissioners who received it, endorsing on the receipt given for it, a check on the bank where it has been deposited, which the bank shall be bound to pay only in case the central commission, or a majority of them, shall have published a declaration that the formation of the company has failed, for want of forty thousand shares being subscribed.

IX. The said Cincinnati and Charleston Rail Road Company, so formed as aforesaid, shall have perpetual succession of members; may have a common seal; may sue and be sued, plead and be impleaded, in any court of law or equity in the States of Kentucky, Tennessee, North Carolina, and South Carolina; and may make all such regulations, rules and by-laws, as are necessary for the government of the corporation, or effecting the object for which it is created; provided, such rules, regulations and by-laws shall not be repugnant to the laws and constitutions of the said States, or of the United States.

X. The affairs of the said company shall be managed and directed by a general board, to consist of twenty-four directors, of whom three shall be elected from stockholders residing in each of the said States of Ohio, Kentucky, Tennessee, North Carolina, and South Carolina, and the remaining nine shall be elected from among all the stockholders, without regard to their place of residence.

XI. The president of the company shall be elected by the directors from among their own numbers, in such manner as the regulations of the corporation shall prescribe.

XII. As soon as the number of forty thousand shares shall have been subscribed, in manner aforesaid, it shall be the duty of the commissioners appointed to declare the same, to appoint a time for the stockholders to meet at Knoxville, in the State of Tennessee, which they shall cause to be published in one or more newspapers published in each of the States of Ohio, Indiana, Kentucky, Tennessee, North Carolina and South Carolina; at which time and place the said stockholders, in person or by proxy, shall proceed to elect the directors of the company, and to enact all such regulations, rules and by-laws, as may be necessary for the government of the corporation and the transaction of its business. The persons elected directors at this meeting shall serve for such period, not exceeding one year, as the stockholders may direct; and at this meeting the stockholders shall fix on the day and place or places where the subsequent election of directors shall be held; and such elections shall thenceforth be annually made. But if the day of annual election should pass without any election of directors, the corporation shall not be thereby dissolved, but it shall be lawful on any other day to hold and make such election, in such manner as may be prescribed by a by-law of the corporation.

XIII. The board of directors may fill up all vacancies which may occur in it during the period for which their board may have been elected; and, in the absence of the president, may fill his place, by electing a president pro temore.

XIV. The general board of directors may establish under them a local board in each of the said States of Kentucky, Tennessee, North Carolina, Local Boards and South Carolina, to be composed of a president and eight members; and may entrust to such local board so much of the business and affairs of
the company as, by the rules and regulations of the company, may be prescribed.

XV. All contracts and agreements, authenticated by the president and secretary of the general or a local board, shall be binding on the company without seal, or such other mode of authentication may be used, as the company, by their by-laws, may adopt.

XVI. The board of directors shall not exceed in their contracts the amount of the capital of the corporation, and of the funds which the company may have borrowed and placed at the disposal of the board; and in case they should do so, the president and directors who may be present at the meeting at which such contract or contracts so exceeding the amount aforesaid shall be made, shall be, jointly and severally, liable for the excess, both to the contractor or contractors and the corporation; provided, that any one may discharge himself from such liability, by voting against such contract or contracts, and causing such vote to be recorded in the minutes of the board, and giving notice thereof to the next general meeting of the stockholders.

XVII. That the said corporation shall have power and may proceed to construct, as speedily as their means will permit, a rail road, with one or more tracks, to be used with steam, animal, or any other power, which shall pass through the States of Kentucky, Tennessee, North Carolina, and South Carolina, so as to form a continuous line of rail road between the cities of Cincinnati and Charleston; the line of which road shall be established by the general board of directors, subject to the control of the stockholders at a general meeting. The said company may use any section of the said rail road, before the whole may be completed; subject to the rates hereinafter mentioned.

XVIII. Neither of the said States of South Carolina, North Carolina, Tennessee, nor Kentucky shall, within the period of thirty-six years from the first day of January, in the year one thousand eight hundred and thirty-six, authorize the construction of any rail road within twenty miles of the rail road so to be constructed by the Cincinnati and Charleston Rail Road Company, which shall connect any points or places on their rail road, or which shall run in the general direction thereof, without the consent of the said company.

XIX. The said company may construct branches of their road; provided, such branches shall not conflict with any chartered rights existing at the time of their construction; and provided, that they shall be attended with no exclusive privileges, except the exclusive right of transportation of goods, wares, merchandise, produce, and persons thereon; subject to the rates hereinafter mentioned.

XX. That the said company shall have the exclusive right of transportation or conveyance of persons, goods, merchandise and produce, over the said rail road and its branches, by them to be constructed; provided, that the charge of transportation or conveyance shall not exceed thirty-five cents per hundred pounds, on heavy articles, and ten cents per cubic foot, on articles of measurement, for every hundred miles, and five cents a mile for every passenger; and provided, also, that the said company may, when they see fit, farm out their right of transportation on the said road, or any of its branches; subject to the rates above mentioned.

XXI. The said company, and every person who may have received from them the right of transportation of goods, wares and produce, on the said road, shall be deemed and taken to be a common carrier, as respects all
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1835.

Method of paying installments.

XXII. The general board of directors may call for the payment of ninety-five dollars on each share of the stock, in sums not exceeding five dollars in every sixty days, except that after eighty dollars shall have been paid on each share, the remaining twenty dollars may be called for in two installments, which shall be at least sixty days apart, or the payments may be called for in smaller sums, and at more distant periods. The call for each installment shall be advertised in one or more newspapers in Cincinnati, Lawrenceburg, Lexington, Frankfort, Knoxville, Asheville, Columbia and Charleston, where newspapers shall be published, and such other places as may be directed by the rules of the company, at least one month before the time the same is to be paid; and failure to pay, or secure to be paid, according to the rules of the company, any of the installments so called for, as aforesaid, shall induce a forfeiture of the share or shares on which default shall be so made, and all payments thereon, and the same shall vest in and belong to the company, and may be appropriated as they shall see fit.

XXIII. The stock of the said company may be transferred in such manner and form as may be directed by the by-laws of the company.

XXIV. The said company may, at any time, increase its capital to a sum sufficient to complete the said road and its branches, and stock it with everything necessary to give it full operation and effect, either by opening books for new stock, or by selling such new stock, or by borrowing money on the credit of the company, on the mortgage of its charter and works; and the manner in which the same shall be done, in either case, shall be prescribed by the stockholders, at a general meeting.

XXV. It shall be lawful for the said company, from time to time, to vest so much or such parts of their capital, or of their profits, as may not be required for immediate use, until it may be so required, in the public stocks of any of the States of Ohio, Indiana, Kentucky, Tennessee, North Carolina, or South Carolina, or of any incorporated banks in the said States. Provided, the sum so invested shall at no one time exceed one million of dollars.

XXVI. The board of directors shall, once in every year at least, make a full report on the state of the company and its affairs, to a general meeting of the stockholders, and oftener if directed by a by-law; and shall have power to call a general meeting of the stockholders, when the board may deem it expedient; and the company may provide in their by-laws for occasional meetings being called, and prescribe the mode thereof; and the company may provide, by a by-law, for the votes of stockholders for directors being taken at more than one place; as also for taking their votes on any question relative to the repeal, alteration or amendment of or addition to any of the rules, regulations or by-laws of the company, proposed by the general board of directors.

XXVII. No person but a citizen of the United States, and being a bona fide stockholder in his own right, of at least fifty shares, which he shall have held at least three months previous to his election, (except at the first election,) shall be president or a director of the general board; nor shall any stockholder vote, in person or by proxy, at any general or other election, except the first, who shall not have held in his own right the shares on which he offers to vote, at least three months previous to such election.
XXVIII. The stockholders may provide by a by-law, as to the number of stockholders, and the amount of stock to be held by them, which shall constitute a quorum for transacting business at any regular or occasional meeting of stockholders or directors.

XXIX. No member of the general or local board of directors, or officers, or agents of the company, shall be directly or indirectly interested in any contract for work; nor shall any director vote on the passing of any bill for materials in which he is directly or indirectly concerned; nor shall any director, officer or agent, be interested, directly or indirectly, in the purchase of any lands, buildings or other property, immediately on the line of Rail Road, or any branches thereof, without having first offered to the board of directors, in writing, the right of pre-emption to all or any part of such lands, buildings or other property, which the said board may think proper to purchase for the use of the company; and every director, officer or agent, violating this provision, may be removed from the board, his office or employment, by vote of the directors; and every purchase made in violation of this rule, shall enure to the benefit of the company, if the board of directors choose to avail themselves thereof.

XXX. Any stockholder in the company may vote by proxy, who must be a resident citizen of the United States; and before he votes, he may be required by a stockholder to swear, that to his belief, the stock bona fide belongs to the person whom he represents. Before any stockholder votes in his own right, or for an estate, he may be required by any stockholder to swear, that he is the bona fide owner of the said stock, in his own right, or as the legal representative of the testator or intestate whom he represents, and that no other person but himself or the estate, is directly or indirectly interested therein, to his belief. Any State holding stock, may vote by such person as the Legislature or Governor thereof may appoint, or as may be appointed in any other way, pursuant to the laws of the State made for that purpose.

XXXI. That in the election of directors, and in voting on all questions which may come before a meeting of the stockholders, or which may be submitted to the decision of the stockholders in any other manner, the votes shall be taken according to the following scale:—the owner of one or two shares, shall be entitled to one vote; the owner of not less than three nor more than four shares, shall be entitled to two votes; the owner of not less than five nor more than six shares, shall be entitled to three votes; the owner of not less than seven nor more than eight shares, to four votes; the owner of not less than nine nor more than eleven shares, shall be entitled to five votes; the owner of not less than twelve nor more than fifteen shares, to six votes; the owner of not less than sixteen nor more than twenty shares, to seven votes; the owner of not less than twenty-one nor more than twenty-six shares, to eight votes; the owner of not less than twenty-seven shares, nor more than thirty-three shares, to nine votes; the owner of not less than thirty-four shares, nor more than forty shares, to ten votes; and the owner of every ten shares above forty, shall be entitled therefor to one vote; provided, that no individual, corporation nor State holding stock in the said company, shall be entitled to more than five hundred votes, and one vote for every fifty shares over five thousand shares. Any person being a subscriber or stockholder, who may offer to vote as a proxy, may be required by any subscriber or stockholder to swear that he has no interest, directly or indirectly, in the stock on which he so-
OF SOUTH CAROLINA.

Acts relating to Corporations.

XXXII. The said company may purchase, have and hold, in fee, or for a term of years, any lands, tenements or hereditaments, which may be necessary for the said road, or any branch or appurtenance thereof, or for the erection of depositories, storehouses, houses for the officers, servants or agents of the company, or for workshops or foundaries, to be used for the said company, or for procuring timber, stone, or other materials necessary to the construction of the road, its branches or appurtenances, or for effecting transportation thereon, and for no other purpose whatever.

XXXIII. The said company shall have the right, when necessary, to conduct the said Rail Road, or any branch thereof, across or along any public road or watercourse; provided, that the said road, and the naviga-
tion of such water-course, shall not be thereby obstructed.

XXXIV. The said company may purchase, have and hold, any bridge or turnpike road, over which it may be necessary to carry the said Rail Road; and when such purchase is made, to hold the said bridge or turn-
pike road, on the same terms, and with all the rights, which belonged to the individuals or corporation from which such purchase may be made; provi-
ded, that the said company shall not obstruct any public road, without con-
structing another as convenient as may be.

XXXV. That where any lands or right of way may be required by the said company for the purpose of constructing their road, and for want of agreement as to the value thereof, or for any other cause, the same cannot be purchased from the owner or owners, the same may be taken at valu-
tion to be made by five commissioners, or a majority of them, to be ap-
pointed by any court of record having common law jurisdiction in the county or district where some part of the land or right of way is situated. And the said commissioners, before they act, shall severally take an oath, before some justice of the peace, faithfully and impartially to discharge the duty assigned them. In making the said valuation, the commissioners shall take into consideration the loss or damage which may occur to the owner or owners in consequence of the land being taken, or the right of way surrendered; and also, the benefit and advantage, he, she or they, may receive from the erection or establishment of the Rail Road or works; and shall state particularly the nature and amount of each; and the excess or loss and damage, over and above the benefit and advantage, shall form the measure of valuation of the said land or right of way. The proceed-
ings of the said commissioners, accompanied with a full description of the said land or right of way, shall be returned, under the hands and seals of a majority of the commissioners, to the court from which the com-
mission issued, there to remain of record. In case either party to the proceedings shall appeal from said valuation, to the next session of the court granting the commission, and give reasonable notice to the opposite party of such appeal, the court, upon satisfactory proof that the appellant has been injured by the said valuation, shall order a new valuation to be made by a jury, who shall be charged therewith in the same term, or as soon as practicable, and their verdict shall be final and conclusive between the parties, unless a new trial shall be granted; and the lands or right of way, so valued by the commissioners or jury, shall vest in the said company in
see simple, as soon as the valuation may be paid, or when refused may be tendered. Where there shall be an appeal, as aforesaid, from the valuation of commissioners, by either of the parties, the same shall not prevent the works intended to be constructed from proceeding; but where the appeal is made by the company, requiring the surrender, they shall be at liberty to proceed in their work, only on condition of giving to the opposite party a bond, with good security, to be approved of by the clerk of the court, where the valuation is returned, in a penalty equal to double the said valuation, conditioned for the payment of the said valuation and interest, in case the same be sustained, and in case it be reversed, for the payment of the valuation thereafter to be made by the jury and confirmed by the court.

XXXVI. In the absence of any contract or contracts with the said company, in relation to lands through which the said road or its branches may pass, signed by the owner thereof or his agent, or any claimant or person in possession thereof, which may be confirmed by the owner thereof, it shall be presumed that the land upon which the said road, or any of its branches, may be constructed, together with the space of one hundred feet on each side of the centre of the said road, has been granted to the company by the owner or owners thereof, and the said company shall have good right and title thereto, and shall have, hold and enjoy the same, so long as the same may be used only for the purposes of the said road, and no longer; unless the person or persons owning the said lands, at the time that part of the said road which may be on the said land was finished, or those claiming under him, her or them, shall apply for an assessment of the value of the said lands, as hereinbefore directed, within five years next after that part of the road was finished; and in case the said owner or owners, or those claiming under him, her or them, shall not apply for such assessment, within five years next after the said part was finished, he, she or they, shall be forever barred from recovering the said land, or having any assessment or compensation therefor; provided, nothing herein contained shall affect the rights of female coverts or infants, until two years after the removal of their respective disabilities.

XXXVII. All lands not heretofore granted to any person, nor appropriated by law to the use of the State, within one hundred feet of the centre of the said road or its branches, which may be constructed by the said company, shall vest in the company, so soon as the line of the road is definitely laid out through it, and any grant thereafter shall be void.

XXXVIII. That if any person or persons shall intrude upon the said Rail Road, or any branch thereof, or part thereof, by any manner of use thereof, or of the rights and privileges connected therewith, without the permission or contrary to the will of the said company, he, she or they, shall forsworn forfeit to the said company, all the vehicles that may be so intruded on the said road, and the same may be seized by the company or its agents, or recovered by suit at law; and the person or persons so intruding, may be also indicted for a misdemeanor, and upon conviction, fined and imprisoned by any court of competent jurisdiction.

XXXIX. 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 therefor, 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, of the land, where such destruction, hurt, damage, injury or obstruction was done or caused, at the time the same was caused or done.

XL. Every obstruction to the safe and free passage of vehicles on the said road or its branches, shall be deemed a public nuisance, and may be abated as such, by any officer, agent, or servant of the company; and the person causing such obstruction may be indicted and punished for erecting a public nuisance.

XLI. That the said company shall have right to take, at the storehouses they may establish on or annex to their Rail Road, or the branches thereof, all goods, wares, merchandise and produce, intended for transportation, storage, prescribe the rules of priority, and charge and receive such just and reasonable compensation for storage, as they by rules may establish, which they shall cause to be published, or as may be fixed by agreement with the owner, which may be distinct from the rates of transportation.

XLII. The profits of the company, or so much thereof as the general board may deem advisable, shall, when the affairs of the company will permit, be semi-annually divided among the stockholders, in proportion to the stock each may hold.

XLIII. That the capital stock in the said company, the dividends thereon, and all the property and estates, real and personal, belonging to the said company, shall be forever exempt from taxation, in each and every of the said States of South Carolina, North Carolina, Tennessee, and Kentucky; and it shall not be lawful for either of the said States, or any corporate, municipal, police, or other authority thereof, or of any town, city, county or district thereof, to impose any tax on such stock or dividends, property or estates; provided, that the said stock or dividends, when the said dividends shall exceed the legal interest of the State, may be subject to taxation by the State, in common with other money at interest, and interest thereof.

XLIV. That the following officers and persons, in the actual service of the said company, be, and hereby are, exempted from the performance of jury and ordinary militia duty, to wit:—the presidents of the general and militia duty.

local boards, the chief and assistant engineers, the secretaries, auditors, and accountants of the boards, keepers of the depositories, guards stationed on the road to protect it from injury, not exceeding one man to every five miles, and such persons as may be working the locomotive engines, and travelling with cars, for the purpose of attending to the transportation of goods or passengers on the road, not exceeding one engineer and his assistant to each locomotive engine, and one person to each passenger car, and every five cars for transporting goods.

XLV. The said company is hereby expressly prohibited from carrying on any banking operations, and from effecting any insurance on lives or property, except on goods transported on the said Rail Roads or its branches, bailed, or in the company's custody, for or in consequence of such transportation.

XLVI. And the said company shall be entitled only to such powers and
privileges as shall be granted to it by all the Legislatures incorporating it, and the powers necessary and proper to give them effect, and shall be subject to all the restrictions and disabilities which may be imposed on it by any of the Legislatures by the Act of incorporation; so that its powers, privileges and disabilities, may be similar in all the States of Kentucky, Tennessee, North Carolina, and South Carolina.

XLVII. This Act shall be inoperative and void, unless Acts for a similar purpose are enacted by the Legislatures of North Carolina, Tennessee and Kentucky.

XLVIII. This Act shall be regarded as a public Act, and may be given in evidence as such, in all cases, without special pleading.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five, and in the sixtieth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

No. 2661. An Act to Incorporate the Charleston and Liverpool Line Packet Company.

I. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, That James Hamilton, William Seabrook, Sr., Wade Hampton, William Aiken, R. W. Roper, George H. Paddock, Alexander Black, John J. Bulow, John L. Wilson, and Jacob Chamberlain, in behalf of themselves, and such others as now are, or hereafter may be, associated with them, for the purpose of establishing a line of Packet Ships between the ports of Charleston and Liverpool, are hereby constituted a body politic and corporate, by the name and title of "The Charleston and Liverpool Line Packet Company," to be located in the city of Charleston, and to continue fourteen years.

II. The books of subscription to the capital stock of this company shall be opened, under the inspection of the commissioners for receiving such subscription, in the city of Charleston, on the fifteenth day of February, eighteen hundred and thirty-six, and may be continued open from day to day, until the capital stock shall be subscribed, for one year. And the said commissioners shall close the books of subscription to the capital stock so soon as the whole amount shall be subscribed. Ten days previous notice shall be given of the time and place of opening the books, in one or more of the daily newspapers printed in the city of Charleston; at which time, twenty dollars on each share subscribed shall be paid to the commissioners, at the time of making the subscription, in specie, or current bank notes of this State; which amount subscribed shall be forfeited to this corporation, provided the second installment is not paid in on the day or days appointed for the same; and the commissioners to open the books of subscription to the capital stock of this company, shall be Jonathan Lucas, John Frazer, and George H. Paddock, all of the city of Charleston.
III. The business and transactions of this company shall be managed by a board, consisting of a president and four directors, who shall be stockholders, and exercise all the powers of this charter, and who shall hold their office for one year, and until others shall be elected, and no longer; which election shall be on the first day of March, eighteen hundred and thirty-six, for president and directors; and said elections shall be annual in every succeeding year after the incorporation of this company, at such place in the city of Charleston as a majority of the board of directors shall appoint, of which public notice shall be given in two of the newspapers printed in the city of Charleston, at least ten days previous to the election; and such election shall be made by ballot by a plurality of stockholders present, agreeable to the following scale:—one to two shares, constituting one vote; three to four shares, two votes; five to six shares, three votes; seven to eight shares, four votes; nine to eleven shares, five votes; twelve to fifteen shares, six votes; sixteen to twenty shares, seven votes; twenty-one to twenty-six shares, eight votes; twenty-seven to thirty-three shares, nine votes; thirty-four to forty shares, ten votes; and for every ten shares over forty shares, one vote more. And no copartnership trading under any firm, shall be allowed to give more votes than if their stock was subscribed by an individual. Any person who is a stockholder shall be allowed to vote by proxy, duly authorized.

IV. In case it should at any time happen that an election of directors should not be made on the day upon which, pursuant to this Act, it should be made, the said corporation shall not for that cause be dissolved, but it shall and may be lawful to hold such election on such other day, in the manner aforesaid, as shall be prescribed by the laws and ordinances of the said corporation.

V. That all persons who may import goods in the ships belonging to this company, shall, during five years, be exempted from all State taxation on such goods as may be actually so imported, which exemption shall likewise be extended to all goods, wares and merchandise, imported in any ship or ships owned by a citizen or resident of South Carolina, and fitted out within the limits of the same, the time to be computed from the arrival of the first ship of the company on her return voyage in Charleston, or any ship or ships as above provided for; and it shall be lawful for the tax collectors throughout the State, to require every importer making a return of stock in trade, to take the following oath, in addition to the oath now required by law:

"I, A B, do solemnly swear, or affirm, that my return of stock in trade is a full, fair and just return of the amount of all monies invested by me, in goods, wares and merchandise, of every description; except such as I have actually imported in the ships belonging to the Charleston and Liverpool Line Company, or in a ship or ships owned by a citizen or resident of South Carolina, and fitted out from a port within the limits of the same."

This exemption shall be confined exclusively to the original importer, and the tax collector shall require, in all cases, the production of the original invoice, whenever an exemption of taxation shall be claimed on any particular species of goods so imported.

VI. The capital stock of this company shall be one hundred and fifty thousand dollars, divided into shares of five hundred dollars each, with the privilege of increasing the same to five hundred thousand dollars.
VII. It shall and may be lawful for said corporation to purchase and hold such and so much real estate as shall be necessary for the transaction of their business, and such real estate shall not exceed in value fifty thousand dollars; which real estate shall be exempted from taxation for the term of five years from the time of the arrival of the first ship of the company in Charleston, on her return voyage from Liverpool; and this corporation shall have power to change or convey the same.

VIII. Each subscriber shall pay the assessments made on the shares for which he subscribes; provided, the assessments shall not together exceed the sum of five hundred dollars on each share; and the profits or losses arising from the concern shall be shared by the stockholders in the just proportion which their shares bear to the whole number.

IX. Not less than three directors shall constitute a board for the transaction of business, of whom the president shall always be one, necessary absence only excepted, in which case a president shall be chosen for the time being. The president and directors shall also appoint a secretary, a treasurer, and one or more agents, to whom such commission and compensation shall be given for their services as the president and directors shall deem proper, and of whom such security shall be required as they shall think necessary for the safety of the company.

X. The president and directors shall have power, and it shall be their duty, in order to carry into effect the plan of the company, to appoint such officers as they shall think proper; to regulate the price of freights and passages; to direct the days of the packets sailing; to purchase, charter, or cause to be built, as soon as may be, such ship or ships as they shall think necessary and proper. The president and directors shall also have power, if they deem it expedient, to purchase and ship, or order to be purchased and shipped, on account of the company, in vessels belonging to or chartered by the company, such merchandise as shall be thought advisable; to appoint such agents in Liverpool or Charleston as they shall think proper; and to displace any agent or officer at pleasure; to establish such regulations and by-laws as shall be deemed expedient, not contravening any section of this charter; and generally, to transact all such matters and things touching the interest of the company, in such manner as they shall deem most advisable.

XI. No transfer of stock shall be valid, unless the same be regularly made in the books of the company kept for the purpose.

XII. The president and directors shall have power to levy, from time to time, such assessments as shall be deemed necessary, agreeable to the eighth section; and it shall be their duty to make semi-annual dividends of the profits arising from the concern.

XIII. It shall be the duty of the president and directors, or their agents, to effect insurances on the different ships, and also, on such shipments as shall be made on board them for account of the company.

XIV. The president and directors are empowered to call special meetings, whenever they shall deem it necessary, and it shall be their duty to call them at the request of ten or more stockholders, whose stock together shall not be less than forty shares; and the president and directors shall give at least three days notice of all meetings, in such manner as they may deem proper.

XV. In order to give confidence to the public, and that all persons dealing with this company may know with whom they are so dealing, it shall be the duty of the secretary, or other persons having charge of the books
OF SOUTH CAROLINA.

Acts relating to Corporations.

of the company, upon reasonable application, to communicate to any person or persons applying therefor, the names of all the stockholders composing the company, at the time of such application, or any prior time, to which such inquiry may be directed.

XVI. Be it further enacted, That all those who have associated for the purposes aforesaid shall not be curtailed in their subscription, and if the said persons shall, on the day of opening the books of subscription to the capital stock, take the residue of the same, they shall have the preference, and in case the associates shall subscribe more than the remaining stock, they shall take ratably according to their present subscription.

XVII. And be it further enacted, That Jonathan Lucas, John Fraser, and George H. Paddock, commissioners appointed to open the books of subscription to the capital stock, are hereby appointed to manage the election for president and directors at the first election.

XVIII. The Legislature may at any time alter or modify this Act by the consent of the corporation.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five, and in the sixtieth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE AMERICAN AND GERMAN TRADING AND 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 Incorporation Henry Shultz, Charles Lamar, and Edward Delens, in behalf of themselves and such others as now or hereafter may be associated with them, for the purpose of establishing a direct trade between the Town of Hamburg, South Carolina, and the kingdoms of Prussia, Sweden, Denmark, Holland, and the Free Republic of Hamburg, Germany, by the way of Charleston, South Carolina, are hereby constituted a body corporate and politic, by the name and title of "The American and German Trading and Insurance Company," with a capital of five hundred thousand dollars, to be divided into shares of one thousand dollars each.

II. Be it further enacted, That the persons before named shall be, and are hereby, considered directors of said company, with the power of appointing and electing officers, until an election can conveniently take place under this charter; and they, the said company, are hereby authorized and empowered to take up, by subscription, at such times and places as they may hereafter deem expedient, either the whole or any part of said capital, with such penalties for enforcing the payment of the subscriptions thereto, as, by their by-laws, a majority of them shall prescribe.

III. And be it further enacted, That the said company shall have such number and succession of officers and members as shall be ordained and
STATUTES AT LARGE

Acts relating to Corporations.

Powers.
chosen by the rules and by-laws, made or to be made, for their government and direction; and shall have power and authority to make all by-laws, rules and regulations, which a majority of them may deem proper, not repugnant to the laws of the land; to have and keep a common seal, and the same to alter at will; to sue and be sued, to 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 incidental and belonging to corporate bodies, according to the laws of this State.

IV. And be it further enacted, That in all elections, and upon any other subject or question, (except when restrained by the by-laws,) every stockholder shall be entitled to as many votes as he shall have shares, and such stockholder as may be absent from any meeting shall be entitled to vote by proxy.

V. And be it further enacted, That the said company shall be able and competent, in law and equity, to have, hold and enjoy, and shall have power to change and convey, such real estate as they shall deem proper in any way to acquire, as may be necessary for the transaction of their business, which real estate shall not exceed in value twenty-five thousand dollars.

VI. And be it further enacted, That the said company shall have power and authority to insure and take risks upon all goods, wares and merchandise, that shall be shipped on board such vessels or ships as may be owned or chartered by them.

VII. And be it further enacted, That this Act shall be and continue in force for the term of fourteen years, and from thence to the adjournment of the next succeeding Legislature; and that nothing herein contained shall be construed to bar or prevent the General Assembly of this State from incorporating, at any time hereafter, any other company or companies, for the same or similar purposes.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five, and in the sixtieth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.

No. 2664. AN ACT TO AUTHORIZE THE FORMATION OF THE BARNWELL RAIL ROAD COMPANY.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the formation of a corporate company is hereby authorized, for the construction of a rail road, on the most practicable route, from the town of Barnwell to a point within one hundred feet of the Charleston and Hamburg rail road, at or near the town of Blackville; and the said company shall have exclusive right to make, keep up and employ, such rail road; add for the term of time hereinafter mentioned, no canal
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1835.

or other rail road between the town of Barnwell and the point aforesaid, shall be constructed by or under the authority of the State.

II. And be it further enacted by the authority aforesaid, That the stock of the company hereby authorized shall consist of two hundred shares of one hundred dollars each share; but the said company shall be at liberty to enlarge their capital, as in the progress of their undertaking they may find necessary, either by additional assessments on the original shares, not to exceed in the whole the sum of fifty dollars on each original share, or by new subscriptions, in shares of not more than one hundred dollars each; the terms and conditions of which new subscriptions the said company is authorized to prescribe; and it shall be lawful for the said company, from time to time, to invest so much of their capital, or of their profits, as may not be required for immediate use, and until it may be so required, in public stock of the United States, or of this State, or of any incorporated bank, and draw and apply the dividends, and when, and as they shall see fit, use and transfer any parts or portions thereof.

III. And be it further enacted by the authority aforesaid, That books for subscription to the stock of the company hereby authorized, shall be Commission- opened at Barnwell court house, by five commissioners, to wit: A. Patterson, B. H. Brown; M. D. Maher, James E. Robinson, and James O. Hagoon; and the books shall be opened in the said place, on the first Monday in March next, and kept open for one week, between the hours of nine in the morning and four in the evening; and the time and place of subscribing shall be advertised by the said commissioners in one or more or the Charleston gazettes, and in the Aiken Telegraph, for at least three weeks prior to the day for opening the books. If any of the commissioners before named shall, after the passage of this Act, decline to act, a majority of the delegates in the General Assembly from Barnwell may appoint a fit and proper person to supply the vacancy of him so declining to act; and if any one of the commissioners shall not attend at the place of opening the books, the other four commissioners may choose a fit and proper person to supply his place. Upon the books being open, as aforesaid, individuals may subscribe for as many shares as they see fit, paying to the said commissioners, at the time of subscription, twenty dollars on each share subscribed; and the commissioners shall designate in the books, opposite to the names of the subscribers, the day of subscription, the number of shares subscribed, and the sum of money paid, respectively; and for the sums so paid the commissioners shall give receipts to the individuals paying; and in case of over-subscriptions, the overplus to be refunded to the subscribers, the balance to be kept by the commissioners, subject to the order of the president or board of directors, after the company is arranged.

IV. And be it further enacted by the authority aforesaid, That if the number of shares subscribed shall exceed two hundred, then the shares shall be reduced, rateably, to that number; except that no subscription of two or more of shares or less shall be reduced. If the number of shares subscribed be less than one hundred shares, the commissioners at Barnwell may keep the books open at that place until the number of one hundred shares be subscribed, and twenty dollars be paid on each share, as aforesaid. If the number of shares subscribed shall be less than two hundred, but amount to a moiety thereof, namely, one hundred shares, the said company may be formed thereon; and the said company, when organized, may cause books
STATUTES AT LARGE

Acts relating to Corporations.

to be opened by the directors, after sixty days notice of the time and place of subscription, and receive such additional subscriptions as can be obtained, on the condition aforesaid, that twenty dollars be paid on each share at the time of subscription; and may keep the books open until the whole number of two hundred shares be subscribed.

V. And be it further enacted by the authority aforesaid, That on the subscriptions of shares in the stock of the company to an amount equal to or exceeding a moiety of the whole number, as aforesaid, being made, or in case of excess of subscription, upon the number being reduced to two hundred, in manner aforesaid, the said company shall be considered as formed, and this Act of incorporation shall and may attach and become effectual, and the company may take measures for complete organization. For this purpose the commissioners in Barnwell shall appoint a convenient time and place for the meeting of the stockholders, and shall cause the same to be advertised in one or more, respectively, of the gazettes published in Charleston and Barnwell, for three weeks prior to the day of meeting; at which time and place the subscribers of the stock may attend, in person or by proxy, and the meeting be assembled, and a proper registry made of all the subscribers who may be in attendance, in person or by proxy; the commissioners at Barnwell, or a majority of them attending, shall present a ballot box, in which the subscribers may vote by ballot for a president and seven directors, to serve for one year, and until a new election be made; and the presiding commissioner shall count the ballots, declare the election, and make and deliver proper certificates thereof, under their hands.

VI. And be it further enacted by the authority aforesaid, That in the said elections, and in all future elections for president and directors, and in the making, altering or repealing of by-laws, and in determining on measures involving the general interest of the company, at any stated or occasional corporate meeting, the votes of the stockholders shall be taken and governed by the scale and regulations following: the owner of one or two shares shall be entitled to one vote; the owner of three or four shares shall be entitled to two votes; the owner of five or six shares shall be entitled to three votes; the owner of seven or eight shares shall be entitled to four votes; the owner of nine or ten shares shall be entitled to five votes; the owner of eleven or twelve shares shall be entitled to six votes; the owner of thirteen or fourteen shares shall be entitled to seven votes; the owner of fifteen or sixteen shares shall be entitled to eight votes, and in the same proportion for any number of shares subscribed. No one but a subscriber shall be capable of being a proxy, and the appointment of a proxy shall be in writing, signed by the stockholder appointing, and authenticated by the affidavit of the subscribing witness, made before some lawful magistrate, and endorsed upon the writing of appointment. Any person offering to vote as a proxy, may be required by any stockholder to swear that he has no interest, directly or indirectly, in the stock on which he offers to vote as proxy. A trustee of stock shall not vote on shares held by him in trust, expressed or declared, where the certique trust holds other shares, either in his own name or in the name of another trustee; but the certique trust may vote on all shares owned by him, whether legally or equitably, according to the scale aforesaid.

VII. And be it further enacted by the authority aforesaid, That the election of president and directors shall be made annually, according to a by-law to be made for that purpose. And in case any vacancy occur in
the board, between two periods of general election, a majority of the board of directors, at any regular or stated meeting of the board, may elect, by ballot, from the stockholders, a person to fill the vacancy so occurring, until the next general election of directors. But if it happen that the day of annual election of president and directors should pass without election, as to all or any of them, being effected, the corporation shall not be dissolved or discontinued thereby, but it shall be lawful on any other day to hold and make such election, in such manner as may be prescribed by the by-laws of the corporation; subject, always, to the scale and regulations of the sixth section of this Act.

VIII. And be it further enacted by the authority aforesaid, That the said company, to be organized as aforesaid, shall be called "The Barnwell Rail Road Company," and have perpetual succession of members; may make and have a common seal, and break and alter it at pleasure; may sue and be sued, answer and be answered unto, by their corporate name aforesaid, in all courts of law and equity or judicial tribunals in this State; and shall be capable, at all times, of making and establishing, altering and revoking, all such regulations, rules and by-laws, for the government of the company and its direction, as they may find necessary and proper for effecting the ends and purposes intended by the association, and contemplated in this Act; provided, such regulations, rules and by-laws, be not repugnant to the constitution and laws of this State; but the said company, and the provisions of this Act, shall not be controlled nor effected by the operation of an Act, passed the 17th December, 1827, entitled "An Act establishing the principles on which companies shall be incorporated, and the charters of ferries, bridges and turnpike roads, shall be hereafter granted, and for other purposes therein expressed."

IX. And be it further enacted by the authority aforesaid, That the Barnwell Rail Road Company shall have power and capacity to purchase, take and hold, in fee simple, or for years, to them and their successors, any lands, tenements or hereditaments, that they may find necessary for the site, on and along which to locate, run and establish the Rail Road aforesaid, or to vary or alter the plan or plans, and of such breadth or dimensions through the whole course of the road, as they may see fit; and in like manner, take and hold, any lands contiguous to or in the vicinity of the said Rail Road, that they may find necessary for the procuring, and from time to time, readily obtaining, all proper materials, of what kind soever, for constructing, repairing, guarding and sustaining the said Rail Road; and in like manner, to purchase all private rights of way on land, and all necessary privileges in waters or water courses, that may lie on or across the route through which the said Rail Road may pass; and also, all lands contiguous thereto, that may be found necessary for the erecting of toll-houses or store-houses, work-shops, barns, stables, residences, and accommodations for servants, agents or mechanics, and for the stationing and maintaining all animals of labor. And the said company shall have power, if need be, to conduct their Rail Road across and over any public road, creek, waters or water-course, that may be in the route; provided, the passage of the public road, or the navigation of the stream, be not obstructed thereby.

X. And be it further enacted by the authority aforesaid, That in any case where lands or private rights of way may be required by the said company, for the purposes aforesaid, and the same cannot be purchased from the owner or owners, for want of agreement of the parties as to price, or...
for any other cause, the said railroad company are hereby authorized to proceed in the same manner as laid down in the tenth and eleventh sections of the charter of the Edgefield Rail Road Company.

XI. And be it further enacted by the authority aforesaid, That the Barnwell Rail Road company shall have, at all times, the exclusive right of conveyance or transportation of persons, merchandise and produce, over the rail road to be by them constructed, while they see fit to exercise the exclusive right; provided, that the charge of transportation or conveyance shall not exceed twelve and one half cents per hundred pounds on heavy articles, and six and a quarter cents per cubic foot on articles of measurement, for ten miles, or the whole route, and five cents per mile for every passenger. The said company may, when they see fit, rent or farm out all or any part of their said exclusive right of conveyance or transportation of persons, merchandise and produce, on the said road, with their privileges, to any individual or individuals, or other company, and for such term as may be agreed upon, subject to the rates above mentioned. And the said company, in the exercise of their rights of conveyance and transportation of persons or property, and the persons so taking from the company the right of conveyance or transportation, so far as they act in the same, shall be regarded as common carriers. And the said company may use or employ any sections of their intended Rail Road, subject to the rates before mentioned, before the whole shall be completed, and in any part thereof which may afford public accommodation for the conveyances of persons, merchandise or produce; and the said company shall have power to take, at the storehouses they may establish on or annex to the said rail road, all goods, wares, merchandise and produce, intended for transportation or conveyance, prescribe the rules of priority, and charge such just and reasonable prices and compensation for storage and labor, as they may, by rules, establish, which rules they shall cause to be published, or as may be fixed by agreement with the owners; which compensation shall and may be distinct from the aforesaid rates of transportation.

XII. And be it further enacted by the authority aforesaid, That whenever the said company shall see fit to farm out, as aforesaid, to any other person or persons or body corporate, any part of their exclusive right of conveyance and transportation, and shall deem it expedient to open the said Rail Road, or any part thereof, to public use, they shall and may adopt and enforce all necessary rules and regulations, and have power to prescribe the construction and size or burthen of all carriages and vehicles, and the materials of which they shall be made, that shall be permitted to be used or pass on the said Rail Road, and the power which shall be used with them.

XIII. And be it further enacted by the authority aforesaid, That if any person or persons shall intrude upon the said Rail Road, or any part thereof, or the rights and privileges connected therewith, without the permission or contrary to the will of the said company, be or be they, shall forthwith forfeit to the company all the vehicles, articles and animals, that may be so intrusively introduced and used thereon, and the same may be seized by the company or its agents, or recovered by suit at law; and moreover, the person or persons so intruding, shall and may be indicted as for a misdemeanor, and upon conviction, be fined and imprisoned in the discretion of the court of sessions of the district in which be, she or they, shall be tried and convicted. And if any person shall wilfully
and maliciously aid, assist, counsel or advise, any other person to de-
stroy, or in any manner hurt, damage or injure or obstruct the said Rail
Road, or any work connected therewith, or any vehicle, edifice, right or
privilege granted by this Act, and constructed or employed under the
authority thereof, such person so offending, shall be liable to be indicted
as for a misdemeanor therefor, and on conviction thereof, shall be impris-
ioned, not more than six months, and be fined, not more than five hun-
dred, nor less than twenty dollars; and be further liable to pay to the
said company any damages occasioned by the said injury, and all expenses
of repairing the same. The one half of all fines that may be imposed by
the court under this Act, shall be paid to the informer, and the other half
to the company. The provisions of this section shall extend as well to
the owners of the lands through which the said road may be constructed,
as to other persons; and no owner or other person claiming under him
or her, shall avoid the said provisions by the plea liberum tenementum, or
by any other plea whatever.

XIV. And be it further enacted by the authority aforesaid, That the
exclusive right to make, keep up and use the said Rail Road, and the con-
veyance and transportation thereupon, shall vest and continue in the said
company, for and during the term of thirty-six years, to be computed from
the time when the said road shall be completed for transportation; and
that during the said term of thirty-six years, the stock of the company,
and the real estate that may be purchased by them, and be connected with
or subservient to the work hereby authorized, shall be exempted from taxa-
tion; and after the lapse of the said term of thirty-six years, the said Barn-
well Rail Road Company shall be and remain incorporate, and be vested
with all the estate, powers and privileges, as to their own works, herein
granted and secured, except that the Legislature may authorize the forma-
tion of other companies, and the construction of other Rail Roads or
Canals, for the trade or intercourse contemplated herein; but the Legisla-
ture may renew and extend the exclusive right of said Barnwell Rail Road
Company, upon such terms as may be prescribed by law, and accepted by
the company; provided, that the subscriptions of stock in said com-
pany be filled up to the amount of at least one hundred shares, within
fifteen months from the passing of this Act, and the said Rail Road
be commenced within two years, and be completed within six years, after
one hundred shares shall be subscribed.

XV. And be it further enacted by the authority aforesaid, That after
the president and directors shall be elected as aforesaid, it shall always be
in the power of the president and directors of the company, at a meeting
of the board, a majority being present, to nominate and appoint a secre-
tary and a treasurer, and all other officers, agents and servants, that they may
decide necessary, or that may be prescribed in the by-laws of the said com-
pany, and to remove the same at pleasure; and also, to require and take
from all the officers, agents and servants, such bond or bonds and security,
as the board or the by-laws may prescribe, for securing the fidelity, obe-
dience and accountability of said officers, agents and servants, and their
punctual surrender and delivery of all monies and property, on the termina-
tion of their offices, by resignation, removal or expiration of term.

XVI. And be it further enacted by the authority aforesaid, That every
subscriber or holder of stock in the said company, shall pay to the company
the amount of the shares by him or her subscribed or held, in the follow-
ing instalments, to wit; one fifth of each share subscribed to be paid to
the president and directors at the time of the commencement of the road, of which two months notice will be given in one or more of the Charleston gazettes, and in the Aiken Telegraph, and the balance to be paid in four regular instalments of three months each, commencing within three months from the first instalment; and on failure by any subscriber or stockholder to pay up any instalment so called for by the directors, the shares upon which default shall be made, together with any past payments thereon, shall be forfeited to the company, and be appropriated as they see fit. And the said company shall and may prescribe, in and by their by-laws, rules and regulations, the mode of issuing the evidences of shares of stock, and the manner and conditions, of assigning and transferring shares of the stock.

XVII. And be it further enacted by the authority aforesaid, That the president and directors shall be styled "The Direction of the Company;" and shall have power to call for all instalments, declare all dividends of profits, make all contracts and agreements in behalf of the company, and to do and perform all other lawful acts and deeds which by the by-laws of the corporation they may be authorized and required to do and perform; and the acts or contracts of the direction, authenticated by the signatures of the president and secretary, shall be binding on the company without seal. The direction shall not exceed in their contracts the amount of the capital of the company; and in case they do so, the president and directors who were present at the meeting when any such contract, exceeding the capital, shall be made, shall be jointly and severally liable for the amount of excess, as well to the contractor as to the company; provided, that any one may discharge himself from such liability by voting against such contract, causing such vote to be recorded in the minutes of the direction, and giving notice thereof to the next general meeting of the stockholders. The direction shall keep regular minutes of all their meetings, and of the acts there done; and they shall make a full report of the state of the company and of its affairs, to a general meeting of the stockholders, at least once in every year, and oftener, if so directed by the by-laws; and they shall have power to call a general meeting of the stockholders, when they may deem it expedient; and the company may provide in their by-laws for occasional meetings of the stockholders, and prescribe the mode of calling the same.

Public Act. XVIII. And be it further enacted by the authority aforesaid That this Act shall be deemed a public Act.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five, and in the sixtieth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to Corporations.

A. D. 1835

No. 2566.

AN ACT TO ESTABLISH A COMPANY UNDER THE NAME OF THE CHARLESTON AND PHILADELPHIA STEAM PACKET 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 Company in the name of Charleston and Philadelphia Steam Packet Company, hereinafter called the said company, shall and may be, and hereby is, formed and established, and shall have power and authority to make all by-laws, not repugnant to the laws of this State, to make all contracts, to hold and have a common seal, and shall have power and authority to transact all business necessary to the said company, and the same to alter at will; to sue and be sued, plead and be impleaded, in any court of law or equity in this State, and shall have and enjoy all and every right and privilege incidental and belonging to corporate bodies, according to the laws of this State.

II. And be it further enacted, That the said company shall have such number and succession of officers and members as shall be ordained and chosen by the rules and by-laws made or to be made for their government and direction; and shall have power and authority to make all by-laws, not repugnant to the laws of the land; to have and keep a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any court of law or equity in this State; and shall have and enjoy all and every right and privilege incidental and belonging to corporate bodies, according to the laws of this State.

III. And be it further enacted, That in all elections, and upon any other subject or question, except where restrained by the by-laws, every stockholder shall be entitled to as many votes as he shall have shares, and stockholders absent from any meeting shall be entitled to vote by proxy.

IV. And be it further enacted, That the persons before named shall be, and they are hereby constituted, directors of the said company, with the power of appointing and electing officers, until an election can conveniently take place under this charter; and they, the said company, are hereby authorized and empowered to take up, by subscription, at such times and places as they may hereafter deem expedient, either the whole or any part of the said capital, with such penalties for enforcing the subscriptions thereto, as by their by-laws they shall prescribe.

V. And be it further enacted, That the said company shall be able and competent, in law and equity, to have, hold and enjoy, all such real and personal property as they shall deem proper in any way to acquire, or which may be connected with, or in any manner conducive to, the purposes for which the said corporation is established.

VI. And be it further enacted, That nothing herein contained shall be construed to bar or prevent the General Assembly of this State from in Reserving, to any company for the same or similar purposes.

VII. And be it further enacted, That this Act shall be and continue of
force for the term of fourteen years, and from thence until the next ensuing session of the Legislature.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five, and in the sixtieth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representation.

No. 2678. AN ACT TO ESTABLISH A COMPANY UNDER THE NAME OF THE SAVANNAH AND CHARLESTON STEAM PACKET 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 William Seabrook and Walter Dubose, and such other persons as may become members thereof, be, and they are hereby declared, a body corporate and politic, by the name and style of “The Savannah and Charleston Steam Packet Company,” with a capital of one hundred and twenty-five thousand dollars, with the right to increase the same to five hundred thousand dollars, to be divided into shares of one thousand dollars each, for the purpose of conveying passengers and transporting goods, wares and merchandise, by steam packets, between the city of Savannah, in the State of Georgia, and the city of Charleston, in the State of South Carolina, or between the said city of Charleston and any other port on the Atlantic board, at the election, from time to time, of the directors of the said company.

II. That the said company shall have such number and succession of officers and members as shall be ordained and chosen by the rules and by-laws to be made for their government and direction; and shall have power and authority to make all rules and by-laws, not repugnant to the laws of the land; to have and keep a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any court of law or equity in this State; and shall have and enjoy all and every right and privilege incidental and belonging to corporate bodies, according to the laws of this State.

III. That in all elections, and upon any other subject or question, each stockholder shall be entitled to as many votes as he or she shall hold shares, one vote for every share; and stockholders absent from any meeting shall be entitled to vote by proxy.

IV. That the members of the company shall be individually liable to the extent of the capital above authorized to be subscribed.

V. That the said company shall have power and capacity to purchase, take, enjoy, sell and alien, lands and tenements, hereditaments, goods, chattels, rights and credits, which may be connected with, or in any manner conducive to, the purpose for which said company is established.

VI. That from and after the passing of this Act, that the port of Baltimore, and all the ports on the Chesapeake, in the State of Maryland, be
placed on the same footing as to the admission into the ports or places of this State, of cooks, stewards and servants on board of steam boats or other packets and vessels, and of slaves and persons of color, generally, coming from the aforesaid ports on the Chesapeake, as now exists by law in relation to the ports or places south of the Potomac.

VII. That this Act shall be taken and deemed to be a public Act; shall be and continue of force for the term of fourteen years; and shall not be construed to confer any exclusive privileges.

In the Senate House, the twenty first day of December, in the year of our Lord one thousand eight hundred and thirty-six, and in the sixty-first year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.

D. L. WARDLAW, Speaker of the House of Representatives.

AN ACT TO AMEND THE CHARTER OF THE LOUISVILLE, CINCINNATI, AND CHARLESTON RAIL ROAD COMPANY.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, That the charter of the Louisville, Cincinnati and Charleston Rail Road Company, be, and the same is hereby, amended in the following particulars, that is to say:—three of the twenty-four directors of the said company shall be elected from the stockholders residing in each of the States of Kentucky, Tennessee, North Carolina, and South Carolina, and twelve of the said directors may be elected from the stockholders at large, without regard to their place of residence.

II. That the said Rail Road Company shall be discharged from all obligation to construct any branches of the said Rail Road in the State of Kentucky, or to extend the main road in the said State, further than from the southern line thereof, to Lexington, in the said State.

III. That whenever it shall be the unanimous vote of the general directors residing in any State requiring it, the general board of directors shall apply the amount subscribed by that State or its citizens, in the first place, to the construction of such portions of the said road as may be within the limits of that State.

IV. In case the State of Kentucky should not agree to the amendments above proposed, the said Rail Road Company shall be, and hereby is, constituted a body politic and corporate, in the States of South Carolina, North Carolina, and Tennessee, with all the powers, rights and privileges, granted to it by the Acts of the Legislatures of the last mentioned States incorporating it, discharged from all obligation to construct any road in the State of Kentucky, or to have any resident directors therein, or to have more than twenty-one general directors; but nothing herein contained shall be construed to release the said company from the obligation to extend their road to the southern boundary of Kentucky.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand eight hundred and thirty-six, and the sixty-first year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.

D. L. WARDLAW, Speaker of the House of Representatives.
AN ACT TO INCORPORATE THE CHARLESTON INSURANCE AND TRUST 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 persons who shall become stockholders in the manner hereinafter prescribed, shall thereupon become, and they and their successors and assigns shall be, one body politic and corporate, under the name, style, and title of "The Charleston Insurance and Trust Company."

II. The capital stock of said company shall be one million of dollars, which shall be divided into twenty thousand shares of one hundred dollars each, and shall be raised in the following manner:—the following persons shall be, and they are hereby appointed, commissioners to receive subscriptions at the several places hereinafter named; at Charleston, John Magrath, Alexander Maryock, W. C. Dukes, Samuel Burger, and James Chapman; at Columbia, Andrew Wallace, John Bryce, and Alexander Kirk; at Camden, C. J. Shannon, William M'Wille, and C. Matheson; at Cheraw, James Wright, Alexander Graham, and Brown Bryan; and said commissioners, or a majority of them, at each of the said places, shall, on the second Monday in June next, and the two following days, from ten o'clock of the forenoon until two o'clock of the afternoon of each day, at such place in Charleston, Columbia, Camden, and Cheraw, as they shall appoint, receive subscriptions to the capital stock of the said company, from all persons offering to subscribe thereto, and paying, at the time of subscribing, twenty dollars for each share subscribed by them, respectively; and the said commissioners shall be prohibited from receiving bank checks in payment for such subscription, but they are authorized to receive the notes of specie paying banks of the State of South Carolina; provided, that the said commissioners shall give at least thirty days notice, by advertisement in the several gazettes published in the said several places, of the time and place of receiving such subscriptions; and provided also, that no person shall be allowed to subscribe, on any one of the said three days, more than one hundred shares, either in his own name, or in the name or names of any other person or persons, or of any copartnership or corporation; and provided further, that every subscriber shall, at the time of subscribing, declare on oath, that it is his true intention that the shares subscribed by him, if subscribed in his own name, not expressly in trust for any other person or persons, shall be his property, and that he has not entered into any contract, agreement or understanding, with any person or persons for the sale or transfer of such shares, or any of them, or that they, or any of them, shall be held in trust for any other person or persons; and if subscribed in his own name, expressly in trust for some other person or persons, that it is his true intention that they shall be for the sole benefit of such person or persons; and that neither he, nor such person or persons, has or have entered into any contract, agreement or understanding, with any other person or persons, for the sale or transfer of such shares, or any of them; and if subscribed in the name of any other person or persons, copartnership or corporation, that it is his true intention that they shall be the property of the person or persons, copartnership or corporation, in whose name or names they are subscribed; and that to the best of his knowledge and belief, such person or persons, copartnership or corporation, has or have not entered into any contract, agreement or understanding for the sale or transfer of such shares, or any of them; or that they, or any of
them, should be held in trust for any other person or persons; and any
person swearing falsely herein, shall be deemed and taken to be guilty of
perjury, and shall be liable to the pains and penalties thereof; and provided
further, that no Bank shall be permitted, directly or indirectly, to subscribe
for any part of the capital stock of the company hereby created.

III. And the above named commissioners at Camden, Cheraw and Co-
Columbia, shall, on the first Monday of March, respectively, forward correct
lists of the shares subscribed, and also, of the monies paid on such shares
at the time of subscribing, to the above named commissioners at Charle-
ston, for the purpose of apportioning the same; and the commissioners at
Charleston shall make out and forward to all the other abovenamed com-
misssioners, respectively, a schedule of the said apportionment, whereupon,
the said respective commissioners shall forward forthwith to the com-
misssioners at Charleston the monies which have been paid in upon such
shares as are apportioned to the respective subscribers; and such said
subscribers, paying their subscription monies, respectively, shall form the
company abovementioned, upon complying with the conditions and being
subject to the clauses hereinafter set forth.

IV. If more than ten thousand shares shall be subscribed, the commis-
sioners shall distribute the ten thousand shares of which the capital stock
of the said company is to consist, among the subscribers, as nearly as may
be, in proportion to the number of shares subscribed by them, respectively;
provided always, that no subscription for not more than five shares shall
be reduced, unless the whole number of shares subscribed cannot be other-
wise reduced to ten thousand; provided, if any number less than ten thou-
sand, and exceeding five thousand, shares be subscribed, the charter shall
not thereby be forfeited, but the company may be formed with a capital
consisting of the number of shares actually subscribed, which shall not
thereafter be increased.

V. In case the number of shares subscribed on the three days hereinbe-
fore appointed for receiving subscriptions, shall be less than ten thousand,
the commissioners shall receive further subscriptions, not exceeding such
number of shares as with those already subscribed shall make up the
number of ten thousand shares, at any time during the ten days next fol-
lowing the fourth Monday in June, and keeping them open, after public
notice, during the aforesaid period of ten days; and subscribers shall not
then be subject to the limitation hereinafter prescribed, as to the number
of shares to be subscribed by any one person, nor shall they be required to
take the oaths hereinafter prescribed.

VI. The said company, under its said name, shall have perpetual suc-
cession of officers and members; and all the powers, privileges, and fran-
chises 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, disposing of, or investing, as the said corporation shall,
from time to time, judge fit, the increase, profit and emolument of their
said capital stock to their own proper use; and shall have full power and
authority to make, have and use, a common seal, with such device and
inscription as they shall deem proper, and the same to break, alter and
renew at their pleasure; and, by the name, title and style aforesaid, 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 or any of the courts or

   VOL. VIII.—55.
tribunals of this State, in all manner of suits, pleas, and demands whatsoever; and they are hereby authorized and empowered to appoint a president, and other officers and directors, in such numbers, at such periods, and with such duties, as they shall see fit; and also, to make rules, by-laws and ordinances, and to do every thing needful for the good government and support of the affairs of the said corporation; 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.

VII. The said corporation shall have a right and power to purchase, may hold real acquire, take and hold, in their said corporate name, lands and real estate, and the same to demise, grant, sell, assign and convey, in fee simple or otherwise; provided, the clear yearly income of the real estate so to be held, shall not at any time exceed ten thousand dollars.

VIII. The said corporation shall have a right and power, 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, in and by their rules and by-laws, ordain and appoint, to make contracts and underwrite policies of assurance and indemnity upon marine risks, whether of vessels or of goods and merchandizes, 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 or to be laden; and also, in like manner, to make contracts and underwrite policies of insurance and indemnity against fire, on all buildings, goods, wares and merchandizes, 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 and advance money upon bottomry or respondentia; to make insurances on lives; to grant and purchase annuités; to make any other contingent contracts involving the interest of money and the duration of life; to receive money on deposit, allowing such rate of interest for the same as may be agreed on, not exceeding the legal rate of interest; to lend money on the security of real or personal property, bonds, bills or promissory notes; 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 capital stock; provided, that it shall not be lawful for the said company to lend money on the security of their own stock; provided also, that the total amount of the monies so received on deposit, or of the promissory notes and bills of exchange in the possession of the said company, shall at no one time exceed one half of its capital actually paid in; and provided also, that the amount to the credit of any one depositor shall at no time exceed the sum of fifty thousand dollars; provided also, that in case of the failure of the company, each stockholder, copartner and corporation having a share or shares therein at the time of failure, or at any time within six months previous to such failure, shall be held individually liable and bound, to the amount of the shares held by them, respectively, for the payment of all such sums as shall have been received by the company on deposit.

IX. It shall be lawful for the court of chancery, or any other court, to cause any money in the custody or under the direction of such court, belonging either to infants, or lunatics, or other persons, to be deposited with the said company; and it shall also be lawful for any court to appoint the said company receiver, in cases in which a receiver is necessary; and the
said company, as such depository or receiver, shall allow an interest of not less than four per cent on all sums so deposited or received, until the same may be duly disbursed, without any charge for receiving or paying the same; provided, that nothing herein contained shall be considered as enjoining on the said courts, but only as permitting, such depository or appointment.

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

XI. In all elections and other corporate acts, done by the stockholders of the said company, every stockholder, being the owner of five shares, shall have one vote; every stockholder, being the owner of more than ten and less than twenty shares, shall be entitled to two votes; and every stockholder, being the owner of more than twenty shares, shall be entitled to one vote for every ten shares; provided, that no stockholder shall be entitled to more than forty votes.

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

XIII. At least one half of the capital of the said company shall be permanently invested in stock of this State, or of the city of Charleston, or in any other good stocks of incorporated companies within the State; and the company may transfer and sell said stocks, or any part thereof, for the purpose of re-investment, whenever a due regard to the safety of its funds may require; provided, however, that the company shall not deal or trade in buying and selling any goods, wares, merchandize, stocks or commodities whatever.

XIV. The books of the said 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 examine, upon oath, to compel the attendance of witnesses and the production of papers, and inquire into the management of the company; and in case of mismanagement 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.

XV. This Act shall continue and be of force for twenty-one years, and no longer.

In the Senate House, the twenty-first day of December, in the year of our Lord thousand eight hundred and thirty-six, and the sixty-first year of the Sovereignty and Independence of the United States of America.

Patrick Noble, President of the Senate.

D. L. Wardlaw, Speaker of the House of Representatives.
AN ACT TO INCORPORATE THE CHARLESTON HOTEL COMPANY.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Alexander Black, James Hamilton, Leroy M. Reiley, I. E. Holmes, James Chapman, R. Martin, A. L. Gaillard, and such other persons as now are, or hereafter may become, associated with them as members of the said company, be, and are hereby declared, a body corporate and politic, by the name and style of "The Charleston Hotel Company," with a present capital of one hundred and fifty thousand dollars, and with the privilege of increasing the same to two hundred and fifty thousand dollars.

II. And be it further enacted, That the said company shall have such number and succession of officers and members as shall be ordained and chosen according to the rules and by-laws made or to be made by them for their government; and shall have power and authority to make any such rules and by-laws as are not repugnant to the constitution and laws of the land; shall have and keep a common seal, and 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.

III. And be it further enacted, That the said company, by their corporate name, shall be able and competent, in law and equity, to have, hold, receive and enjoy, all such property, real or personal, as they shall deem proper in any manner to acquire, or as they now have, or may hereafter, in any manner become entitled unto; and to alien or otherwise dispose of the same, or any part thereof; provided, that the original value of such estates does not exceed the capital stock of said company.

IV. And be it further enacted, That this Act shall be a public Act, and continue in force for the term of twenty-one years.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand eight hundred and thirty-six, and in the sixty-first year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.
D. L. WARDLAY, Speaker of the House of Representatives.

AN ACT TO INCORPORATE CERTAIN COMPANIES.

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 company shall be incorporated, with a capital of two hundred thousand dollars, to navigate, by steam, the waters between any of the towns or landings on the Congaree and Santee Rivers, and any of the ports or landings on the sea board, under the style of "The Congaree and Santee Steam Boat Company;" to be composed of the following individuals and their
ASSOCIATES, to wit:—Thomas J. Kerr, Street & Boyne; Carson & Hamilton, James Chapman, John Robinson & Son, and G. W. Welsman; and the said company shall have power to make by-laws, not repugnant to the laws of the land; to have succession of officers and members, according to the said by-laws; to have, keep, and use a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any court of this State; and to have and enjoy all other rights, as may in any wise belong or be incident to incorporations; provided, that nothing herein contained shall be construed so as to confer on said company exclusive right to navigate said waters, or to impair the rights of individuals or other bodies corporate, to navigate said waters.

II. That the said company are hereby authorized to receive subscriptions for stock or capital to the said amount of two hundred thousand dollars; and that it shall not be lawful for the said company to act in their corporate name or capacity, until the sum of one hundred thousand dollars shall have been subscribed, of which, fifty thousand dollars shall have been paid; and if not paid, the list of subscribers shall be produced by the Secretary and Treasurer, whenever required by a person who has made contracts with the corporation. And should the above sum of fifty thousand dollars be more than is necessary for immediate use, the said company shall be authorized to invest so much thereof as may not be required, in the public securities or bank stock of this State, and to apply the profits thereof, and sell and assign the same, as they may deem fit.

III. That Duncan Mulloy, A. Blue, A. Burnett & Co., Alexander Muirhead, J. Mulloy, D. M'Nair, D. L. M'Kay, John C. Wadsworth, James Powell, J. H. Christian, and their associates, shall be incorporated as a company, for the purpose of navigating, by steam, the waters between Cheraw and Charleston, under the style of "The Merchants' Steam Boat Company," with a capital of sixty thousand dollars, one third of which shall be paid into their treasury, or vested in their corporate name, before the said company shall be authorized to act in their corporate name or capacity; and that Caleb Coker, James Wright, and Moses Tuttle, shall become a body corporate, under the name and style of "The Cheraw Steam Boat Company," to navigate the same waters, with a capital stock of sixty thousand dollars; upon the like terms, and subject to the same restrictions.

IV. That the charter of the Charleston and Philadelphia Steam Packet Company be amended, by reducing and changing the amount constituting a share in the said company, from one thousand to one hundred dollars.

V. That the name and style of the South Carolina Iron Manufacturing Company, incorporated in December, eighteen hundred and thirty-two, be changed to "The King's Mountain Iron Company;" and that the stockholders be authorized to increase its capital stock to two hundred thousand dollars.

VI. That Leonard Hill, and his associates, be incorporated under the name and style of "The Hillsville Cotton and Woollen Manufacturing Company," with a capital stock of one hundred thousand dollars; and that the said company shall have and enjoy the same corporate powers and privileges, and be subject to the same liabilities and restrictions, as are by law imposed upon the Saluda Manufacturing company.

VII. That Emmor Graham, James A. Black, Nelson Nesbitt, and their associates, be incorporated under the name and style of "Ninety-nine Islands's Bridge Company," with a capital of five thousand dollars, to be
STATUTES AT LARGE

Acts relating to Corporations.

divided into two hundred shares of twenty-five dollars each; and that the
commissioners of roads for the districts of York, Union and Spartanburg,
and all bodies corporate within the said districts, be authorized to take
stock in the said company; and the said company is empowered to erect a
bridge across Broad River, at or near the Ninety-nine Islands, and charge
and collect tolls for crossing the same; provided, the rates of toll do not
exceed those allowed by law to be charged for crossing the Pinckney Ferry
upon the same river.

VIII. That George Walker, John Mulligan, Jesse B. Ellis, J. H. Cock-
cock, B. W. Davis, J. W. Wyman, F. J. Mulligan, James M. Grümes, J.
S. Walker, Hardy Hoover, Aaron Vane, and David Neiley, be, and they
are hereby, incorporated, under the name and style of "The Braxon's
Bridge Company," with a capital of three thousand dollars, with liberty
to increase the same to six thousand dollars, to be divided into one hundred
shares of twenty-five dollars each, with power to build a bridge over the
Great Saltcatcher, and the rates of toll shall be the same now received for
crossing Buckhead Causeway.

IX. That all the bodies corporate created by this Act, shall, respectively,
continue for the period of fourteen years.

In the Senate House, the twenty-first day of December, in the year of our Lord one thou-
sand eight hundred and thirty-six, and in the sixty-first year of the Sovereignty and
Independence of the United States of America.

PATRICK NOBLE, President of the Senate.

D. L. WARDLAW, Speaker of the House of Representatives.

No. 2890. AN ACT FOR THE INCORPORATION OF THE GENERAL MINING COMPANY
OF SOUTH CAROLINA.

I. Be it enacted, by the Honorable the Senate and members of the House
of Representatives, now met and sitting in General Assembly, and by the
authority of the same, That Nathan Bunker, of the city of Philadelphia,
William S. Miller, William Kennick, Stephen Scurd, and James Treat, of
the city of New York, and J. Humphrey Bessell of the State of North Car-
olina, together with such persons as they shall associate with them, in
such manner as shall be determined by the corporation, shall be, and are
hereby declared to be, incorporated into a company, by the name and style of
"The General Mining Company of South Carolina;" and, by that
name, may sue and be sued, plead and be impleaded, have perpetual suc-
cession, and a common seal; and shall be capable in law to have, purchase,
receive, possess, enjoy and retain, to them and their successors and ass-
signs, lands, rents, tenements and hereditaments, goods, chattels and ef-
effects; and may make all such by-laws and regulations for the government
and conduct of said corporation, as may be necessary, and not in violation
of the laws of this State, and of the United States.
OF SOUTH CAROLINA.

Acts relating to corporations. A.D. 1836.

II. Be it further enacted, That until further subscriptions on part of said persons, their successors or assigns, the capital of said company shall be considered as fixed and established at fifty thousand dollars, to be divided into shares of one hundred dollars each; which amount of capital, by further subscriptions of the said persons, their associates or assigns, may be increased to the amount of two hundred and fifty thousand dollars, and afterwards, in like manner, to the amount of five hundred thousand dollars; which amount shall not be exceeded.

III. Be it further enacted, That the business and capital of said company shall be confined to mining operations, and the business incidental thereto; but said company may embrace in its operations the working of metallic ores, and such operations as have for an object the search for, extraction, and working, of valuable mineral productions.

IV. Be it further enacted, That this company may exist for the period of thirty years hereafter; and this Act shall not be so construed as to confer any exclusive privilege.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand eight hundred and thirty-six, and in the sixty-first year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.
D. L. WARDLAW, Speaker of the House of Representatives.

AN ACT TO RENEW THE CHARTER OF THE ST. PATRICK BENEVOLENT No 2692
SOCIETY OF CHARLESTON, 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 so much of an Act entitled "An Act to incorporate the several societies, and for other purposes therein mentioned," passed on the thirteenth day of December, in the year of our Lord one thousand eight hundred and seventeen, as relates to the St. Patrick Benevolent Society of Charleston, South Carolina, be, and the same is hereby, re-enacted and continued in force for the space of twenty-one years next ensuing the expiration of the present charter of the said society.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand eight hundred and thirty-six, and in the sixty-first year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.
D. L. WARDLAW, Speaker of the House of Representatives.
AN ACT TO AUTHORIZE THE FORMATION OF THE SUMTER AND DARLINGTON 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 rail road, on the most practicable route, from Darlington court house to Bishopville, thence to Mechanicsville, thence to Sumterville, thence to some point on the north bank of the Santee river, between a point five miles below Vance’s Ferry, and the fork of Wateree and Congaree rivers. And the said company shall have the exclusive right to make, keep up and employ, such rail road; and for the term of time hereinafter mentioned, no canal or other rail road between Darlington court house and the point aforesaid, shall be constructed by or under the authority of this State.

II. That the stock of the company hereby authorized shall consist of five thousand shares of one hundred dollars each share; but the said company shall be at liberty to enlarge their capital, as in the progress of their undertaking they may find necessary, either by additional assessments on the original shares, not to exceed the sum of fifty dollars on each original share, or by new subscriptions, in shares of not more than one hundred dollars each, to amount, in addition to the original capital, to the sum of two hundred thousand dollars; the terms and conditions of which new subscriptions the said company is authorized to prescribe; and it shall be lawful for the said company, from time to time, to invest so much of their capital, or of their profits, as may not be required for immediate use, and until it may be so required, in public stock of the United States, or of this State, or of any incorporated bank, and draw and apply the dividends, and when, and as they shall see fit, sell and transfer any parts or portions thereof.

III. That books for subscription to the stock of the company hereby authorized, shall be opened in Cheraw, Society Hill, Darlington C. H., Marlborough C. H., Marion C. H., Bishopville, Sumterville, Camden, Columbia, and Charleston, by three commissioners in each place, namely; in Cheraw, Richard Phelder, David S. Harlee, Archibald Blue; Society Hill, Caleb Coker, Elias Gregg, and T. P. Lide; Darlington C. H., Moses Saunders, Sheppard Williams, and William Wingate; Marlborough C. H., Joshua David, E. L. Hennegan, and C. W. Dudley; Marion C. H., E. B. Wheeler, William Evans, and W. H. Grice; Bishopville, C. C. Campbell, William H. Bowen, and A. G. Croswell; Sumterville, C. W. Miller, John Hemphill, and F. I. Moses; Camden, Dr. A. DeLeon, H. T. M’Gee, and H. Holleyman; Columbia, Andrew Wallace, Robert Waddell, A. M’Lauchlin; Charleston, John Robinson, Samuel Patterson, and John Haslett; and the books shall be opened in each of the said places on the same day, namely, on the first Monday of April next, and kept open at each place for at least five days, between the hours of nine o’clock in the morning and three in the afternoon; and the times and places of subscribing shall be advertised by the said commissioners in one or more or the gazette in Cheraw, Camden, Columbia, and Charleston, for at least three weeks prior to the day for opening the books. If any of the commissioners aforesaid shall, after the passage of this Act, decline to act, a majority of the delegates in the General Assembly from Sumter and Darlington districts may appoint a fit and proper person to
supply the vacancy of him so declining to act; and if any one of the commissioners shall not attend at the time of opening the books, the other two commissioners at the place for which he was appointed may choose a fit and proper person to supply his place. Upon the books being opened, as aforesaid, individuals may subscribe for so many shares as they see fit, paying to the said commissioners, at the time of subscription, ten dollars on each share subscribed; and the commissioners shall designate in the books, opposite to the names of the subscribers, the day of subscription, the number of shares subscribed, and the sum of money paid, respectively; for the sums so paid the commissioners shall give receipts to the individuals paying, and, as soon as may be, deposit the money in the Bank of the State of South Carolina, or in some branch thereof, or in the Merchants Bank of Cheraw, or in the Bank of Camden, South Carolina, subject, for so much thereof as may be refunded to the subscribers, upon adjustment made, in case of over-subscription to the stock of the company, to the joint check of said commissioners; and subject for the balance to the check or order of the said company, (after it shall have been organized,) by its president or board of directors.

IV. That when the books shall be closed on the last day, the commissioners at Cheraw, Society Hill, Darlington C. H., Marion C. H., Bishopville, Camden, Columbia, and Charleston, respectively, shall transmit to the commissioners at Sumterville a list of the subscribers, designating, as in the subscription books, opposite to each name, the day of subscription, the number of shares subscribed, and the sum paid, with a certificate at the bottom of the list, to be signed by each commissioner, that the money is deposited in a bank, conformably to this Act, naming the bank; and thereupon the commissioners in Sumterville, from all the lists of subscribers, shall make out one general list, and summing up the whole, ascertain whether the shares subscribed are equal in amount to the capital prescribed for the company, or greater or less in amount than the said capital. If the number of shares subscribed shall exceed five thousand, then the shares shall be reduced, rateably, to that number; except that no subscription of five shares or less shall be reduced. If the number of shares be less than five thousand, the commissioners at Sumterville may keep the books open at that place until the number of five thousand shares shall be subscribed, and ten dollars be paid on each share, as aforesaid. If the number of shares subscribed be less than five thousand, but amount to a moiety thereof, namely, two thousand five hundred, the said company may be formed thereon; and the said company, when organized, may cause books to be opened by the directors, after thirty days notice of the time and place of subscription, and receive such additional subscriptions as can be obtained, on the condition aforesaid, that ten dollars be paid on each share at the time of subscription; and may keep the books open until the whole number of five thousand shares be subscribed.

V. That on subscriptions of shares in the stock of the company to amount equal to or exceeding a moiety of the whole number, as aforesaid, being made, or in case of excess of subscription, upon the number being reduced to five thousand, in manner aforesaid, the said company shall be considered as formed, and this Act of incorporation shall and may attach and become effectual, and the company may take measures for complete organization. For this purpose the commissioners in Sumterville shall appoint a convenient time and place for the meeting of the stockholders, and shall cause the

VOL. VIII.—56.
same to be advertised in one or more, respectively, of the gazettes published in Charleston, Columbia, Camden, and Cheraw, for five weeks prior to the day of meeting; at which time and place the subscribers of stock may attend, in person or by proxy, and the meeting be assembled, and a proper registry made of all the subscribers who may be in attendance, in person or by proxy; the commissioners at Sumterville, or a majority of them attending, shall present a ballot box, in which the subscribers may vote by ballot for a president and twelve directors, to serve for one year, and until a new election be made; and the presiding commissioners shall count the ballots, declare the election, and make and deliver proper certificates thereof, under their hands.

VI. That in the said election, and in all future elections of president and directors, and in making alterations or repealing of by-laws, and in determining on measures involving the general interest of the company, at any stated or occasional corporate meeting, the votes of the stockholders shall be taken and governed by the scale and regulations following: the owner of one or two shares shall be entitled to one vote; the owner of three or four shares shall be entitled to two votes; the owner of five or six shares shall be entitled to three votes; the owner of seven or eight shares to four votes; the owner of not less than nine shares nor more than eleven shares, to five votes; the owner of not less than twelve shares nor more than fifteen shares, to six votes; the owner of not less than sixteen nor more than twenty shares, to seven votes; the owner of not less than twenty-one nor more than twenty-six shares, to eight votes; the owner of not less than twenty-seven nor more than thirty-three shares, to nine votes; the owner of not less than thirty-four nor more than forty shares, to ten votes; and the owner of every ten shares above forty shall be entitled thereto in one vote. No one but a subscriber shall be capable of being a proxy, and the appointment of a proxy shall be in writing, signed by the stockholder appointing, and authenticated by affidavit of a subscribing witness, made before some lawful magistrate, and endorsed upon the writing of appointment. Any person offering to vote as a proxy may be required by any stockholder to swear that he has no interest, directly or indirectly, in the stock on which he offers to vote as proxy. A trustee of stock shall not vote on shares held by him in trust, expressed or declared, where the cestui que trust holds other shares, either in his own name or in the name of any other trustee; but the cestui que trust may vote on all shares owned by him, whether legally or equitably, according to the scale aforesaid.

VII. That the election of president and directors shall be made annually, according to a by-law to be made for that purpose. And in case any vacancy occur in the board, between the periods of general election, a majority of the board of directors, at any regular or stated meeting of the board, may elect, by ballot, from the stockholders, a person to fill the vacancy so occurring, until the next general election of directors. But if it happens that the day of annual election (should pass without election,) as to all or any of them, being effected, the corporation shall not be dissolved nor discontinued thereby, but it shall be lawful on any other day to hold and make such election, in such manner as may be prescribed by the by-laws of the corporation; subject, always, to the scale and regulations of the sixth section of this Act.

VIII. That the said company, to be organized as aforesaid, shall be called "The Sumter and Darlington Rail Road Company," and have perpetual succession of members; may make and have a common seal, and
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1836.

break and alter it at pleasure; may sue and be sued, answer and be answered unto, by their corporate name aforesaid, in all courts of law and equity or judicial tribunals in this State; and shall be capable, at all times, of making and establishing, altering and revoking, all such regulations, rules and by-laws, for the government of the company and its directors, as they may find necessary and proper for effecting the ends and purposes intended by the association, and contemplated in this Act; provided, such regulations, rules and by-laws, be not repugnant to the constitution and laws of this State; but the said company, and the provisions of this Act, shall not be controlled or effected by the operation of an Act, passed seventeenth of December, eighteen hundred and twenty-seven, entitled “An Act establishing the principles on which companies shall be incorporated, and the charters of ferries, bridges and turnpike roads, shall be hereafter granted, and for other purposes therein expressed.”

IX. That the said Sumter and Darlington Rail Road Company shall have power and capacity to purchase, take and hold, in fee simple, or for years, to them and their successors, any lands, tenements or hereditaments, that they may find necessary for the site, on or along which to locate, run and establish the Rail Road aforesaid, or to vary or alter the plan or plans, and of such breadth or dimensions through the whole course of the road, as they may see fit; and, in like manner, to purchase, take and hold, any land contiguous to or in the vicinity of the said Rail Road, that they may find necessary for the procuring, and, from time to time, readily obtaining, all proper materials, of what kind soever, for constructing, repairing, guarding and sustaining the said Rail Road; and, in like manner, to purchase all private rights of way on land, and all necessary privileges in waters or water courses, that may lie on or across the route through which the said Rail Road may pass; and also, all lands contiguous thereto, that may be found necessary for the erecting of toll-houses and store-houses, work-shops, barns, stables, residences, and accommodations for servants, agents or mechanics, and for sustaining and maintaining all animals of labor. And the said company shall have power, if need be, to conduct their Rail Road across and over all public roads, rivers, creeks, waters or water-course, that may be in the route; provided, the passage of the public road, or the navigation of the stream, be not obstructed thereby.

X. That in any case where lands or private rights of way may be required by the said company, for the purposes aforesaid, and the same cannot be purchased from the owner or owners, for want of agreement of the parties as to price, or for any other cause, the same may be taken by the company, at a valuation to be made by commissioners, or a majority of them, to be appointed by the court of common pleas of the district in which any part of the lands or rights of way may be situated. And the said commissioners, before they act, shall, severally, take an oath before some justice of the peace, faithfully and impartially to discharge the duty assigned to them. In making of the said valuation the commissioners shall take into consideration the loss or damage which may occur to the owner or owners, in consequence of the land or right of way being taken; and also the advantage he, she or they may receive from the erection and establishment of the rail road and works, and shall state, particularly, the nature and amount of each; and the excess of loss and damage, over and above the benefit and advantage, shall form the valuation of the said land or right of way; the proceedings of the said commissioners, accompanied
with a full description and plat of the said land, shall be returned, under the
hands and seals of a majority of said commissioners, to the court from
which the said commission issued, there to remain of record. Either par-
ty to the proceedings may appeal from the said valuation to the next session
of the court granting the commission, giving reasonable notice to the op-
oposite party of such appeal; and the court, upon satisfactory proof that such
appellant has been injured by such valuation, shall order a new valuation
to be made by a jury, who shall be charged therewith in the same term,
and their verdict shall be final and conclusive between the parties, unless
a new trial be granted. And the lands and rights of way, so valued by the
commissioners or jury, shall vest in said company, in fee simple, so soon as
the valuation thereof may be paid, or tendered and refused. Where there
shall be an appeal, as aforesaid, from the valuation of the commissioners, by
either of the parties, the pendency of such appeal shall not prevent the com-
pany from proceeding in the construction of their works in and upon said
land or way. But when the appeal shall be made by the company, requiring
the surrender, they shall be at liberty to proceed in their work only on con-
dition of giving to the opposite party good security, to be approved by the
clerk of the court where the valuation is returned, in a penalty equal to
double the value of the said valuation, conditioned for the payment of the
said valuation and interest, in case the same be sustained, and in case it
be reversed, for the payment of the valuation thereafter to be made by the
jury, and confirmed by the court. In all assessments made by the com-
missioners or jury, as aforesaid, after the construction of the said road, or of
the part thereof upon the land to be valued, reference shall be had to the
true value of the land at the time of the erection of the said road, or part
thereof; and the use thereof by said company, for the purposes of said
road, shall be considered an actual possession of said land, covered by said
road, and of the space of one hundred feet on both sides of said road, as
aforesaid.

XI. That in the absence of any written contract between the said com-
pany and the owner or owners of lands through which the said road may be
constructed, in relation to said lands, it shall be presumed that the land
upon which the said road may be constructed, together with the space of
one hundred feet on each side of the centre of the said road, has been
granted to the said company by the owner or owners thereof; and the
said company shall have good right and title to the same, and shall have,
hold and enjoy the same, unto them and their successors, as long as the
same may be used only for the purposes of said road, and no longer; unless
the person or persons to whom any right or title to such lands, tenements
or hereditaments descend or come, shall prosecute the same within two
years next after the construction of such part or portion of said road as
may be constructed upon the land of the person or persons so having or
acquiring such right or title, as aforesaid. And if any person or persons to
whom any right or title to such land, tenements or hereditaments belong,
or shall hereafter descend or come, do not prosecute the same within two
years next after the construction of the part of the said road upon the
lands of the person or persons so having or acquiring such right or title, as
aforesaid, then he, she or they, and all claiming under him, her or them,
shall be forever barred to recover the same; provided, that nothing herein
contained shall affect the rights of feame coverts, infants, or persons beyond
seas, until two years after the removal of their respective disabilities.
XII. That all lands not heretofore granted to any person, nor appropriated by law to the use of the State, within one mile of the centre of the main track of said road, that may be constructed, be, and they are hereby, vested in said company and their successors, so long as the same may be used for the purposes of the said road, and no longer.

XIII. That the said company shall, at all times, have the exclusive right of conveyance or transportation of persons, produce and merchandize, over the rail road to be by them constructed, while they see fit to exercise the exclusive right; provided, that the charge of transportation or conveyance shall not exceed twenty cents per hundred pounds on heavy articles, and ten cents per cubic foot on articles of measurement, for ten miles, and five cents per mile for every passenger. The said company may, when they see fit, rent or farm out all or any part of their said exclusive right of conveyance or transportation of persons, produce or merchandize, on the said rail road, with their privileges, to any individual or individuals, or other company, and for such term as may be agreed upon, subject to the rates above mentioned. And the said company, in the exercise of the right of conveyance and transportation of persons or property, and the persons so taking from the company the right of conveyance or transportation, so far as they act in the same, shall be regarded as common carriers. And the said company may use or employ any sections of their intended rail road, subject to the rates aforementioned, before the whole shall be completed, and in any part thereof which may afford public accommodation for the conveyance of persons, produce or merchandize; and the said company shall have power to take, at the storehouses they may establish on or annex to the said rail road, all goods, wares, merchandize or produce, intended for transportation or conveyance, prescribe the rules of priority, and charge such just and reasonable prices and compensation for storage and labor, as they may, by rules, establish, which rules they shall cause to be published, or as may be fixed by agreement with the owners; which compensation shall and may be distinct from the aforesaid rates of transportation.

XIV. That whenever the said company shall see fit to farm out, as aforesaid, to any other person or persons or body corporate, any part of their exclusive right of conveyance and transportation, or shall deem it expedient to open the said Rail Road, or any part thereof, to public use, they shall and may adopt and enforce all necessary rules and regulations, and have power to prescribe the construction and size or burdens of all carriages and vehicles, and the materials of which they shall be made, that shall be permitted to be used or pass on the said Rail Road, and the locomotive power that shall be used with them.

XV. That if any person or persons shall intrude upon the said Rail Road, or any part thereof, by any manner of use thereof, or of the rights of the company or privileges connected therewith, without the permission or contrary to the will of said company, he, she or they, shall forthwith forfeit to the said company all the vehicles, articles and animals, that may be so intrusively introduced and used thereon, and the same may be seized by the company or their agents, or recovered by suit at law; and moreover, the person or persons so intruding, shall and may be indicted as for a misdemeanor, and upon conviction, be fined and imprisoned in the discretion of the court of sessions of the district in which he, she or they, may be tried and convicted. And if any person or persons shall wilfully and maliciously destroy, or in any manner hurt, damage, injure or obstruct, or shall wilfully and maliciously aid, assist, counsel or advise, any other person
or persons to destroy, or in any manner hurt, damage, injure or obstruct the said rail road, or any work connected therewith, or any vehicle, edifice, right or privilege granted by this Act, and constructed or employed under the authority thereof, such person or persons so offending shall be liable to be indicted as for a misdemeanor therefor, and on conviction thereof shall be imprisoned, not more than six months, and be fined, not more than five hundred nor less than twenty dollars, and shall be further liable to pay to the said company any damages occasioned by the said injury, and all expenses of repairing the same. The one half of all fines that may be imposed by the court under this Act, shall be paid to the informer, and the other half to the company aforesaid. The provisions of this section shall extend as well to the owners of the lands through which the said road may be constructed, as to other persons; and no owner or other person claiming under him or her, shall avoid the said provisions by the plea of liberum tenementum, or by any other plea whatever.

XVI. That the exclusive right to make, keep up and use the said rail road, and the conveyance and transportation thereon, shall vest and continue in said company, for and during the term of twenty-one years, to be computed from the time when the said rail road shall be constructed and completed for transportation; and that during the said term of twenty-one years, the stock of the company, and the real estate that may be purchased by them, and be connected with and subservient to the works hereby authorized, shall be exempted from taxation; and after the lapse of the said term of twenty-one years, the said Sumter and Darlington Rail Road Company shall be and remain incorporate, and be vested with all the estate, powers and privileges, as to their own works, herein granted and secured; except that the Legislature may authorize the formation of other companies, and the construction of other Rail Roads or Canals, for the trade or intercourse contemplated herein; but the Legislature may renew and extend the exclusive right of the said Sumter and Darlington Rail Road Company, upon such terms as may be prescribed by law, and accepted by the said company; provided, that the subscriptions of stock in said company be filled up to the amount of at least twenty-five hundred shares, within twelve months from the passing of this Act, and the said Rail Road be commenced within two years, and be completed within six years, after twenty-five hundred shares shall have been subscribed.

XVII. That after the president and directors shall be elected as aforesaid, it shall always be in the power of the president and directors of the company, at a meeting of the board, a majority being present, to nominate and appoint a secretary, a treasurer, and all other officers, agents and servants, that they may deem necessary, or that may be prescribed in the by-laws of the said company, and to remove the same at pleasure; and also, to require and take from all the officers, agents and servants, such bond or bonds and security, as the board or the by-laws may prescribe, for securing the fidelity, obedience and accountability of said officers, agents and servants, and their punctual surrender and delivery of all monies and property, on the termination of their offices, by resignation, removal or expiration of term.

XVIII. That the president and directors, by an order signed by the president, shall have power to draw from the bank of the State of South Carolina, and its branches, all such sums of money as may have been received by the different sets of commissioners, for the first payments of subscribers on their subscriptions of stock, as before provided, except the sums for such shares as may be cancelled and thrown out upon adjustment.
of the shares, in case of over-subscription, which shall be drawn and repaid to the subscribers of such shares, by the commissioners, respectively, before whom such subscriptions were made, immediately upon notification to said commissioners of such adjustment.

XIX. That every subscriber or holder of stock in the said company, shall pay to the company the amount of the shares by him or her subscribed or held, in such instalments, not exceeding ten dollars on each share at one time, and at such periods, with intervals of not less than ninety days, as shall be prescribed and called for by the directors; of which periods of payment, and the sums required, the board of directors shall cause public notice to be given, for at least four weeks previous to such periods of payment, by advertisements in one or more of the gazettes published in Charleston, Camden, Columbia, and Cheraw; and on failure of any subscriber or stockholder to pay up any instalment so called for by the directors, the shares upon which default shall be made, together with any past payments thereon, shall be forfeited to the company, and be appropriated as they shall see fit. And the said company shall and may prescribe, in and by their by-laws, rules and regulations, the mode of issuing the evidences of shares of stock, and the manner, terms and conditions, of assigning and transferring of the stock.

XX. That if the said company determine to increase their capital, by additional assessments on the original shares, as hereinbefore provided, the increase of sums so assessed shall be called for in such instalments, at such periods, and with such notices, and not otherwise, as are provided in the nineteenth section of this Act; and failure to pay such assessments shall induce a forfeiture to the company, in like manner as provided in said section, of the shares of stock on which default shall be made.

XXI. That the president and directors shall be styled "The Direction of the Company"; and shall have power to call for all instalments, declare all dividends of profits, make all contracts and agreements in behalf of the company, and to do and perform all lawful acts and deeds which by the by-laws of the corporation they may be authorized and required to do and perform; and the acts or contracts of the direction, authenticated by the signatures of the president and secretary, shall be binding on the company without seal. The direction shall not exceed in their contracts the amount of the capital of the company; and in case they do so, the president and directors who are present at the meeting when any such contract, exceeding the capital, shall be made, shall be jointly and severally liable for the amount of the excess, as well to the contractor as to the company; provided, that any one may discharge himself from such liability by voting against such contract, causing such vote to be recorded in the minutes of the direction, and giving notice thereof to the next general meeting of the stockholders. The direction shall keep regular minutes of all their meetings, and of the acts there done; and they shall make a full report of the state of the company and of its affairs, to a general meeting of the stockholders, at least once in every year, and oftener, if so directed by the by-laws; and they shall have power to call a general meeting of the stockholders, when they may deem it expedient; and the company may provide in their by-laws for occasional meetings of the stockholders, and prescribe the mode of calling the same.

XXII. That the following officers and persons, while in the actual employment of the company, shall be exempt from the performance of ordinary militia duty, and from serving on juries, namely; the chief engineer,
the assistant engineers, the commissioner or superintending officer, the 
secretary and the treasurer of the directors, the keeper of the depository, 
the guards stationed on the road to protect it from injury, (not exceeding 
one white person to every five miles,) and such persons as may be actually 
employed in working the locomotive engines, and in travelling with cars, 
for the purpose of attending to the transportation of passengers or property 
on the said road, not exceeding one white engineer, and his white assistant, 
to each engine, and one white person to each passage car, and to every five 
cars for the transporting of produce, merchandise and goods. 

XXIII. That this Act shall be deemed a public Act. Provided, always, 
that nothing in this Act contained shall be construed to diminish, in any 
way, the rights and privileges heretofore granted to the South Carolina 
Canal and Rail Road Company.

In the Senate. House, the twenty-first day of December, in the year of our Lord one thou-
sand eight hundred and thirty-six, and in the sixty-first year of the Sovereignty 
and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.

D. L. WARDLAW, Speaker of the House of Representatives.

No. 2897. AN ACT TO INCORPORATE CERTAIN SOCIETIES, AND TO RENEW AND 
AMEND THE Charters OF CERTAIN VILLAGES.

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 who are now, or may hereafter become, members or stock-
holders in the following societies and associations, to wit:—“The Vestry 
and Wardens of Christ Church, Willtown;” “The Congregational Church 
of Christ Church Parish;” “The Beach Branch Baptist Church;” “The 
Chesterville Baptist Church;” “The Baptist Church at Flat Rock;” 
“The Abbeville School Association;” “The Baptist Church of Little 
River, in Abbeville District;” “The Trustees of the Barnwell Female 
Academy;” “The Vigilant Fire Engine Company of Charleston;” “The 
Trustees of the Greenville Academies;” provided, that the following per-
sons be added to the present board of trustees of the Greenville Academies, 
viz:—A. B. Crook, B. Dunham, and Josiah Kilgore, who shall have 
equal rights, privileges and immunities, as are and have been granted to 
the original trustees, by their former Act of incorporation; “The Rich-
land Presbyterian Church, in Pickens district;” “The Rocky Spring 
Methodist Church,” shall be, and they are hereby declared, bodies politic 
and corporate, by the name and style to each, respectively, assigned; shall 
have succession of 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; to have, use and keep, a common seal, and the same 
to alter at will; to sue and be sued, to plead and be impleaded, in any 
court of this State; and to have and enjoy every right incident to incorpo-
ration.
II. The societies and associations aforesaid are empowered to retain, possess and enjoy, all such property as they may, respectively, possess or be entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by them; and to sell, alien, or in any way or transfer the same, or any part thereof; provided, the amount of property so held, or stock so invested, shall in no case exceed ten thousand dollars.

III. The Intendant and Wardens of the Town Council of Darlington shall have sole power, hereafter, to grant licenses to retail spirituous liquors within their corporate limits, in the same manner as commissioners of the roads now have, they paying over the monies arising from granting such licenses, to the commissioners of the roads for Darlington District.

IV. The Intendant and Wardens of the Town Council of Cheraw shall, hereafter, be empowered to impose a tax on real estate within their corporate limits, not exceeding one-half of one per cent on the assessed value thereof; and shall also have power to sell, on such terms as they may deem proper, the public square situated on the corners of Market and Huger streets, within the limits of the said corporation.

V. That "An Act to incorporate the village of Barnwell," passed the eighteenth day of December, one thousand eight hundred and twenty-nine, and all such parts of Acts subsequently passed, as amended the same, be; and the same are hereby, renewed and continued of force for the term of twenty years.

VI. That the twenty-third section of "An Act to incorporate certain towns and villages, and for other purposes," ratified the nineteenth day of Greenville, one thousand eight hundred and thirty-five, be so amended, as that hereafter the monies arising from granting licenses within the corporate limits of the Town of Greenville, shall be received by the town council thereof, and be by them appropriated to the uses of the said corporation; the inhabitants of the said town shall, nevertheless, be liable to be assessed by the commissioners of roads and bridges, in common with the other citizens of Greenville District.

VII. That the Act passed on the nineteenth day of December, one thousand eight hundred and thirty-three, to incorporate the Village of Anderson, shall remain in force for ten years from the passage of this Act; that the Intendant and Wardens now in office be continued until the next period fixed on in said Act for the election of officers.

VIII. That the Sheriff for the District of Anderson for the time being, and his lawful deputies, be, and they are hereby, authorized to execute the process of the said Council of Anderson, as by law the constable of said corporation might or should now do, having the same privileges, powers and emoluments, and subject to the same duties and penalties, as therein provided.

IX. That in addition to the powers conferred and duties enjoined, heretofore, on the Intendant and Wardens of the Town of Aiken, and on the Intendant and Wardens of the Town of Darlington, they shall keep open and in good repair, all public highways, streets and alleys, within their corporate limits, respectively; and for that purpose they are, respectively, invested with all the powers granted by law to commissioners of roads; and that the hands liable to perform said duty are hereby exmpted from working on roads beyond the said limits, respectively; and the said Intendant and Wardens, for any neglect of such duty, shall be liable to penalties imposed by law on commissioners of roads for such neglect; and all
A. D. 1835.

STATUTES AT LARGE

Acts relating to Corporations.

A. That the stockholders of the American Literary Company, be, and they are hereby, authorized and empowered to elect five additional directors of said company; and that thirty days notice, (to be published in one or more newspapers of this State, of the time and place of holding the annual election of directors,) shall be deemed sufficient.

XI. That “The Greenwood Association of Abbeville District, for the promotion of Education,” “The Trustees of Cokesbury School,” and “The Abbeville School Association,” shall, each, be entitled to hold, receive and recover, to the uses and for the ends of their incorporations, respectively, one third of all property within the District of Abbeville, which has been or may hereafter be liable to escheat; provided, that the value of such property to be received by each of said societies shall not exceed ten thousand dollars.

XII. That the Act incorporating the Presbyterian Church of St. John’s Island and Wadmalaw, be amended, so as to permit the said corporation to hold property to the amount of fifty thousand dollars.

XIII. That from and after the passing of this Act, the Intendant of the city of Charleston for the time being, shall be, ex officio, a trustee of the Charleston College.

XIV. That the Trustees of the First Universalist Church of Charleston shall be, and the same are hereby, incorporated, under the name and style of “The First Universalist Church of Charleston,” with the powers and privileges incident to corporations of a similar nature; and they shall have a right to purchase and hold real and personal property, to the value of twenty thousand dollars, estimated according to the amount of the purchase money.

XV. That the Act of incorporation of the Association of the Trinitarian Universalists, be, and the same is hereby, repealed.

XVI. That the members of the Whig Association be, and the same are hereby, incorporated, under the name and style of “The Whig Association,” with all the powers incident to corporations.

XVII. That all those persons who now are, or hereafter shall be, members of “The Washington Society of Charleston,” be, and the same are hereby, incorporated, by the name, style and title of “The Washington Society.”

XVIII. That “The Charitable Society of Cadet Riflemen,” be, and the same is hereby, incorporated, under the name aforesaid, with all the powers and privileges incident to corporations.

XIX. That all those persons that now are, or hereafter shall be, members of “The Camden Jockey Club,” be, and the same are hereby, incorporated, under the name, style and title of “The Camden Jockey Club.”

XX. That the persons now incorporated under the name and style of
"The President, Vice President, Officers and Members, of the Charleston Typographical Society," be, and the same are hereby, re-incorporated, by the name and style aforesaid.

XXI. That all the fines imposed by the Town Council of Orangeburgh shall be collected by a fieri facias, or, if that be returned nulla bona, by a Town Council capias ad satisfaciendum, which, if not paid, may be discharged by schedule and assignment, according to the provisions of the Prison Bounds Act, after giving five days notice to the Intendant or any one of the Wardens.

XXII. That the Lime Stone Spring Company be authorized to increase their capital stock to one hundred thousand dollars, which they may invest in real and personal estate.

XXIII. That Henry C. Young, John Garlington, and Thomas F. Jones, be, and they are hereby appointed, commissioners, with full power to establish a scheme for a lottery, with liberty to sell tickets to the amount of one hundred and fifty thousand dollars, the proceeds of which shall be, by the commissioners aforesaid, paid over to Downs, White & Brother, or their order, for the purpose of rebuilding a Cotton and Wool Factory in the district of Laurens, lately consumed by fire. Also, that the said commissioners shall have power to sell said scheme, should they deem said course more advisable, and apply the proceeds thereof to the purposes aforesaid.

XXIV. That this Act shall be a public Act, and continue of force for the term of fourteen years.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand eight hundred and thirty-six, and in the sixty-first year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.
D. L. WARDLAW, Speaker of the House of Representatives.

AN ACT TO ALTER THE NAME AND AMEND THE CHARTER OF THE No. 2706, NESBITT IRON MANUFACTURING 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 company heretofore incorporated by the name of "The Nesbitt Iron Manufacturing Company," be hereafter known as a body corporate and politic, by the name and style of "The Nesbitt Manufacturing Company."

II. The capital stock is hereby increased to six hundred shares, of five hundred dollars each, to be paid in as follows:—one third, whenever called in by the board of directors, during the year 1837; one third of the balance for by the board of directors during the year 1838; one third, as called for during the year 1839; and the remaining one third, as called for during the year 1840.
III. The government and management of all the affairs and operations of said company, shall be vested in a board, to be called "The President and Directors of the Nesbitt Manufacturing Company," to consist of a president and six directors, to be elected annually by the stockholders from amongst themselves, who shall be chosen at such times and places, and according to such by-laws, as the said company may agree on.

IV. The board of directors may, as the exigencies of the company require it, call in the different instalments, either in the whole or in part, within the periods fixed above, by publishing, in one or more of the newspapers in Columbia, thirty days notice of the amount required and the time and place of payment. And if any stockholder shall fail to pay the amount required, at the time and place designated, interest shall be charged on the amount so called for, until it is paid; and upon such failure to pay, the board of directors shall again publish a demand for the payment of the sum required, and giving notice that if the instalment called for is not paid at the place appointed, within ninety days, with all interest due thereon, all and every payment before made on the stock of such defaulting stockholder or stockholders, shall be forfeited to the company; and if such instalment, or the portion thereof so called for, shall not be paid in, with interest, within ninety days after the publication of such notice, all the monies paid in on the shares of such stockholder or stockholders, are hereby declared forfeited to the said company; provided, that in every case where such default is occasioned by the death of a stockholder, the legal representative or representatives of such stockholder may redeem such stock, at any time within one year from such default, by paying up the principal and all interest due thereon.

V. The stockholders of said company shall hold certificates of their stock, signed by the president and secretary, which certificates shall be assignable and transferred in such manner and form as may be directed by the said by-laws of said company.

VI. The said company may, at any time, increase its capital, not exceeding one million of dollars, for the purpose of carrying on its operations, either by enlarging the stock of the Stockholders, opening subscriptions for new stock, selling new stock, or by borrowing money on the credit of the company.

VII. For the purpose of giving security for any loans made to said company, either to commence its operations or to increase its capital, the said company may mortgage its charter, works, lands, and personal property, of every description.

VIII. The said company is also authorized and empowered to construct a dam or dams across Broad River, at the head of the Ninety-nine Islands, and just above the Cherokee Ford, for the purpose of manufacturing Iron or other manufactures; provided, that if at any time hereafter the State shall open the navigation of said river, nothing in this grant shall be construed to deprive the State of the privilege of providing for a passage through the said dam.

IX. The said company shall have perpetual succession of officers and members, to be chosen according to its by-laws; and shall have power to make by-laws, not repugnant to the laws of the land, and to enforce the same; to have, use, and keep a common seal, and the same to alter at will; to sue and be sued, plead and be imploided, in any court of this State; and to have and enjoy every right and privilege incident to a body corporate. The said company shall have, hold, use and enjoy, all such
OF SOUTH CAROLINA.

Acts relating to corporations.

property as is now possessed by it, or may hereafter be acquired, whether the same be real or personal, and which may be in any way necessary or proper for carrying on manufactures, or the trade incident thereto; and to sell, alien, transfer, convey, and deliver the same at will.

X. This Act shall be taken and deemed to be a public Act; shall be and continue of force for the term of fourteen years, and shall not be so construed as to confer any exclusive privileges.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand eight hundred and thirty-six, and in the sixty-first year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.
D. L. WARDLAW, Speaker of the House of Representatives.

AN ACT TO AMEND THE CHARTER OF THE NESBITT MANUFACTURING COMPANY.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, That the third section of the Act entitled "An Act to alter the name and amend the charter of the Nesbitt Iron Manufacturing Company," passed the twenty-first day of December, one thousand eight hundred and thirty-six, be altered and amended, so as to read as follows:—the government and management of all the affairs and operations of the said company, shall be vested in a board, to consist of a President and such number of Directors as the said company, by its by-laws, shall provide, to be called "The President and Directors of the Nesbitt Manufacturing Company," to be elected annually among themselves, at such time and place, and under such regulations, as the said by-laws shall provide.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and thirty-seven, and in the sixty-second year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.
D. L. WARDLAW, Speaker of the House of Representatives.
AN ACT TO AMEND THE CHARTER OF THE UNION 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 Union Insurance Company shall, in addition to the powers already possessed under existing laws, have the right and power, in such manner and form as now is, or may hereafter be, ordained and appointed by their by-laws, to make insurances on lives, by sea and on shore; and to contract for, grant and sell, annuities and reversionary payments; and, generally, to make all kinds of contracts in which casualties of life and interest of money are principally involved; and to make, execute and perfect, such and so many contracts, agreements, bargains, policies, and other instruments, as may or shall be necessary, and as the nature of the case shall or may require.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and thirty-seven, and in the sixty-second year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.
D. L. WARDLAW, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE STATESBURG BRIDGE 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 Cyrus Morse, Robert E. Yates, John Bradley, and their associates, be, and the same are hereby declared to be, a body politic and corporate, by the name and title of "The Statesburg Bridge Company."

II. And be it further enacted, That the said company shall have power to raise, in manner hereinafter provided, the sum of ten thousand dollars, (if so much be necessary,) in shares of fifty dollars each, for the purpose of erecting a toll-bridge or toll-bridges over the lakes in the swamp of the Wateree river, between Garner's Ferry and Statesburg, in the district of Sumter.

III. And be it further enacted, That for the purpose of raising said sum, John Gordon, David F. Wyles, and Benjamin Hood, be, and they are hereby appointed, commissioners, who shall open books of subscription for the said capital stock of ten thousand dollars, on the second Monday in January next, at Statesburg; and they shall keep said books open for six months, if the said stock be not sooner subscribed; that upon each share subscribed for, there shall be paid to the commissioners, at the time of subscription, the sum of five dollars; and no person shall be allowed to subscribe for more than ninety shares of the said stock. And in case the said company shall not commence the construction of the said bridge or bridges within twelve months from the time of receiving subscriptions for the full amount of the said capital stock, or in case the same shall not be completed within two years from the commencement thereof, the said company shall, ipso
AN ACT TO INCORPORATE CERTAIN COMPANIES AND SOCIETIES.  

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 members of the Independent Fire Engine Company of Columbia, and their successors, be, and they are hereby created, a body politic and corporate in law, under the name and style of "The Columbia Independent Fire Engine Company;" with all the corporate rights and privileges conferred by law upon other fire engine companies within the State.

II. **And be it further enacted**, That the charter of the Beaufort Library Society be renewed for the term of fourteen years.
III. And be it further enacted, That the charter of incorporation granted to the General Trustees of the Roman Catholic Church of South Carolina, be renewed for the further term of fourteen years, and that they have leave to hold, to themselves and their successors, any estate, real or personal, purchased or to be bought, within the limits of the said State, of the value of not more than fifty thousand dollars.

IV. And be it further enacted, That J. H. Means, B. F. Davis, W. J. Alston, Edward Means, and Burrel B. Cook, and their associates and successors, be, and they are hereby, constituted a body politic and corporate in law, under the name and style of "The Monticello Planters' Society of Fairfield District;" and that said society shall be allowed to hold estate, real and personal, to an amount not exceeding ten thousand dollars.

V. And be it further enacted, That the officers and members, and such persons as may hereafter become members, of the Library Society of James Island, be, and they are hereby, constituted a body politic and corporate in law, under the name and style of "The Library Society of James Island."

VI. And be it further enacted, That the trustees and members of the Sumterville Acadelemical Society, and their successors, be, and they are hereby, constituted a body politic and corporate in law, with power to possess and hold, subject to former grants, escheated property within the county of Clarendon, to an amount not exceeding ten thousand dollars.

VII. And be it further enacted, That R. Fuller, and his associates, and their successors, be, and they are hereby, constituted a body politic and corporate in law, under the name and style of "The Beaufort Male Benevolent Society."

VIII. And be it further enacted, That William A. Bull, and his associates, and their successors, be, and they are hereby, constituted a body politic and corporate, under the name and style of "The Mount Carmel Female Academy," with power to hold one third of all property which has been, or which may hereafter be, liable to escheat, within the district of Abbeville. Provided, that nothing herein contained shall be so construed as to effect the rights of other corporations, under like grants made heretofore.

IX. And be it further enacted, That the officers and members of the St. Andrew's Lutheran Church of Lexington district, and their successors, be, and they are hereby, constituted a body corporate, with power to hold real estate, of the value of ten thousand dollars.

X. And be it further enacted, That the elders and members of the Presbyterian Church of Concord, in Sumter district, and their successors, be, and they are hereby, constituted a body politic and corporate, with power to hold estate, real and personal, to the amount of twenty thousand dollars.

XI. And be it further enacted, That the elders and members of the Presbyterian Church of Sumterville, in Sumter district, and their successors, be, and they are hereby, constituted a body corporate, with power to hold real estate, real and personal, of the value of twenty thousand dollars.

XII. And be it further enacted, That the name and style of the Roman Catholic Church of Charleston, incorporated in the year one thousand seven hundred and ninety-one, be, and the same is hereby, changed to the Roman Catholic Church of St. Mary, of Charleston, and that their charter of incorporation be renewed for the term of fourteen years.

XIII. And be it further enacted, That the charter of the Roman Catholic Church of St. Finbar, in the city of Charleston, be, and the same is
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1837.

hereby, renewed for the further term of fourteen years, with power to hold
the church, together with other property, to the amount of ten thousand
dollars.

XIV. And be it further enacted, That Dr. Morris Moore, and his asso-
ciates, and their successors, be, and they are hereby, constituted a body
Glen's Spring corporate, under the name and style of "The Glen's Spring Company," Company.
with power to hold property, real and personal, of the value of seventy-
five thousand dollars.

XV. And be it further enacted, That the charter of the Village of An-
derson be so altered and amended as to allow the town council of said vil-
lage to retain and disburse, within their corporate limits, the funds arising
from the granting of licenses to retail spirituous liquors.

Village of An-
derson.

XVI. And be it further enacted, That the elders and members of the Broad-Mouth
Baptist Church, of Abbeville district, and their successors,
be, and they are hereby created, a body politic and corporate, by the name
and style of "The Broad Mouth Baptist Church."

Baptist

Church.

XVII. And be it further enacted, That J. K. Douglass and Charles J.
Poor Minis-
Shannon, of Camden, Gilbert T. Snowden, of Columbia, John C. Coit, of
Cheraw, James English, of Sumter, John Gregg, of Union, David George,
Beaver Creek, and David B. Wilson, of Williamsburg, and their suc-
cessors, be created a body politic and corporate in law, under the name and style of "The Commissioners of the Poor Ministers's Fund of the Presby-
tery of Harmony:" and they and their successors are hereby empowered, in
their corporate capacity, to receive and acquire property, both real and
personal, to the value of twenty-thousand dollars, either by donation, pur-
blish, devise or bequest, to be applied to the maintenance of foreign mis-
ionaries, and poor and infirm ministers of the gospel.

XVIII. And be it further enacted, That William Wilkins and John G.
Landrum, of Spartanburg district, and their associates and successors, be,
and they are hereby created, a body corporate, under the name and style of "The New Prospect Baptist Church," with power to hold real estate
to the amount of twenty thousand dollars; and that the said John G. Lan-
drum and B. White, and their associates and successors, be, and they are
hereby created, a body corporate, under the name and style of "The Mount Zion Baptist Church, of Spartanburg district," with like power to
hold real estate, to themselves and their successors.

XIX. And be it further enacted, That the Rev. E. E. Pressly, Dr. E.
Agniew, Abram Hadden, James Fair, John L. Ellis, A. C. Hawthorn, and
James Lindsay, of Abbeville district, and their associates and successors,
be, and they are hereby, constituted a body corporate, under the name
and style of "The Clark and Erskine Seminary," with power to hold, for
literary and religious uses, the real estate upon which said institution has
been established, and with like powers and privileges in regard to the
church erected, which is called the Due-West Corner Church; and that
the said corporation shall have the right to hold real and personal property,
in the whole not exceeding in value fifty thousand dollars.

XX. And be it further enacted, That the elders and members of the
Red Oak Grove Baptist Church, of Edgefield district, and their associates Red Oak
and successors, be, and they are hereby, constituted a body corporate in
law, under the above name and style.

XXI. And be it further enacted, That William Cunningham, jr., and
his associates and successors, be, and they are hereby, constituted a body
Pleasant

politic and corporate in law, under the name and style of "The Pleasant
Grove Church.

VOL VIII.—58.
Grove Baptist Church, of Greenville district;" and that John Brewton, of Spartanburg district, and his associates, and their successors, be, and they are hereby, constituted a body corporate, under the name and style of "The Unity Baptist Church of Spartanburg district."

XXII. And be it further enacted, That the elders and members of the Baptist Congregation at Sileoan, in Abbeville district, be, and they are hereby, constituted a body corporate, under the name and style of "The Baptist Church of Sileoan," with power to hold the lot of land upon which their church is built, containing three and one-third acres, and other property, real and personal, to an amount not exceeding ten thousand dollars.

XXIII. And be it further enacted, That James Bivings, Simpson Bobo, and Elias C. Leitner, and their associates and successors, be, and they are hereby, created a body corporate and politic in law, for the purpose of manufacturing cotton and wool, under the name and style of "The Bivinsville Cotton Manufacturing Company," with a capital stock of one hundred thousand dollars, divided into shares of one hundred dollars each, and the right to increase the capital to five hundred thousand dollars. Provided, that the said individuals shall not have corporate capacity until one hundred thousand dollars shall have been actually paid in; and also, that the stockholders shall be liable, individually, in case of insolvency of said company, to an amount equal to the amount of shares in said company which they may have, respectively, held within one year of the failure of said company, over and above their original subscriptions.

XXIV. And be it further enacted, That Eli Gregg, A. P. Laccoe, John N. Williams, John M'Clerregham, William Munnerly, Brown Bryan, and their associates and successors, be, and they are hereby, created a body politic and corporate, for the purpose of navigating steam boats between Cheraw and Charleston, under the name and style of "The Planters's and Merchants's Steam Boat Company of Cheraw," with a capital stock of twenty thousand dollars, to be extended, at the pleasure of the said company, to any amount not exceeding sixty thousand dollars. Provided, that the said individuals shall not have corporate capacity until twenty thousand dollars shall have been actually paid in; and also, that the stockholders shall be liable, individually, in case of insolvency of said company, to an amount equal to the amount of shares in said company which they may have, respectively, held within one year before the insolvency of said company, over and above their original subscriptions.

XXV. And be it further enacted, That the officers and members of the Greenville Jockey Club be, and they are hereby, constituted a body politic and corporate in law, under the name and style of "The Greenville Jockey Club."

XXVI. And be it further enacted, That the charter of the Town Council of Aiken be, and the same is hereby, amended so as to prevent aliens, emigrants and transient persons, from voting at elections for officers of the said corporation.

XXVII. And be it further enacted, That the inhabitants of the village of Blackville be incorporated, under the name and style of "The Village of Blackville," with like powers and privileges as are granted to the village of Barnwell, except the power of granting licenses to retail spirituous liquors; and that the corporate limits of said village shall extend to the distance of one half mile in every direction from the rail road depository.

XXVIII. And be it further enacted, That the inhabitants of the village of Union be, and they are hereby, created a body politic and corporate in law, under the name and style of "The Village of Union," with like
OF SOUTH CAROLINA.

Acts relating to Corporations.

powers and privileges with the village of Barnwell; and that the corporate limits of the said village shall extend to the distance of one half mile in every direction from the court house in the said village.

XXIX. And be it further enacted, That R. Witherspoon, W. A. Carson, James Rose, R. W. Cogdell, Henry Gourdin, and their associates and successors, be, and they are hereby declared, a body politic, for the purpose of erecting and conducting a theatre in the city of Charleston, by the name and style of "The Charleston New Theatre Company," with a present capital of sixty thousand dollars, and with the privilege of increasing the same to one hundred thousand dollars.

XXX. And be it further enacted, That the said company shall have such number and succession of officers and members as shall be ordained and chosen, according to the rules and by-laws made or to be made by them for their government; and shall have power and authority to make any such rules and by-laws as are not repugnant to the constitution and laws of the land; shall have and keep a common seal, and 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.

XXXI. And be it further enacted, That the said company, by their corporate name, shall be able and competent, in law and equity, to have, hold, receive and enjoy, all such property, real or personal, as they shall deem proper in any manner to acquire, or as they now have, or may hereafter in any manner become entitled to, and to alien or otherwise dispose of the same, or any part thereof; provided, that the original value of such estates does not exceed the capital stock of said company; and that the said company shall be and continue a body corporate for the term of twenty-one years.

XXXII. And be it further enacted, That Thomas Wells, Robert Waddell, and William Percival, and their associates and successors, be, and they are hereby, constituted a body politic and corporate in law, for the culture and manufacture of silk, under the name and style of "The Richland Silk Company;" that the shares in the company shall be two hundred dollars each, and the company shall have corporate capacity, as soon as forty shares shall be subscribed, and one fourth part thereof paid in; that the members of the company shall be liable to twice the amount of their respective subscriptions, in case of insolvency, and that this provision shall apply to those who were members at the time of the insolvency aforesaid, and also to those who held shares within twelve months before the said insolvency; that the members of this company shall be confined to the cultivation of the mulberry, rearing of silk worms, and manufacture of silk.

XXXIII. And be it further enacted, That all companies, societies and churches, incorporated by this Act, without specific limitation of time or capital, are hereby authorized and empowered, in their corporate capacity, to hold estate, real and personal, to the amount of ten thousand dollars, and to be and continue as bodies corporate for the term of fourteen years.

XXXIV. And be it further enacted, That the twenty-third section of an Act entitled "An Act to incorporate certain societies, and to renew and amend the charters of certain villages," passed on the twenty-first day of December, eighteen hundred and thirty-six, be so amended as to read as follows: that Henry C. Young, John Garlington, and Thomas F. Jones, be, and they are hereby, appointed commissioners, with full power to establish a scheme for a lottery, to raise a sum not exceeding twenty thousand
Act relating to Corporations.

XXXV. Whereas, a number of citizens of this State have associated in the city of Charleston, for the purpose of establishing an Academy for the encouragement of art and design, and have petitioned the Legislature to be admitted a body corporate and politic, in name and deed, by the name and style of "The South Carolina Academy of Art and Design;" Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That such persons as now are, or may become hereafter, members of the said society, and their successors, members and officers, shall be, and are hereby declared to be, a body corporate and politic, for the encouragement of the Arts connected with the objects of their association, in deed and in law, by the name and style of "The South Carolina Academy of Art and Design;" and, by the said name, shall have perpetual succession of officers and members; and have a common seal, with power to change, alter and make new the same, as often as the said corporation shall judge necessary.

XXXVI. Be it further enacted by the authority aforesaid, That the said corporation shall be able and capable in law, to purchase, have, hold, receive, enjoy and retain, to itself, in perpetuity, or for any term of years, any lands, tenements or hereditaments, of what kind or nature soever, not exceeding the annual income of five thousand dollars; and to sell, alien, or lease the same, as they shall think proper; and by its said name, to sue and be sued, implead and be impounded, answer and be answered unto, in any court of law or equity in this State; and to make such rules and by-laws, not repugnant and contrary to the laws of the land, as for the order, rule, good government and management thereof, may be thought necessary.

XXXVII. And be it further enacted by the authority aforesaid, That the said corporation shall be capable in law, to have, hold, receive, enjoy, possess and retain, all such estates, real and personal, money, goods, chattels and effects, which they now possess, or are entitled to, or which have been already given, devised, or bequeathed thereto, by whatever name such gift, devise, or bequest may have been made.

XXXVIII. Be it further enacted by the authority aforesaid, That so much of this Act as relates to the South Carolina Academy of Art and Design, shall be deemed and taken as a public Act, and notice thereof shall be taken in all the courts of justice and elsewhere in the State, and shall be given in evidence without special pleading.

XXXIX. And be it further enacted by the authority aforesaid, That so much of this Act as relates to the South Carolina Academy of Art and Design, shall be and continue in force for the term of thirty years, and no longer.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and thirty-seven, and in the sixty-second year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.

D. L. WARDLAW, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to Corporations.

A.D. 1837.

AN ACT TO ESTABLISH A COMPANY UNDER THE NAME OF THE SOUTHERN STEAM PACKET 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 James Robertson, H. J. Howland, John Fisher, J. R. Dickson, T. J. Kerr, and others, of the city of Charleston; and Richard O'Neill, A. M'Lachlin, and others, of the town of Columbia, South Carolina, and such other persons as may become members thereof, be, and they are hereby declared, a body corporate and politic, by the name of "The Southern Steam Packet Company," with a capital of one hundred thousand dollars, with liberty to increase the same to five hundred thousand dollars, to be divided into shares of five hundred dollars each, for the purpose of conveying passengers, and transporting goods, wares and merchandise, by Steam Packets, between Charleston, in the State of South Carolina, and New York, or any other port on the Atlantic board, at the election of said company.

II. And be it further enacted, That the said company shall have such number and succession of officers and members as shall be ordained and chosen by the rules and by-laws, made or to be made for their government and direction; and shall have power and authority to make all by-laws, not repugnant to the laws of the land; to have and keep a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any court of law or equity in this State; and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies, according to the laws of the State.

III. And be it further enacted, That the persons before named shall be, any they are hereby constituted, directors of the said company, with the power of appointing and electing officers, until an election can conveniently take place under this charter; and that the said company are hereby authorized and empowered to take up by subscription, at such times and places as they may deem, hereafter, expedient, either the whole or any part of said capital, with such penalties for enforcing payment of the subscriptions thereto, as by their by-laws they shall prescribe.

IV. And be it further enacted, That the said company shall be able and competent, in law and equity, to have, hold and enjoy, all such real or personal property, not exceeding in value five hundred thousand dollars, as they shall deem proper in any way to acquire, or which may be connected with, or in any manner conducive to, the purposes for which the said corporation is established.

V. And be it further enacted, That nothing herein contained shall be construed to bar or preclude the General Assembly from incorporating, at any time hereafter, any other company for the same or similar purposes.

VI. And be it further enacted by the authority aforesaid, That the said company shall not be considered a body corporate until the whole amount of capital authorized shall have been actually subscribed; and that in case, at any time, the said corporation shall become unable to pay its debts, any person who is a stockholder at the time of such insolvency, or during the year previous thereto, may have been a stockholder, shall be liable to its creditors for a further sum equal to the amount of his stock in the said company.
VII. And be it further enacted, That this Act shall be and continue of force for the term of fourteen years.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and thirty-seven, and in the sixty-second year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.
D. L. WARDLAW, Speaker of the House of Representatives.

No. 2729.

AN ACT TO INCORPORATE THE GOVERNOR'S GUARDS.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That all those persons who now are, or hereafter may become, members of the Governor's Guards, Seventeenth Regiment of Infantry, South Carolina Militia, be, and the same are hereby declared, a body corporate and politic, by the name and style of "The Governor's Guards."

II. And be it further enacted by the authority aforesaid, That the said society shall have succession of officers and members, to be chosen according to the rules and by-laws, made or to be made for their respective government and direction; and shall have full power to make by-laws, not repugnant to the laws of the land; to have, use and keep a common seal, and the same to alter at will; to sue and be sued, plead and be imploed, in any court of law or equity in this State; and to have and enjoy all and every right and privilege incidental to and belonging to incorporate bodies.

III. And be it further enacted, That the society hereinabove incorporated, shall be able and capable, in law and equity, to have, hold and receive, possess, enjoy and retain, all such property, real and personal, as they may now be possessed of, or in any wise entitled to, or which shall have been, or may hereafter be, given, bequeathed, or in any wise acquired; and to sell, alien, or otherwise part with the same, or any part thereof, as they shall deem proper and expedient; provided, the amount so held by the society shall in no case exceed the sum of five thousand dollars.

IV. And be it further enacted by the authority aforesaid, That this Act shall be and continue of force during the pleasure of the Legislature.

* In the Senate House, the twelfth day of December, in the year of our Lord one thousand eight hundred and thirty-seven, and in the sixty-second year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.
D. L. WARDLAW, Speaker of the House of Representatives.
AN ACT TO INCORPORATE THE BIVINGSVILLE COTTON MANUFACTURING COMPANY. No. 2746.

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 Simpson Bobo, James Edward Henry, E. C. Leitner, David Dantzler, James Bivings, and others, and those who now are members of the Bivingsville Cotton Manufacturing Company, and such other persons as may become members thereof, be, and they are hereby declared, a body corporate and politic, by the name and style of “The Bivingsville Cotton Manufacturing Company,” with a capital of seventy thousand dollars, and the right to increase the same hereafter to any sum not exceeding five hundred thousand dollars.

II. The said manufacturing company shall have succession of officers and members, according to the rules and by-laws, made or to be made for their government and direction, not repugnant to the laws of the land; to have, use and keep, a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any court of law or equity in this State; and have and enjoy all and every right and privilege incident and belonging to incorporate bodies; provided, that nothing herein contained or hereby provided, shall, in any manner, exempt the said members from all liabilities pertaining to general partners.

III. This shall be deemed a public Act, and continue in force for the term of thirty years.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-eight, and the sixty-third year of the Sovereignty and Independence of the United States of America.

A. PATTERSON, President of the Senate.
D. L. WARDLAW, Speaker of the House of Representatives.

AN ACT TO INCORPORATE THE PENDLETON MANUFACTURING COMPANY. No. 2750.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That E. B. Benson, John T. Sloan, Thomas M. Sloan, B. F. Sloan, and W. H. D. Gaillard, together with such other persons as they shall associate with them, in such manner as shall be determined by the corporation, be, and the same are hereby declared, a body corporate and politic, by the name and style of “The Pendleton Manufacturing Company,” with a capital of fifty thousand dollars, to be divided into shares of five hundred dollars each, with the right to increase the same hereafter to any sum not exceeding three hundred thousand dollars; such increase,
when made from time to time, being in shares of like amount as before provided; upon the condition that the said individuals shall not have corporate capacity until fifty thousand dollars shall have been actually paid in; and also, that the stockholders shall be liable, individually, in case of the insolvency of the said company, to an amount equal to the amount of shares in said company which they may have respectively held, within one year of the failure of said company, over and above their original subscriptions.

II. The said manufacturing company shall have succession of officers and members, to be chosen according to the rules and by-laws, made or to be made, for their government and direction; and shall have power and authority to make by-laws, not repugnant to the laws of the land; to have, use and keep, a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any court of law or equity in this State; and to have and enjoy all and every right and privilege, incident and belonging to corporate bodies.

III. The said manufacturing company shall be able and capable, in law or equity, to have, hold, receive, possess, enjoy, and retain, all such real and personal property, as they may now be possessed of, or in any wise entitled to, or which shall have been, or shall hereafter be, given to, bequeathed, or in any way acquired by them; and shall alien or otherwise part with the same, or any part thereof, as they shall deem proper and expedient; provided, the amount so held shall at no time exceed the amount authorized by this Act.

IV. This Act shall be deemed a public Act, and shall continue in force for the term of thirty years.

In the Senate House, the nineteenth day of December, in the year one thousand eight hundred and thirty-eight, and in the sixty-third year of the Sovereignty and Independence of the United States of America.

A. PATTERSON, President of the Senate.

D. L. WARDLAW, Speaker of the House of Representatives.

No. 2752. AN ACT TO INCORPORATE THE METROPOLITAN 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 it shall be lawful to open books, in the town of Columbia, under the direction of Andrew Wallace, John Bryce, John Glass, James Boatwright, and B. L. M'Lauchlin, or any three of them; and at Camden, under the direction of C. J. Shannon, John Cantey, C. Matheson, William M'Willie, and John Rosser, or any three of them; and at Cheraw, under the direction of James Wright, Daniel S. Harlee, Brown Bryan, Nicholas Punch, and Duncan M'Nair, or any three of them; and at Darlington Court House, under the direction of E. W. Charles, W. W. Harlee, G. W. Dargan, G. W. J. M'Call, and E. A. Law, or any three of them; and at Sumterville, under the direction of Alistair Garden, F. J. Moses, Wm. Haynesworth,
OF SOUTH CAROLINA.

Acts relating to Corporations.

C. W. Miller, and W. M. Miller, or any three of them; and at such other places, and under the direction of such other persons, as any four of the commissioners hereinbefore named to superintend the receiving of subscriptions at Camden shall direct, for the purpose of receiving subscriptions, to an amount not exceeding two million of dollars, in shares of one hundred dollars each, for the purpose of effecting a communication by a Rail Road from the termination of the Raleigh and Columbia Rail Road, at the North Carolina line, through or near Cheraw, and through or near Camden, to some other point, to be selected by the company hereby incorporated, in or near the town of Columbia, South Carolina, or to such other point on the Louisville, Cincinnati and Charleston Rail Road, or any branch thereof, as may be determined on by the company hereby incorporated, with the concurrence of the Louisville, Cincinnati and Charleston Rail Road Company, and for providing every thing necessary and convenient for the purpose of transportation on the same; provided, that nothing herein contained shall be construed so as to impair any right or privileges heretofore granted to the South Carolina Canal and Rail Road Company.

II. The times and places for receiving subscriptions shall be fixed by the commissioners at Camden, above mentioned; and shall be advertised in one or more newspapers published in the towns of Columbia, Camden and Cheraw; and the books for receiving the same shall not be closed in less than ten days; and if it shall appear that more than twenty thousand shares of the capital stock aforesaid shall have been subscribed for within the said ten days, it shall be the duty of the commissioners at Camden, or any three of them, to reduce the number of shares subscribed for, among the subscribers, in fair and equal proportions to the amount of stock subscribed for, respectively, by each, until the amount of stock shall be reduced to twenty thousand. But if the whole amount shall not be subscribed for within ten days from the time the books are opened to receive the subscriptions, then the books may be closed, or continued open, or closed and re-opened, without further notice, as a majority of the aforesaid commissioners at Camden may judge to be most expedient, until the whole number of shares shall be subscribed for.

III. When five thousand shares shall be subscribed for in manner aforesaid, provided the same shall be done within two years after the passing of this Act, 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 Metropolitan Rail Road Company;" and, by that name, shall be capable in law, of purchasing, holding, selling, leasing, and conveying estates, real and personal and mixed, so far as shall be necessary for the purposes hereinafter mentioned, and no further; and shall have perpetual succession; and, by said corporate name, may sue and be sued; and may have and use a common seal, which they shall have power to alter or renew at pleasure; and shall have and enjoy and may exercise all powers, rights and privileges, which other corporate bodies may lawfully do, for the purposes mentioned in this Act; and may make all such by-laws, rules and regulations, not inconsistent with the laws of this State or of the United States, as shall be necessary for the well ordering and conducting the affairs of the company.

IV. Upon any subscription of stock as aforesaid, there shall be paid at the time of subscribing, to the said commissioners, or their agents appointed to receive such subscriptions, the sum of five dollars on every share subscribed, to be deposited in some specie paying Bank in this State, to the
credit of the Metropolitan Rail Road Company; and the residue thereof shall be paid in such instalments, and at such times, as may be required by the President and Directors of the said company.

V. When five hundred thousand dollars, or more, of the stock shall have been subscribed, public notice of that event shall be given by any three or more of the said commissioners at Camden, who shall have power, at the same time, to call a general meeting of the subscribers, at such convenient place and time as they shall name in the said notice.

VI. To constitute any such meeting, a number of persons entitled to a majority of all the votes which could be given upon all the shares subscribed shall be present, either in person or by proxy; and if a sufficient number to constitute a meeting do not attend on that day, those who attend shall have power to adjourn, from time to time, until a meeting shall be formed.

VII. The subscribers, at their general meeting, before directed, and the proprietors of stock, at every annual meeting thereafter, shall elect a President and six Directors, who shall continue in office, unless sooner removed, until the next annual meeting after their election, and until their successors shall be elected; but the said President and directors, or any of them, may at any time be removed, and the vacancy thereby occasioned be filled, by a majority of the votes given at any general meeting. The president with any three or more of the directors, or in the event of the sickness, absence or inability of the president, any four or more of the directors, who shall appoint one of their own body president, pro tern, shall constitute a board for the transaction of business. In the case of vacancy in the office of president or any director, happening from death, resignation, removal or disability, such vacancy may be supplied by the appointment of the board, until the next annual meeting.

VIII. The President and Directors of said company shall be, and they are hereby, invested with all the rights and powers necessary for the construction, repair, and maintaining of a Rail Road to be located as aforesaid, with as many sets of tracks as they, or a majority of them, may deem necessary, and may cause to be made; and also, to make and construct all works whatsoever, which may be necessary and expedient, in order to the proper completion of said Rail Road.

IX. The president and directors shall have power to make contracts with any person or persons, on behalf of the said company, for making the said Rail Road, and performing all other works respecting the same, which they shall judge necessary and proper; and to require from the subscribers, from time to time, such advances of money on their respective shares, as the wants of the company may demand, until the whole of their subscriptions shall be advanced; to call, on any emergency, a general meeting of the subscribers, giving one month's notice thereof in one of the newspapers printed in the towns of Columbia, Camden or Cheraw; to appoint a treasurer, clerk, or such other officers as they may require to transact all the business of the company, during the intervals between the general meetings of the stockholders.

X. If any stockholder shall fail to pay the sum required of him by the president and directors, or by a majority of them, within one month after the same shall have been advertised in one of the newspapers published in the towns of Columbia, Camden or Cheraw, it shall and may be lawful for the president and directors, or a majority of them, to sell at public auction, and to convey to the purchaser, the share or shares of such stockholders so failing or refusing, giving one month's previous notice of the time and
place of sale, in manner aforesaid; and after retaining the sum due, and all charges of the sale, out of the proceeds thereof, to pay the surplus over to the former owner, or his legal representative.

XI. Be it further enacted, That if the capital stock of the company hereby incorporated, shall be found insufficient for the purpose of this Act, increase of it shall and may be lawful for the president and directors of the said company, or a majority of them, from time to time, to increase the said capital stock to an amount not exceeding three millions of dollars, by the addition of as many shares as they may deem necessary—first giving the individual stockholders for the time, or their legal representatives, the option of taking such additional shares, in proportion to the amount of stock respectively held by them, and opening books in the town of Columbia, and such other places as the president and directors may think proper, for any balance of the said capital stock created, which may not be taken by the stockholders for the time being, or in their behalf; and the subscribers for such additional shares of the capital stock of the said company, are hereby declared to be henceforward incorporated into the said company, with all the privileges and advantages, and subject to all the liabilities, of the original stockholders.

XII. Be it further enacted, That the president and directors, or a majority of them, shall have power to borrow money for the objects of this Act; to issue certificates or other evidences of such loans, and to make the same convertible into the stock of the company, at the pleasure of the holder; provided, that the capital shall not thereby be increased to an amount exceeding three millions of dollars; and to pledge the property of the company for the payment of the same with interest; provided, that no certificate of loan convertible into stock, or creating any lien or mortgage on the property of the company, shall be issued by the president and directors, unless the expediency of making a loan on such terms, and of issuing such certificates, shall have first been determined on, at a general meeting of the stockholders, by two thirds of the votes which could be legally given in favor of the same.

XIII. Be it further enacted, That the said president and directors, their officers, agents and servants, shall have full power and authority to enter upon all lands and tenements through which they may desire to conduct their Rail Road, and to lay out the same according to their pleasure, so that the dwelling house, yard and garden of no person be invaded, without his consent; and that they shall have power to enter in and lay out such contiguous lands as they may desire to occupy as sites for depots, toll houses, ware houses, engine sheds, workshops, water stations, and other buildings, for the necessary accommodation of their officers, agents and servants, their horses, mules, and other cattle, and for the protection of the property entrusted to their care; provided, however, that the land so laid out on the line of the Rail Road, shall not exceed, (except at deep cuts and fillings,) two hundred feet in width; and at such deep cuts and fillings, shall not exceed a width sufficient for the construction of the banks and deposits of waste earth; and that the adjoining land for the sites of buildings, (unless the president and directors can agree with the owner or owners for the purchase of the same,) shall not exceed five acres in any one parcel.

XIV. Where any lands or right of way may be required by the said company, for the purpose of constructing their road, and for want of
agreement as to the value thereof, or from any other cause, the same cannot be purchased from the owner or owners, the same may be taken at a valuation to be made by five commissioners, or a majority of them, to be appointed by any court of record having law jurisdiction in the district where some part of the land or right of way is situated. And the said commissioners, before they act, shall, severally, take an oath before some justice of the peace, faithfully and impartially to discharge the duty assigned them. In making said valuation the commissioners shall take into consideration the loss or damage which may occur to the owner or owners in consequence of the land being taken, or the right of way surrendered; and also the benefit and advantage he, she or they may receive from the erection or establishment of the rail road and works, and shall state, particularly, the nature and amount of each; and the excess of loss and damage, over and above the benefit and advantage, shall form the measure of valuation of the said land or right of way. The proceedings of the said commissioners, accompanied with a full description of the said land or right of way, shall be returned, under the hands and seals of a majority of the commissioners, to the court from which the commission issued, there to remain of record. In case either party shall appeal from the valuation to the next session of the court granting the commission, and giving reasonable notice to the opposite party of such appeal, the court shall order a new valuation to be made by a jury, who shall be charged therewith in the same term, or as soon as practicable, and their verdict shall be final and conclusive between the parties, unless a new trial shall be granted. And the lands or right of way, so valued by the commissioners or jury, shall vest in the said company, in fee simple, as soon as the valuation may be paid; or when refused may be tendered. Where there shall be an appeal, as aforesaid, from the valuation of commissioners, by either of the parties, the same shall not prevent the works intended to be constructed from proceeding. But when the appeal is made by the company, requiring the surrender, they shall be at liberty to proceed in their work only on condition of giving to the opposite party a bond with good security, to be approved of by the clerk of the court where the valuation is returned, in a penalty equal to double the said valuation, conditioned for the payment of the said valuation and interest, in case the same be sustained, and in case it be reversed, for the payment of the valuation thereafter to be made by the jury, and confirmed by the court.

XV. In the absence of any contract or contracts with the said company, in relation to lands through which the said road or its branches may pass, signed by the owner thereof, or by his agent, or any claimant or person in possession thereof, which may be confirmed by the owner thereof, it shall be presumed that the land upon which the road or any of its branches may be constructed, together with a space of one hundred feet on each side of the centre of the said road, has been granted to the company by the owner or owners thereof; and the said company shall have good right and title thereto, and shall have, hold and enjoy the same, as long as the same be used only for the purposes of the said road, and no longer; unless the person or persons owning the said land at the time that part of the said road which may be on the said land was finished, or those claiming under him, her or them, shall apply for an assessment of the value of the said lands, as hereinafter directed, within ten years next after the said part was finished; and in case the said owner or owners, or those claiming under him, her or them, shall not apply for such assessment within ten years next
after the said part was finished, he, she or they shall be forever barred from recovering the said land, or having any assessment or compensation therefor; provided, nothing herein contained shall affect the rights of female coverts or infants, until two years after the removal of their respective disabilities.

XVI. All lands not heretofore granted to any person, nor appropriated by law to the use of the State, within one hundred feet of the centre of the said road or its branches, which may be constructed by the said company, shall vest in the company, as soon as the line of the road is definitely laid out through it, and any grant thereafter shall be void.

XVII. If any person or persons shall intrude upon the said rail road, or any branch thereof, or part thereof, by any manner of use thereof, or of the rights and privileges connected therewith, without the permission or contrary to the will of the said company, be, she or they, shall forthwith forfeit to the said company all the vehicles that may be so intruded on the said road, and the same may be recovered by suit at law; and the person or persons so intruding may also be indicted for misdemeanor, and upon conviction, fined and imprisoned by any court of competent jurisdiction.

XVIII. 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, said rail road, or any branch thereof, or any bridge or vehicle used for or in transportation thereon, such person or persons so offending shall be liable to be indicted therefor, 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, of the land where such destruction, hurt, damage, injury or obstruction was done or caused, at the time the same was caused or done.

XIX. Every obstruction to the safe and free passage of vehicles on the said road, or its branches, shall be deemed a public nuisance, and may be abated as such, by an officer, agent or servant of the company; and the person causing such obstruction may be indicted and punished for erecting a public nuisance.

XX. Whenever, in the construction of said rail road, it shall be necessary to cross or intersect any established road or way, it shall be the duty of the said president and directors so to construct the said rail road across such established roads or ways, as not to impede the passage or transportation of persons or property along the same. Provided, however, that in order to prevent the frequent crossing of established roads or ways, or in case it may be necessary to occupy the same, it may be lawful for the said president and directors to change the said roads at points they may deem it expedient to do so; and that, for entering upon or taking any land that may be necessary therefor, they shall be, and are hereby, authorized to proceed, under the provisions of this Act, as in the case of lands necessary for their rail road. Provided, further, that previous to the making of any such change, the said company shall make and prepare a road equally good with
the portion of the road proposed to be substituted; but nothing herein contained shall be so construed as to make it incumbent upon the said company to keep in repair any portion of any road which they may have changed, as aforesaid. Provided, also, that the commissioners of the roads in the districts or parishes in which such alterations shall be desired, shall assent to such alterations, and approve of the substitutes, when completed.

XXI. All machines, wagons, vehicles and carriages, purchased, as aforesaid, with the funds of the company, or engaged in the business of transportation on said rail road, and all the works of said company constructed, or property acquired, under authority of this Act, and all profits which shall accrue from the same, shall be vested in the respective stockholders forever, in proportion to their respective shares, and the same shall be deemed personal estate, and shall be exempt from any public charge or tax whatever, for the term of fifteen years, and thereafter the Legislature may impose a tax, not exceeding twenty-five cents per annum per share, on each share of the capital stock, whenever the annual profits thereof shall exceed six per cent.

XXII. Upon the road hereby authorized the company shall have the exclusive right of transportation; when it is completed they shall, at all times, furnish and keep in good repair the necessary carriages and other requisites for the safe and convenient transportation of persons and property; and it shall be their duty, at all times, upon the payment or tender of the tolls hereby allowed, to transport to any depot on the road which the owner of the goods may indicate, and there to deliver, all articles which may be delivered to them for transportation, or offered to them in proper condition to be transported.

XXIII. They shall give no undue preference to the property of one person over that of another; but, as far as practicable, shall carry each in the order of time in which it shall be delivered or offered for transportation, with the tolls paid or tendered. If the company, or any of its officers or agents, shall fail to receive, transport or deliver, in due time, any property so delivered or offered to them for transportation, or shall fail to take up or set down any passenger or passengers, at such convenient point as he or they may desire, upon the payment or tender of the passage money hereby allowed, they shall forfeit and pay to the party so injured, double the amount of the lawful toll paid or tendered, and shall, moreover, be liable to an action in the case, in which full damages and double costs shall be recovered.

XXIV. So soon as any portion of the rail road hereby authorized may be in readiness for transportation, it shall be lawful for the said president and directors to transport, by their officers or agents, or by contractors under them, persons and property on the same; and they shall have power to charge for the transportation of persons, goods, produce, merchandize and other articles, and for the transportation of the mail, any sum not exceeding the following rates: on persons, not exceeding seven and one half cents per mile for each person, unless the distance which any person may be transported be less than ten miles, in which case the president and directors may be entitled to make an extra charge of fifty cents for taking up and putting down each person so transported; for the transportation of goods, produce, merchandize, and other articles, not exceeding fifty cents per hundred pounds on heavy articles, and ten cents per cubic foot on articles of measurement, for every hundred miles; and for the transportation of the mails, such sums as they may agree for.
XXV. As soon as thirty miles of the rail road hereby authorized shall be completed, the President and directors shall, annually or semi-annually, declare and make such dividends as they may deem proper, of the nett profits arising from the resources of the said company, after deducting the necessary current and contingent expenses of the said company, and shall divide the same among the proprietors of the stock of said company, in proportion to their respective shares.

XXVI. An annual meeting of the subscribers to the stock of the said company shall be held, at such time and place, in each year, as the stockholders, at their first general meeting, or at any subsequent meeting, may appoint; to constitute which, or any general meeting called by the president and directors, according to the provisions of this Act, the presence of the proprietors entitled to a majority of all the votes which could be given by all the stockholders, shall be necessary, either in person or by proxy, properly authorized; and if a sufficient number do not attend on that day, or any day appointed for a general meeting, called by the directors aforesaid, the proprietors who do attend may adjourn from time to time, until such general meeting shall be held.

XXVII. In counting all the votes of the said company, each member shall be allowed one vote for each share, not exceeding two shares; one vote for every two shares above two, and not exceeding ten; and one vote for every five shares above ten, by him held, at the time, in the stock of the company; provided, however, that no stockholder, whether an individual, body politic or corporate, shall be entitled to more than sixty votes, on any amount of the capital stock of the said company held by him or them.

XXVIII. The president and directors shall render distinct accounts of their proceedings and disbursements of money, to the annual meetings of the stockholders.

XXIX. The works hereby required of the Metropolitan Rail Road Company shall be executed with diligence, and if they be not commenced within three years after the passage of this Act, and finished within eight years after the first general meeting of the stockholders, then this charter shall be forfeited.

XXX. The president and directors shall cause to be written or printed, certificates of the shares of the stock in the said company, and shall deliver one such certificate, signed by the president and countersigned by the treasurer, to each person, for the number of shares subscribed by him; which certificate shall be transferrable by him, subject, however, to all payments due or to become due thereon; and such assignees, having first caused the transfer or assignment to be entered in a book of the company to be kept for that purpose, shall thenceforth become a member of the company aforesaid, and shall be liable to pay all sums due or to become due upon the stock assigned them.

XXXI. Be it further enacted, That any rail road which hereafter may be constructed by the State, or by any company incorporated by the Legislature, shall be at liberty to cross the road hereby allowed, to be constructed upon a level or otherwise, as may be advantageous; provided, that the free passage of the Metropolitan Rail Road is not thereby obstructed.

XXXII. Be it further enacted, That whenever the said rail road shall be so crossed or approached by any other rail road incorporated by the State, the said Metropolitan Rail Road Company may erect a depot at or near ing.
the point of intersection, where they may receive and deliver passengers and freight, and take therefor the same rates of compensation, and be subject to the same regulations, as at other depots; and should they fail or refuse to erect such depots, the State or company owning such intersecting road may erect one, and the company hereby incorporated shall receive and deliver passengers and freight at such depots, under the same regulations as aforesaid, unless the same shall be rendered impracticable by the situation of the road at such place.

In the Senate House, the sixteenth day of December, in the year one thousand eight hundred and thirty-eight, and in the sixty-third year of the Sovereignty and Independence of the United States of America.

A. PATTERSON, President of the Senate.

D. L. WARDLAW, Speaker of the House of Representatives.

No. 2753. AN ACT TO AUTHORIZE THE FORMATION OF THE CHARLESTON, GEORGETOWN AND ALL-SAINTS 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 rail road, on the most practicable route, from the city of Charleston to Georgetown, and thence to some point to be determined on the line separating the parish of All Saints from the State of North Carolina; that where impediments are presented, by rivers or water-courses, the said company may, at their option, use viaducts or steamers; provided, it be in such wise as to offer no obstruction to the navigation of such rivers or water-courses. And the said company shall have the exclusive right to make, keep up and use, such rail road and steamers; and for the term of time hereinafter to be mentioned, no other rail road shall be constructed from Charleston to Georgetown, nor from Georgetown to the North Carolina line, where that line strikes the parishes of Kingston and All Saints; nor shall any steamer, other than the steamers of the said company, ply between such points of the proposed rail road, where (water-courses intervening,) such company may choose to use steamers.

II. And be it further enacted, That the stock of the company hereby authorized shall consist of ten thousand shares of one hundred dollars each; but the said company shall be at liberty to enlarge their said capital, as in the progress of their undertaking they may find necessary, either by additional assessments on the original shares, not to exceed in the whole the sum of twenty dollars on each original share, or by new subscriptions, of not more than one hundred dollars each share; the terms and conditions of which new subscriptions the said company is authorized to prescribe; and it shall be lawful for the said company, from time to time, to invest so much of their capital, or of their profits, as may not be required for immediate use, and until it may be so required, in public stock or stocks of any bank, or
other incorporate body, and draw and apply the dividends, and sell or transfer, as they shall see fit, any portions of the stock.

III. And be it further enacted, That the books for subscription of the stock of the said company hereby authorized, shall be opened at Charleston, Georgetown, Cheraw, Columbia, Conwayborough, Marion C. H., Darlington C. H., Marlborough C. H., and Williamsburg C. H., by three commissioners in each place, to be appointed by the Governor; and the books shall be opened in each of the said places on the same day, namely, on the first Monday in March next, and be kept open at each place for four days, between the hours of nine in the morning and three in the afternoon; and the time and places of subscribing shall be advertised by the said commissioners in one or more of the gazettes in Charleston, Columbia and Georgetown, and other gazettes that may be published at the places of subscription, for at least three weeks prior to the time for opening the books. Upon the books being opened individuals may subscribe for as many shares as they see fit, paying to the commissioners, at the time of subscription, ten dollars on each share subscribed for; and the commissioners shall designate in the books, opposite to the names of the subscribers, the day of subscription, the number of shares subscribed, and the sum of money paid, respectively; and for the sums so paid the commissioners shall give receipts to the individuals paying, and, as soon as may be, deposit the money in the Bank of the State of South Carolina, the Bank of Georgetown, and the Bank of Cheraw, according as each may be nearest to the place of subscription; subject, for so much thereof as may be refunded to subscribers, upon adjustment made in case of over-subscription, to the joint check of said commissioners, and subject for the balance to the check or order of said company, through its president or directors.

IV. And be it further enacted, That when the books shall be closed on the last day, the commissioners in Charleston, Columbia, Cheraw, Conwayborough, Marion C. H., Darlington C. H., Marlborough C. H., and Williamsburg C. H., respectively, shall transmit to the commissioners in Georgetown a list of the subscribers, designating, as in the subscription books, opposite each name, the day of subscription, the number of shares subscribed, and the sum paid, with a certificate at the bottom of the list, to be signed by each commissioner, that the money is deposited in a bank, conformably to this Act, naming the bank; and thereupon the commissioners in Georgetown, from all the lists of subscribers, shall make out a general list, and, summing up the whole, ascertain whether the shares subscribed are equal to the capital prescribed for the company, or greater or less in amount than the said capital. If the number of shares subscribed shall exceed ten thousand, then the shares shall be reduced, rateably, to that number; except that no subscription of five shares or under shall be reduced. If the number of shares subscribed shall be less than five thousand, the commissioners in Georgetown may keep the books open at that place until the number of five thousand shares shall be subscribed. If the number of shares subscribed shall amount to five thousand, the said company may thereupon be formed; and the said company may, when organized, cause books to be opened by the directors, after sixty days notice of the time and place of subscription, and receive such subscriptions as can be obtained, and may keep open the books until the whole amount of ten thousand shares shall have been subscribed.

V. And be it further enacted, That as soon as the number of five thousand shares shall have been subscribed, in manner aforesaid, the company shall be

VOL. VIII.—60.
considered as formed, and this Act of incorporation shall attach and become
effectual, and the company may take measures for complete organization.
For this end the commissioners in Georgetown shall appoint a convenient
time and place for the meeting of the stockholders, and shall cause the
same to be advertised in the public gazettes, for four weeks previous
to the day of meeting; at which time and place the subscribers of stock
may attend, in person or by proxy, and the meeting being assembled, and
a proper registry made of all the subscribers who may be in attendance, in
person or by proxy, the commissioners at Georgetown, or a majority of them
attending, shall present a ballot box, in which the subscribers may vote by
ballot for a president and twelve directors, to serve for one year, and until
a new election be made; and the presiding commissioners shall count the
ballots, declare the election, and make and deliver proper certificates thereof,
under their hands.

VI. And be it further enacted, That in the said election, and in all future
elections of president and directors, and in making alterations and repealing
of by-laws, and in determining on measures involving the interests of the
company, at any stated or occasional corporate meeting, the votes of the
stockholders shall be taken and governed by the scale and regulations fol-
lowing: the owner of one or two shares shall be entitled to one vote; the
owner of three or four shares shall be entitled to two votes; the owner of five
or six shares shall be entitled to three votes; the owner of seven or eight
shares to four votes; the owner of not less than nine nor more than ele-
ten shares, to five votes; the owner of not less than twelve nor more than
fifteen shares, to six votes; the owner of not less than sixteen nor more
than twenty shares, to seven votes; the owner of not less than twenty-one
nor more than twenty-six shares, to eight votes; the owner of not less
than twenty-seven nor more than thirty-three shares, to nine votes; the
owner of not less than thirty-four nor more than forty shares, to ten votes;
and the owner of shares above forty shall be entitled to one vote for every
ten shares above forty. No one but a subscriber shall be capable of being
a proxy, and the appointment of a proxy shall be in writing, signed by the
stockholder appointing, and authenticated by affidavit of a subscribing wit-
ness, before some lawful magistrate, and endorsed upon the writing of ap-
pointment. Any person offering to vote as a proxy may be required by any
stockholder to swear that he has no interest, directly or indirectly, in the
stock on which he offers to vote as proxy. A trustee of stock shall not vote
on shares held by him in trust, expressed or declared, where the cestui
quae trust holds other shares, either in his own name or in the name of an-
other trustee; but the cestui quae trust may vote on all shares owned by him,
whether legally or equitably, according to the scale aforesaid.

VII. And be it further enacted, That the election of president and direc-
tors shall be made annually, according to the by-law to be made for the
purpose. And in case any vacancy occur in the board, between two periods
of general election, a majority of the board of directors, at any regular or
stated meeting of the board, may elect, by ballot, from the stockholders, a
person to fill the vacancy so occurring, until the next general election of
directors. But if it happen that the day of annual election of president
and directors should pass without election, as to all or any of them, being
affected, the corporation shall not be dissolved nor discontinued thereby,
but it shall be lawful on any other day to hold and make such election,
in such manner as may be prescribed by the by-laws of the corporation;
subject, always, to the scale and regulations of the sixth section of this Act.
OF SOUTH CAROLINA.

Acts relating to Corporations.

VIII. And be it further enacted, That the said company, to be organized as aforesaid, shall be called "The Charleston, Georgetown and All Saints Rail Road Company," and have perpetual succession of members; may make and have a common seal, and break and alter it at pleasure; may sue and be sued, answer and be answered unto, by their corporate name aforesaid, in all courts of law and equity or judicial tribunals in this State; and shall be capable, at all times, of making and establishing, altering and revoking, all such regulations, rules and by-laws, for the government of the company and its direction, as they may find necessary and proper for effecting the ends and purposes intended by the association, and contemplated in this Act; provided, such regulations, rules and by-laws, be not repugnant to the constitution and laws of the State.

IX. And be it further enacted, That the said Charleston, Georgetown and All Saints Rail Road Company shall have power and capacity to purchase, take and hold, in fee simple, or for years, to them and their successors, any lands, tenements or hereditaments, that they may find necessary for the site, on and along which to locate, run and establish the Rail Road aforesaid, or to vary or alter the plan or plans, and to such breadth or dimensions through the whole course of the road, as they may see fit; and, in like manner, to purchase, take and hold, any land contiguous to or in the vicinity of the said Rail Road, that they may find necessary for the procuring, and, from time to time, readily obtaining, all proper materials, of what kind soever, for constructing, repairing, guarding and sustaining the said Rail Road; and, in like manner, to purchase all private rights of way on land, and all necessary privileges in waters or water courses, that may lie on or across the route through which the said Rail Road may pass; and also, of all lands contiguous thereto, that may be found necessary for the erecting of toll-houses and store-houses, work-shops, barns, stables, residences, and accommodations for servants, agents or mechanics, and for the stabling and maintaining all animals of labor. And the said company shall have power, if need be, to conduct their Rail Road across and over any public road, river, creek, waters or water-courses, that may be in the route; provided, the passage of the public road, or navigation of the stream, be not obstructed thereby.

X. And be it further enacted, That in any case where lands or private Rights of way.

May hold property.

and the same cannot be purchased from the owner or owners, for want of agreement of the parties as to price, or from any other cause, the same may be taken by the company, at a valuation to be made by commissioners, or a majority of them, to be appointed by the court of common pleas of the district or parish in which any part of the land or rights of way may be situated. And the said commissioners, before they act, shall, severally, take an oath before some justice of the peace, faithfully and impartially to discharge the duty assigned to them. In making the said valuation the commissioners shall take into consideration the loss or damage which may occur to the owner or owners, in consequence of the land or right of way being taken; and also, the benefit and advantage he, she or they may receive from the erection and establishment of the rail road and works; and shall state, particularly, the nature and amount of each; and the excess of loss and damage, over and above the benefit and advantage, shall form the measure of valuation of the said land or right of way. The proceedings of the said commissioners, accompanied with a full description
and plat of the said land, shall be returned, under the hands and seals of a majority of the said commissioners, to the court from which the commission issued, there to remain of record. Either party to the proceeding may appeal from the said valuation to the next session of the court granting the commission, giving reasonable notice to the opposite party of such appeal; and the court, upon satisfactory proof that the applicant has been injured by such valuation, shall order a new valuation to be made by a jury, who shall be charged therewith in the same term, and their verdict shall be final and conclusive between the parties, unless a new trial be granted; and the lands and rights of way, so valued by the commissioners or jury, shall vest in the said company, in fee simple, so soon as the valuation thereof may be paid, or tendered and refused. When there shall be an appeal, as aforesaid, from the valuation of commissioners, by either of the parties, the pendency of such appeal shall not prevent the company from proceeding in the construction of their works, in and upon said land or way; but where the appeal be made by the company, requiring the surrender, they shall be at liberty to proceed in their work, only on condition of giving to the opposite party a bond, with good security, to be approved of by the clerk of the court where the valuation is returned, in a penalty equal to double the said valuation, conditioned for the payment of said valuation and interest, in case the same be sustained, and in case it be reversed, for the payment of the valuation thereafter to be made by the jury and confirmed by the court. In all the assessments made by the commissioners or jury, as aforesaid, after the construction of the said road, or of the part thereof on the land to be valued, reference shall be had to the true value of the land at the time of the erection of the said road, or part thereof; and the use thereof by said company, for the purposes of said road, shall be considered as an actual possession of said land covered by said road, and the space of one hundred feet on both sides of said road, as aforesaid.

XI. And be it further enacted, That in the absence of any written contract between the said company and the owner or owners of land through which the said rail road may be constructed, in relation to said land, it shall be presumed that the land upon which the said rail road may be constructed, together with one hundred feet on each side of the centre of the said road, has been granted to the said company by the owner or owners thereof; and the said company shall have good right and title to the same, and shall have, hold and enjoy the same, unto them and their successors, so long as the same may be used only for the purposes of the said road, and no longer; unless the person or persons to whom any right or title to such lands, tenements or hereditaments descend or come, shall prosecute the same within two years next after the construction of such part or portion of the said road as may be constructed upon the lands of the person or persons so having or acquiring such right or title, as aforesaid. And if any person or persons to whom any right or title to such lands, tenements or hereditaments belong, or shall hereafter descend or come, do not prosecute the same within two years next after the construction of the part of the said road upon the lands of the person or persons so having or acquiring such right or title, as aforesaid, then he or they, and all claiming under him or them, shall be forever barred to recover the same. Provided, that nothing herein contained shall affect the rights of feme covert, infants or persons beyond seas, until two years after the removal of their respective disabilities.
XII. And be it further enacted, That all lands not heretofore granted to any person, nor appropriated by law to the use of the State, within one mile from the centre of the main track of the said road that may be constructed, be, and they are hereby, vested in the said company, and their successors, so long as the same may be used for the purposes of the said road, and no longer.

XIII. And be it further enacted, That the said company shall, at all times, have the exclusive right of conveyance or transportation of persons, merchandize and produce, over the rail road to be by them constructed, while they see fit to exercise the exclusive right; and the said company are hereby authorized to fix and determine upon such rates of charge for the transportation of persons, merchandize and produce, as to them shall seem necessary and proper to secure a reasonable and adequate return upon the capital invested; provided, that the average annual yield on such capital, after all expenses paid, shall not exceed ten per centum. The said company may, when they see fit, let or farm out all or any part of their exclusive right of transportation of persons, merchandize and produce, with their privileges, to any individual or individuals, or other company, and for such term as may be agreed upon; subject, always, to the provisions contained in this section, in relation to the rates of charge. And the said company, in the exercise of their right of conveyance and transportation of persons or property, and the persons so taking from the company the right of conveyance or transportation, so far as they act in the same, shall be regarded as common carriers. And the said company may use or employ any sections of their proposed rail road, before the whole shall be completed, which may afford public accommodation for the conveyance of persons, produce or merchandize; and the said company shall have power to take, at the storehouses they may establish or annex to the said rail road, all goods, wares, merchandize and produce, intended for transportation or conveyance, prescribe the rules of priority, and charge such reasonable prices and compensation for storage and labor, as they may, by regulations, establish, which regulations they shall publish, or as may be agreed upon with the owners.

XIV. And be it further enacted, That whenever the said company shall see fit to farm out, as aforesaid, to any other person or persons or body corporate, any part of their exclusive right of conveyance and transportation, or shall deem it expedient to open the said Rail Road, or any part thereof, to public use, they shall and may adopt and enforce any necessary rules and regulations, and have power to prescribe the construction and size or burden of all carriages and vehicles, and the materials of which they shall be made, that shall be permitted to be used or pass on the said Rail Road, and the locomotive power that shall be used with them.

XV. And be it further enacted, That if any person or persons shall intrude upon the said Rail Road, or any part thereof, by any manner of use, without the permission or contrary to the will of the said company, he, she or they, shall forthwith forfeit to the company, all the vehicles, articles and animals, that may be so intrusively introduced and used thereon; and the same may be seized by the company, or its agents, or recovered by suit at law; and moreover, the person or persons so intruding, may be indicted as for a misdemeanor, and upon conviction, be fined and imprisoned, in the discretion of the Court of Sessions of the district in which he, she or they, shall be
tried and convicted. And if any person shall willfully and maliciously de-
stroy, or in any manner hurt, damage, injure or obstruct, the said Rail
Road, or any work connected therewith, or any vehicle, edifice, right or
privilege, granted by this Act, and constructed and employed under the
authority thereof, such person so offending shall be liable to be indicted as
for a misdemeanor therefor, and on conviction thereof, shall be imprisoned,
not more than six months, and be fined, not more than five hundred, nor
less than twenty dollars; and shall be further liable to pay to the said com-
pany any damages occasioned by the said injury, and all expenses of re-
pairing the same. The one half of all fines that may be imposed by the
court under this Act, shall be paid to the informer, and the other half to
the said company. The provisions of this section shall be extended as
well to the owners of the lands through which the said road may be con-
structed, as to other persons; and no owner, or other person claiming under
him or her, shall avoid the said provisions by the plea of liberum tenemen-
tum, or by any other plea whatever.

XVI. And be it further enacted, That the exclusive right to make, keep
up and use the said rail road, and the conveyance and transportation there-
upon, shall vest and continue in the said company, for and during the term of
thirty-six years, to be computed from the time when the said rail road shall
be completed for transportation; and that during the said term of thirty-
six years, the stock of the company, and the real estate that may be pur-
chased by them, and be connected with or subservient to the works hereby
authorized, shall be exempted from taxation; and after the lapse of the
said term of thirty-six years, the said Charleston, Georgetown, and All
Saints Rail Road Company shall be and remain incorporate, and be vested
with all the estate, powers and privileges, as to their own works, herein
granted and secured; except that the Legislature may authorize the for-
mation of other companies, and the construction of other Rail Roads, for
the trade or intercourse contemplated herein; but the Legislature may
renew and extend the exclusive right of said Charleston, Georgetown,
and All Saints Rail Road, upon such terms as may be prescribed by law,
and accepted by said company; provided, that the subscription of stock
in said company be filled up to the amount of at least five thousand shares,
within thirteen months from the passing of this Act, and the said Rail
Road be commenced within two years, and be completed within eight years,
after the shares shall be subscribed.

XVII. And be it further enacted, That after the president and directors
shall be elected as aforesaid, it shall always be in the power of the president
and directors of the company, at a meeting of the board, a majority being
present, to nominate and appoint a secretary, a treasurer, and all other offi-
cers, agents and servants, that they may deem necessary, or that may be
prescribed in the by-laws of the said company, and to remove the same at
pleasure; and also, to require and take from all the officers, agents and ser-
vant, such bond or bonds and security, as the board or the by-laws may
prescribe, for securing the fidelity, obedience and accountability of the said
officers, agents and servants, and their punctual surrender and delivery of
all monies and property, on the termination of their offices, by resignation,
removal or expiration of their term.

XVIII. And be it further enacted, That the president and directors, by
power to draw an order signed by the president, shall have power to draw from the banks
all such sums of money as may have been received by the different sets
OF SOUTH CAROLINA.

Acts relating to Corporations.  
A.D. 1838.

XIX. And be it further enacted, That every subscriber or holder of stock in the said company shall pay to the company the amount of the shares by him or her subscribed or held, in such instalments, not exceeding ten dollars on each share at one time, and at such periods, with intervals of not less than sixty days, as shall be prescribed and called for by the directors; of which periods of payment, and the sums required, the board of directors shall cause public notice to be given, for at least four weeks previous to such periods of payment, by advertisements in one of the gazettes published at Columbia or Charleston; and on failure of any subscriber or stockholder to pay up any instalment so called for by the directors, the shares upon which default shall be made, together with any past payments thereon, shall be forfeited to the company, and be appropriated as they shall see fit. And the said company shall and may prescribe, in and by their by-laws, rules and regulations, the mode of issuing the evidences of shares of stock, and the manner, terms and conditions, of assigning and transferring shares of the stock.

XX. And be it further enacted, That if the said company determine to increase their capital stock, by additional assessments on the original shares, as hereinbefore provided, the sums so assessed shall be called for in such instalments, at such periods, and with such notices, and not otherwise, as are provided in the nineteenth section of this Act; and failure to pay up such assessments shall induce a forfeiture to the company, in like manner as provided in said section, of the shares of stock on which default shall be made.

XXI. And be it further enacted, That the president and directors shall be styled “The Direction of the Company;” and shall have power to call for all instalments, declare all dividends of profits, make all contracts and agreements in behalf of the company, and to do and perform all other lawful acts and deeds which by the by-laws of the corporation they may be authorized and required to do and perform; and the acts or contracts of the direction, authenticated by the signatures of the president and secretary, shall be binding on the company without seal. The direction shall not exceed in their contracts the amount of the capital of the company; and in case they do so, the president and directors who are present at the meeting when such contract, exceeding the capital, shall be made, shall be jointly and severally liable for the excess, as well to the contractor as to the company; provided, that any one may discharge himself from such liability by voting against such contract, causing such vote to be recorded in the minutes of the direction, and giving notice thereof to the next general meeting of the stockholders. The direction shall keep regular minutes of all their meetings, and of the acts there done; and they shall make a full report of the state of the company and of its affairs, to a general meeting of the stockholders, at least once in every year, and oftener, if so directed by the by-laws; and they shall have power to call a general meeting of the stockholders, when they may deem it expedient; and the company may
provide in their by-laws for occasional meetings of the stockholders, and
prescribe the mode of calling the same.

XXII. And be it further enacted, That the following officers and per-
sons, while in the actual employment of the said company, shall be exempt
from the performance of ordinary militia duty, and from service on juries,
viz:—the chief engineer, and assistant engineers, the commissioner and
superintending officer, the secretary and the treasurer of the directors, the
keeper of the depository, the guards stationed on the road to protect it from
injury, (not exceeding one white man to every five miles,) and such per-
sons as may be actually employed in working the locomotive engines, and
in travelling with cars, for the purpose of attending to the transportation of
passengers or goods on the said road, not exceeding one white engineer, and
his white assistant, to each engine, and one white person to each passenger
car, and to every five cars for the transporting of goods.

XXIII. Be it further enacted by the authority aforesaid, That the pre-
ident and directors of the said company be, and they are hereby, re-
quired to make a report on the condition and business of said company,
to the Comptroller General, on the first of October, in each and every pe-
riod of five years, after the construction of any portion or portions of said
Rail Road shall have been completed, and opened for transportation.

XXIV. And be it further enacted by the authority aforesaid, That the
powers and privileges hereinbefore granted, shall not be so construed as to
prevent the Legislature from making further grants of ferries, bridges, and
turnpike roads, within any distance of the same, whenever the convenience
of the community may require such other grants.

XXV. And be it further enacted, That this Act shall be deemed a pub-
lic Act.

In the Senate House, the nineteenth day of December, in the year of our Lord one
thousand eight hundred and thirty-eight, and in the sixty-third year of the Sove-
reignty and Independence of the United States of America.

A. PATTERSON, President of the Senate.
D. L. WARDLAW, Speaker of the House of Representatives.

No. 2781. AN ACT TO INCORPORATE THE UNION INSURANCE AND TRUST COMPANY
OF SOUTH CAROLINA.

I. Be it enacted, by the Honorable the Senate and House of Representa-
tives, now met and sitting in General Assembly, and by the authority of
the same, That the persons who shall become stockholders, in the manner
hereinafter prescribed, shall thereupon become, and they and their suc-
cessors and assigns shall be, one body politic and corporate, under the
name, style and title of "The Union Insurance and Trust Company of
South Carolina."

II. The capital stock of the said company shall be five hundred thousand
dollars, and shall consist of shares of fifty dollars each. For the purpose of
raising the said capital stock, William Aiken, James Adger, Samuel Burger, James Lamb, and J. J. Alexander, commissioners, having first given at least twenty-one days notice thereof, by advertisement in two of the gazettes published in Charleston, shall, on the twenty-first day of January next, and the five following days, from ten o’clock of the forenoon until two o’clock of the afternoon, of each day, at their office in Charleston, receive subscriptions for ten thousand shares; and in case there should be more than ten thousand shares subscribed, there shall be a proportional reduction; provided, that no subscription for any number of shares not exceeding five, shall be reduced.

III. The subscribers to the stock of this company shall pay in specie, or in the notes of any of the Banks of the city of Charleston, or of this State, for each share, at the periods and in the manner and proportions following, viz.—at the time of subscribing, twenty dollars; on the third Monday in March next, ten dollars; on the third Monday in May next, ten dollars; and on the third Monday in July next, ten dollars. And in case any subscriber shall fail to pay for his share or shares, at the periods and in the manner above prescribed, he shall forfeit such share or shares, with all the payments that may have been made thereon, for the use of the company; provided, that in case of the death of any stockholder, before such forfeiture shall or may be incurred, then, and in such case, it shall be the duty of the board of directors to grant such further time, not exceeding three months, as will enable the legal representatives of such deceased stockholder to comply with the above requisitions.

IV. The said company, under its said name, shall have perpetual 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 restrictions, as they may, from time to time, establish; and also, of taking, holding, disposing of, or investing, as the said corporation shall, from time to time, judge fit, the increase, profit and emolument of their said capital stock, to their own proper use; and shall have full power and authority to make, have and use a common seal, and with such device and inscription as they shall deem proper, and the same to break, alter and renew at pleasure; and, by the name, title and style aforesaid, shall be able and capable, in law and 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 president and other officers and directors, in such numbers, at such periods, and with such duties, as they shall see fit; and also, to make rules, by-laws and ordinances; and to do every thing needful for the good government and support of the affairs of the said corporation; 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. The said corporation shall have a right and power to purchase, acquire, take and hold, in their said corporate name, lands and real estate, and the same to demise, grant, sell, assign and convey, in fee simple or otherwise; provided, the clear yearly income of the real estate so to be held, shall not at any time exceed ten thousand dollars.

VI. The said corporation shall have right and power, by their said name, and by the signature of their president for the time being, or by the signature
Powers of insurance.

of such other person or persons, and with such ceremonies of authenti-
ticy as they shall, from time to time, in and by their rules and by-laws, 
ordain and appoint, to make contracts and underwrite policies of insu-
surance and indemnity upon marine risks, whether of vessels, or of goods 
and merchandise, in whole or in part, foreign and domestic, whether lying 
in foreign ports, or shipped upon the high seas, or in any of the ports of 
the United States, or within any of the rivers, bays, creeks, canals or 
waters of this State or the United States, lying or being, laden or to be 
laden; and also, in like manner, to make contracts and underwrite policies 
of insurance and indemnity against fire, on all buildings, goods, wares, 
merchandise, and other property, liable to destruction or accident by or 
from fire, or the effects thereof, situate, lying, being, or deposited in this 
State or elsewhere; to lend or advance money upon bottomry or respon-
dentia; to make insurance on lives; to grant and purchase annuities; to 
make any other contingent contracts involving the interest of money and 
the duration of life; to lend money on bills or promissory notes; and gene-

erally, to transact and perform all the business relating to the objects afo-
said, according to the usage or custom of merchants; and by such con-
tracts, effectually to bind and pledge the said capital stock; provided, that 
it shall not be lawful for the said company to lend money on the security 
of their own stock.

VII. In case of any loss whereby the capital stock of the said company 
shall be lessened, before all the instalments are paid in, each stockholder's 
estate shall be held liable for the instalments that may remain unpaid on his 
shares at the time of such loss taking place. And in case the said capital 
stock shall be lessened by losses or otherwise, during the continuance of 
this charter, no dividend shall thereafter be made, until the said deficiencies 
shall either be made up by the stockholders or by the company, or until a 
sum arising from the profits of its business, equal to such diminution, shall 
have been added to the capital.

VIII. If the capital of the said corporation shall ever be reduced by 
the instalments, losses below two thirds thereof, 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.

IX. If the affairs of the corporation are not wound up, as directed in the 
preceding section, and they should proceed to do business, then the presi-
dent and directors shall be jointly and severally liable to make good all 
engagements of the company incurred after the reduction of the capital as 
aforesaid; provided, that nothing in this section shall be so construed as to 
extend to any president or director who shall dissent to the proceedings of 
the company in these particulars, and who shall enter his protest on 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 should have been made up.

X. No dividend shall be declared exceeding seven per cent semi-annu-
ally on the capital of the company; and any excess of profits made at 
any time, or from any source, above such percentage, shall be carried to a 
surplus fund, to meet losses and equalize dividends; if the profits should 
at any time fall below seven per cent semi-annually, then, and in that case, 
the dividends may be increased to that amount from the surplus fund; 
provided, the capital is not thereby reduced.
XI. Semi-annual statements of the affairs of the company shall be published in the daily gazettes of the city of Charleston, under the certificate of the president and directors of the company.

XII. The president and directors of the said company shall, whenever required by the Legislature, lay before them a statement of the affairs of the company, and submit themselves and the books of the company to such examination as the Legislature may require.

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

XIV. At least one half of the capital of the said company shall be permanently invested in stock of this State or of the United States, or any of them, or of the city of Charleston, or in any other good stocks of incorporated companies, other than insurance companies; provided, that the company shall have authority to sell and transfer the said stocks, as shall be deemed expedient.

XV. This Act shall continue and be in force for thirty years, and no longer; and shall be deemed a public Act, and the courts of this State shall take judicial notice thereof without special pleading.

XVI. The said corporation shall be authorized, at any time within the period of ten years from the ratification of this Act, to extend its capital stock to any amount not exceeding one million of dollars, by advertising and disposing of such new shares, as directed in the second section of this Act; and all persons entitled to subscribe to the original shares of the company, shall have the privilege to subscribe, under the same terms, for such additional number of shares.

XVII. On the expiration or dissolution of the said company, the estate of the members thereof belonging shall not escheat, but be vested in the several members of the said company, in proportion to their several and respective shares in the capital stock aforesaid, after the payment of the debts of the said company.

XVIII. Any violation which may be made by the said company of this Act, shall subject the said company to a forfeiture of this charter.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-eight, and in the sixty-third year of the Sovereignty and Independence of the United States of America.

A. PATTERSON, President of the Senate.

D. L. WARDLAW, Speaker of the House of Representatives.
STATUTES AT LARGE

A. D. 1838.

Acts relating to Corporations.

No. 2764. AN ACT TO AUTHORIZE THE PRESIDENT AND DIRECTORS OF THE LOUISVILLE, CINCINNATI AND CHARLESTON RAIL ROAD COMPANY, TO INCREASE THE RATES OF TRANSPORTATION ON THE CHARLESTON AND HAMBURGH RAIL ROAD, IN CERTAIN CASES; AND TO GRANT CERTAIN VACANT LOTS IN THE TOWN OF COLUMBIA.

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 South Carolina Canal and Rail Road Company be, and they are hereby, authorized to charge for the transportation of passengers, at a rate not exceeding seven and one-half (7½) cents per mile, and for the transportation of goods by weight, not exceeding fifty cents per hundred pounds, per hundred miles; provided, that it shall be in the power of the Legislature, at any time hereafter, to repeal the above provision; and that the company shall not, while availing themselves of the increased rates hereby provided for, divide among the stockholders more than seven per cent per annum on the cost of the said road.

II. And be it further enacted by the authority aforesaid, That such lots and parts of lots in the town of Columbia as belong to the State, and may be required for the purpose of constructing and keeping up the road, depositories, and other buildings and works, of the Louisville, Cincinnati and Charleston Rail Road Company, be, and the same are hereby, vested in the said company, in fee simple; and that the said company be, and hereby is, authorized to use and occupy, for the same purpose, such streets and parts of streets in the said town, as the Intendant and Wardens thereof may convey to the said company; and that the said company be, and hereby are, authorized to exchange any lots in the said town, which belong to the State, for such other lots belonging to individuals, as the company may require for the purpose aforesaid; and also, to exchange any streets of the said town, with the consent of the Intendant and Wardens thereof, for the same purpose; and upon such exchange being made, the conveyance of the President of the said road, shall vest in the person or persons receiving the same, the title thereto in fee simple; provided, that the lands required for the road shall not extend further than one hundred feet on each side of the centre thereof, and that the grounds required for the depositories and other works, shall not exceed twelve acres; provided, that no lands or streets within three squares of the square on which the State House stands, shall be conveyed to or vest in the said company.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-eight, and in the sixty-third year of the Sovereignty and Independence of the United States of America.

A. PATTERSON, President of the Senate.

D. L. WARDLAW, Speaker of the House of Representatives.
ACTS RELATING TO THE MILITIA.

AN ACT TO ORGANIZE THE MILITIA THROUGHOUT THE STATE OF SOUTH CAROLINA, IN CONFORMITY WITH THE ACT OF CONGRESS.

WHEREAS, it is necessary to organize the militia of this State, in conformity with the Act of Congress, in that case made and provided:

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passing of this Act, the whole of this State shall be divided into two divisions, and to each division there shall be a major-general; one of which divisions shall comprehend the districts of Charleston, Georgetown, Beaufort, Cheraw, Camden, and Orangeburg, except the Dutch Fork, between Saluda and Broad rivers; and the other shall comprehend and include the districts of Ninety-six, including the Dutch Fork between Saluda and Broad rivers, Washington and Pinckney; and in the first division there shall be five brigades; one for Charleston district, except Colleton county regiment; one for Beaufort and Orangeburg, including Colleton county regiment; one for Georgetown; and one for Cheraw, and one for Camden district. In the second division there shall be four brigades, one for Abbeville and Edgefield counties, one for Laurens and Newberry counties, including the Dutch Fork, one for Washington district, and one for Pinckney district. And that as soon as the Governor or Commander-in-chief of this State shall be informed of the organization and arrangement of the militia regiments of this State, agreeable to the provisions made by this Act, he be, and is hereby, authorized and required to issue his proclamation, notifying the same, from and immediately after which the militia commissions of all such persons as shall not be re-elected and confirmed in the rank and grade they may hold under the laws of this State, shall be vacated; but that every person who shall be re-elected and confirmed in such commission as he holds in the militia of this State, shall retain such commission, and take rank from the date thereof.

II. And be it further enacted by the authority aforesaid, That the Legislature, on the first organization of the militia of this State, under this Act, Major-generals shall choose, by ballot, the major-generals, brigadier generals, and adjutant-generals, which adjutant-general shall be of the rank of lieutenant-colonel.
III. And be it further enacted by the authority aforesaid, That as soon as the several brigadier-generals are notified by the Governor of their election, they shall proceed to divide their respective brigades into regiments; and that after they have made such division, they shall appoint five fit and proper persons in each regiment, whose duty it shall be to divide the respective regiments into battalions and companies, as nearly as conveniently may be, conformably to the Act of Congress.

IV. And be it further enacted by the authority aforesaid, That as soon as the respective regiments, battalions and companies, are marked off and designated, the brigadier-general of each district, respectively, shall direct a regimental muster, as well of those men liable to do duty in time of alarm as at common musters, to be held (giving at least fifteen days notice thereof,) at the most central part of the regimental district, for the election of a lieutenant-colonel and two majors, and shall appoint proper persons to open and hold a poll from the hours of nine o'clock in the morning to five o'clock in the afternoon, for the election of the said officers, respectively; and that the persons having the greatest number of votes for lieutenant-colonel shall be commissioned as lieutenant-colonels, and the persons having the greatest number of votes as majors shall be commissioned as majors, of the respective regiments and battalions; and that the said brigadier-general shall appoint proper persons in each company, who shall, within five days after the said election of field officers, hold an election for a captain, lieutenant and ensign, in each company, in manner aforesaid; and the persons having the greatest number of votes in each company, shall be commissioned as officers thereof, or retain their former commissions, as the case may be, according to the grade to which they shall be severally elected. Provided always, nevertheless, that wherever there shall be any company of artillery, cavalry or infantry, associated, uniformed and in commission, which, on the twentieth day of June next, shall consist of at least forty effective rank and file, it shall be lawful for such company to meet and vote for their officers; and the persons duly elected by a majority of votes, shall retain their commissions, or be commissioned by the Governor, as the case may be, to such grades as they shall be, respectively, elected to. And that all other officers of the Charleston regiment, as well field as battalion officers, shall be elected by the regiment at large; and no person shall be considered as elected, who shall not have a majority of the votes of the persons voting. Provided, also, that the men composing the uniform companies shall not be entitled to vote for the captains, lieutenants and ensigns of the other companies, to be elected by virtue of this Act.

V. And be it further enacted by the authority aforesaid, That in case of any contested election, the validity of the same, (in the election of field officers,) shall be referred to the brigadier-general of the brigade, who shall call to his assistance two field officers of some other regiments of his brigade; and in the election of captains, lieutenants and ensigns, shall be referred to the field officers of the regiment to which they belong; and all elections of officers, made in pursuance of this Act, shall be returned, on oath, by the managers, to the Governor.

VI. And be it further enacted by the authority aforesaid, That if any person who shall be elected a brigadier-general, by virtue of this Act, shall be without the limits of the State, it shall be the duty of the major-general of the division to do and perform the duties enjoined on the said brigadier-general; and in case of his sickness or inability to attend, it shall be lawful for the Governor or Commander-in-chief for the time being to commission,
OF SOUTH CAROLINA.

Acts relating to the Militia.

under his hand and seal, some fit and proper person to execute the duties imposed by this Act, so far as regards the division of the brigades and election of officers.

VII. And be it further enacted by the authority aforesaid, That all the officers who shall be appointed by virtue of this Act, shall reside within their respective commands, and on their removal therefrom their commissions shall be vacated; provided, that the restrictions, as to residence, shall not extend to the officers of the Charleston regiment or regiments, but that a residence within the city shall be sufficient. That the major-generals shall have the right to appoint their respective aids-de-camp, and that the brigadier-generals shall have the right to appoint their respective aids-de-camp, who shall have the rank of captain; and they shall also have the right to appoint their respective brigade-inspectors, who shall be approved of by the major-general of the division; that the regimental staff shall be appointed by the lieutenant-colonels, respectively, and be approved of by the brigadier; and that all officers so to be nominated and appointed, as aforesaid, shall be commissioned by the Governor, who shall be authorized to appoint all other officers; and that in case of vacancy by death, resignation, or otherwise, the brigadiers shall rise in their respective divisions, the lieutenant-colonels commandant in their respective brigades, the majors in their respective regiments, the captains in their respective battalions, and the subalterns in their respective companies, by seniority of commission.

VIII. And be it further enacted by the authority aforesaid, That each brigade-inspector shall receive for his pay fifty pounds per annum, exclusive of the pay he may be entitled to receive when called into actual service.

IX. And be it further enacted by the authority aforesaid, That all sergeants and corporals shall be appointed by the captains of the different Companies, and that each and every company, created by virtue of this Act, shall have a place of rendezvous, at which they shall, respectively, assemble once in every two months, except in Charleston, Georgetown and Camden, where they shall assemble once a month, by companies, for the purpose of training, disciplining and improving in martial exercise, and shall not be kept at the place of exercise more than one day at a time; and that each battalion shall be obliged to rendezvous in like manner for the same purpose, not oftener than twice a year, either in battalion or regiment, in such place as the brigadier shall think proper, and shall not be kept at the place of exercise more than one day at a time.

X. And be it further enacted by the authority aforesaid, That every captain or commanding officer of a company shall also enrol every citizen who shall, from time to time, arrive at the age of eighteen years, or come to age of 18, reside within his beat, and without delay notify such enrolment to such citizen so enrolled, by some non-commissioned officer of the company, who shall be a competent witness to prove such notice; that all disputes that may happen with respect to the age or ability of any person to bear arms, shall be determined by the captain or commanding officer of the company, with a right of appeal by the person who may conceive himself aggrieved, or by any other person belonging to the company, to the lieutenant-colonel or commanding officer of the regiment.

XI. And be it further enacted by the authority aforesaid, That the Commander-in-chief for the time being may, in case of invasion or other emergency, when he shall judge it necessary, order out any proportion of the militia of the State, to march to any part thereof, and continue as long as
he may think it necessary; and likewise may, in consequence of an application from the executive of any of the United States, on an invasion, or an apprehension of an invasion, of such State, at his discretion, order any number of the militia, not exceeding one third part thereof, to such State; provided, that they be not compelled to continue on duty out of this State more than two months at any one time; that whilst in actual service, in consequence of being so called out, they shall receive the same pay and rations, and be subject to the same rules and regulations, as the troops of the United States of America. Provided, that upon any transgression or offence of a militia man, whether officer or private, against the rules and regulations of the federal army, the cause shall be tried and determined by a court martial of the militia of this State; and that it shall be in the power of the Governor, or, in case of his absence, of the commanding officer of the militia of this State, to mitigate, suspend or pardon, any punishment to which any militia man may be sentenced by a general court martial.

XII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any major-general, or brigadier-general, or commanding officer of a brigade, or lieutenant-colonel commandant, or commanding officer of a regiment, when and as often as any invasion may happen, to order out the militia under their respective commands, for the defence of this State, giving notice of such invasion, and every circumstance attending the same, as early as possible, to their immediate commanding officer, by whom such information shall be transmitted to the Governor or Commander-in-chief, by express, the expense of which shall be immediately paid. And that in cases of insurrection, the commanding officer of the regiment or battalion within the limits of which any such insurrection may happen, shall immediately assemble his regiment or battalion under arms, and having transmitted information thereof to the commanding officer of the brigade, and to the major-general of the division, and to the Governor or Commander-in-chief, shall proceed to take such measures to suppress such insurrection as to any three of the judges or justices of the county or district in which such insurrection shall happen, shall appear most proper and effectual; and if any person be wounded or disabled while in actual service in opposing any invasion or insurrection, or in suppressing the same, he shall be taken care of and provided for at the public expense, without regard to the rank such person may hold.

XIII. And whereas, it is proper to ascertain the compensation which shall be allowed to the militia when they may hereafter be called out into actual service, by order of the executive authority of this State. Be it further enacted by the authority aforesaid, That in future, when the militia of this State, or any part thereof, shall be called out into service within this State, by the authority of the laws thereof, each commissioned officer shall be entitled to and shall receive the same pay and rations as are allowed to the officers of the same rank of the federal army by the laws of the United States; that the pay of a sergeant, drum-major, and fifer-major, in lieu of all other demands, shall be eight dollars per month; and the pay of a corporal, bugler, trumpeter, drummer and fifer, in lieu of all other demands, shall be seven dollars per month; and the pay of a private, in lieu of all other demands, shall be six dollars and a half per month, besides rations; to be provided for in the tax bill of the year in which the service shall be performed.

XIV. And be it further enacted by the authority aforesaid, That the
OF SOUTH CAROLINA:

Acts relating to the Militia.

brigade inspectors, whenever required by the brigadier-general of the brigade, shall make a return of the militia to which he belongs, to the said brigadier-general; and the brigadier-general shall, whenever required by the major-general of the division to which he belongs, make a return of the militia of their respective brigades, to the said major-general; and the major-generals shall, whenever required by the Governor or Commander-in-chief, make a return of the militia of their respective divisions, to the said Governor or Commander-in-chief.

XV. And be it further enacted by the authority aforesaid, That every master or other person who hath the power over, government or command of, any white apprentice or man servant, shall, at his or their own proper costs and charges, furnish and provide every such apprentice or man servant liable to do militia duty, during his servitude, with the arms and accoutrements directed by the aforesaid Act of Congress; and every master or other person, as aforesaid, shall constantly keep such arms and accoutrements, as aforesaid, for every such apprentice or servant, and shall compel him or them, so completely armed and accoutred as aforesaid, to attend all musters, trainings and exercises directed by this Act; and in case such apprentice or servant shall not appear, or his arms and accoutrements shall be found deficient, the master or other person, as aforesaid, having the government of such apprentice or servant, shall, on default made in any of the premises, be subject to the same forfeitures and penalties as are inflicted on other persons made liable by this Act to appear and bear arms at exercises, musters and trainings. Provided, always, that if any such servant, as aforesaid, who shall be duly furnished and provided as is before directed, and shall be sent to muster, by the master or other person under whose government such servant shall be, shall, of his own accord, and contrary to the will, and without the consent of the master, or such other person as aforesaid, neglect to appear at any muster, training or exercise appointed by this Act, the master or other person under whose government such servant may be, shall be liable to the penalties by this Act inflicted for the default of such servant; and every such servant so offending shall be obliged to serve his master two weeks for every penalty so paid by his said master or other person; and if any person shall embezzle, sell or make away with the arms so to be provided for him, he shall be liable to make his master, or other person under whose government he may be, full satisfaction.

XVI. And be it further enacted by the authority aforesaid, That no civil officer whatsoever shall, on any pretence, execute any process, (unless for treason, felony or breach of the peace,) on any person whatsoever, at any muster, or other time when such person shall be obliged to bear arms, in pursuance of the directions of this Act, nor in going to or returning from any muster or place of rendezvous, or within twenty-four hours after such person shall be discharged from appearing in the regiment, company or troop, to which he shall belong, under the penalty of five pounds sterling; and the service of any such process shall be void, to all intents and purposes whatsoever; and all arms and accoutrements which, by this Act, are required to be provided, also the troop horse of each trooper, duly entered and registered with the captain of the troop, so long as said trooper shall continue in the troop, shall not be liable to be seized, detained or taken in execution for any cause, matter or thing whatsoever. And in case any person shall seize, levy or detain upon any such arms, accoutrements or horse, every such person shall forfeit the sum of ten pounds, sterling money, to be recovered in any court of record in this State.
XVII. And be it further enacted by the authority aforesaid, That every
lieutenant-colonel who shall wilfully neglect to turn out at a regimental
muster, shall be fined in a sum not exceeding ten pounds, and also a sum
not exceeding five per cent. on the amount of his last general tax; and
that every major who shall wilfully neglect to turn out at a regimental or
battalion muster, shall be fined in a sum not exceeding eight pounds, and
also a sum not exceeding five per cent. on the amount of his last general
tax; that every captain who shall wilfully neglect to turn out at a regimental or
battalion muster, shall be fined in a sum not exceeding six pounds, and
also a sum not exceeding five per cent. on the amount of his last general
tax; that every subaltern officer who shall wilfully neglect to turn
out at a regimental or battalion muster, shall be fined in a sum not exceed-
ing four pounds, and also a sum not exceeding five per cent. on the amount
of his last general tax; and that every non-commissioned officer and pri-
ivate, who shall wilfully neglect to turn out at a regimental or battalion
muster, shall be fined in a sum not exceeding fourteen shillings, and also a
sum not exceeding five per cent. on the amount of his last general tax;
that every captain who shall wilfully neglect to turn out at an ordinary
muster, shall be fined in a sum not exceeding thirty shillings, and also a
sum not exceeding two and one half per cent. on the amount of his last
general tax; that every subaltern officer who shall wilfully neglect to turn
out at an ordinary muster, shall be fined in any sum not exceeding one
pound, and also a sum not exceeding two and one half per cent. on the
amount of his last general tax; and that every non-commissioned officer
and private, who shall wilfully neglect to turn out at an ordinary muster,
shall be fined in any sum not exceeding seven shillings, and also a sum not
exceeding two and one half per cent. on the amount of his last general
tax.

XVIII. And be it further enacted by the authority aforesaid, That every
non-commissioned officer and private, who shall neglect or refuse to obey
the order of his superior officer, while under arms, shall forfeit a sum not
exceeding one pound for every such offence; and if any such non-commissioned officer or private, enrolled to serve in either of the companies of ar-
tilery, infantry or cavalry, shall refuse or neglect to perform such military
duty or exercise as he shall be required to perform, or shall depart from his
colors or guard, without the permission of his superior officer, as aforesaid,
he shall forfeit a sum not exceeding one pound; and for the non-payment
thereof the offender shall be committed, by warrant from the captain or
commanding officer of the troop or company then present, to which such
offender doth belong, or under whose command he may be, to the next jail,
there to be confined until the fines as aforesaid, together with the gaoler's
fees, are paid; and the respective sheriffs of the city and respective dis-
tricts and counties of this State, are hereby empowered and required to re-
cieve the body or bodies of such offender or offenders as shall be brought
to them by virtue of a warrant or warrants under the hand and seal of such
officer, as aforesaid, and him or them to keep in safe custody until such
fines as are mentioned in such warrant, together with the gaoler's fees, as
aforesaid, shall be paid; and the sheriffs and gaolers, respectively, shall be
allowed the same fees as are allowed in other cases. Provided, always,
that the persons so confined shall, at the end of five days, or any shorter
time for which they may have been committed, be released, on their swear-
ing that they are unable to pay the fines and fees hereinbefore directed to
be paid.
OF SOUTH CAROLINA.

Acts relating to the Militia. A.D. 1794.

XIX. And be it further enacted by the authority aforesaid, That the military uniform of this State shall be as follows, that is to say: general officers, dark blue coats with buff colored facings, linings, collars and cuffs, gold epauletts and yellow buttons, with buff colored under-clothes; regimental officers of infantry, dark blue coats, with such colored linings, facings, collars and cuffs, epauletts and buttons, as shall be determined on by the major-general of each division.

XX. And be it further enacted by the authority aforesaid, That all fines which shall be imposed in any regiment, corps, company or troop, shall be paid into the hands of the pay-master, or person acting as such, of such regiment, corps, company or troop, and be paid and appropriated, by warrant under the hands of a major part of the field officers, or commanding officer of the corps, or captain or commanding officer of the company or troop, as the case may be, for the purposes of providing colors, drums, bugles, fifes and trumpets, for their respective battalions, corps, companies and troops, and carrying expresses relative to military matters, and for the purchasing and providing arms and accoutrements for such of the men of the respective battalions, corps, companies and troops, as are or shall be unable to furnish and provide themselves therewith; and that it shall be the duty of the pay-master, or person acting as such, of each respective battalion, corps, company or troop, once in every year, to render an account to the brigadier, or the officer commanding the brigade, of all his receipts and expenditures in pursuance of this Act.

XXI. And be it further enacted by the authority aforesaid, That every free white man of this State, liable to bear arms in any of the regiments, corps, companies or troops in this State, who shall appear at any regimental or battalion musters, or at any company muster, ordered in pursuance of this Act, not provided, accoutred and armed, according to the Act of Congress, entitled "An Act more effectually to provide for the national defence, by establishing an uniform militia throughout the United States," passed the 24th October, 1791, shall forfeit and pay, for each and every such offence, a sum not exceeding five shillings, or the sum of two shillings and four pence, for each article of arms or accoutrements required by the last mentioned Act; that all fines shall be inflicted on non-commissioned officers and privates by the judgment of the majority of the commissioned officers of the company in which the offender is enrolled; that a major-general shall be tried by a major-general to preside, and four brigadier-generals; but if the attendance of a major-general cannot conveniently be procured, then by five brigadier-generals; and, in such case, the elddest of such brigadiers to preside; that a brigadier-general shall be tried by one or more brigadier-generals, and four field officers; that a lieutenant-colonel shall be tried by an officer not under the rank of a lieutenant-colonel, and four field officers; that a major shall be tried by an officer not under the rank of a field officer, and four officers not under the rank of captain; that a captain shall be tried by an officer not under the rank of a field officer, and by four officers not under the rank of captain; and a lieutenant or ensign shall be tried by an officer not under the rank of a field officer, and four other commissioned officers; that all non-commissioned officers and privates be tried by not less than three commissioned officers. Each member of a court martial is hereby enjoined to take the following oath or affirmation:

"I do swear, (or affirm, as the case may be,) that I will not divulge the
STATUTES AT LARGE

Acts relating to the Militia.

sentence of the court, until the same shall be approved of or disapproved; neither will I, upon any account, or at any time whatsoever, disclose or discover the vote or opinion of any particular member of the court martial, unless required to give evidence thereof by a court of justice, in a due course of law. So help me God."

And any member of the court is authorized to tender the above oath to the other members. The Governor or Commander-in-chief shall appoint courts martial on general officers; the major-generals shall appoint division courts martial in their respective divisions; the brigadier-generals shall appoint brigade courts martial in their respective brigades; the lieutenant-colonels shall appoint regimental courts martial in their respective regiments; and the majors battalion courts martial in their respective battalions; and no sentence of a court martial shall be put in force without the same be approved by the officers appointing the same, or by the commanding officers, respectively, for the time being.

XXII. And be it further enacted by the authority aforesaid, That if the conduct of any officer shall be represented to the Governor or Commander-in-chief, or to either the major-general of the division, brigadier-general of the brigade, or commanding officer of the detachment, to be so inimical and unbecoming an officer, as to deserve being cashiered, it shall be lawful for the Governor or Commander-in-chief, major-general of the division, brigadier-general of the brigade, or commanding officer of the detachment, as the case may be, to order a court of enquiry; and if, on such court of enquiry, it shall appear that there is foundation for the charge, to have a court martial held, who shall make such order in the business as they shall think consistent with military rule. Provided, nevertheless, that such court of enquiry shall never consist of less than three officers, one of whom, at least, to be of the rank of the person accused.

XXIII. And be it further enacted by the authority aforesaid, That persons of the following professions and descriptions shall be excused from militia duty, except in times of invasion or alarm, to wit; the lieutenant-governor for the time being; the members of both branches of the Legislature, and their officers; the judges, commissioners, registrars and clerks of the several superior courts of law and equity, and county courts; the commissioners of the treasury and their clerks; the secretary of this State, and his deputies; the attorney-general; the three circuit solicitors; the surveyor-general and his deputy, residing either in Charleston or Columbia; the ordinaries and registrars of the several districts; the sheriffs and gaol keepers in the several counties and districts; all continental officers who were deranged, or who served to the end of the war; all regular clergymen of any sect or denomination; all persons holding any office or commission under the United States; all acting magistrates; all regular bred practising physicians and surgeons; all schoolmasters who shall have under their tuition not less than fifteen scholars; all students at school or at college; the intendant and wardens of Charleston and Camden, their treasurers and the officers of their courts; all branch pilots for the several ports; one white man to each established ferry or toll-bridge; one white man to each water grist-mill, wind-mill, fulling-mill or oil-mill; three white men to each forge, and five to each furnace erected or to be erected at any iron mine or mines in this State, who shall constantly work and reside at the same; and all persons under the age of eighteen, and above the age of forty-five years; and all militia officers who have held their commissions for seven years.
OF SOUTH CAROLINA.

Acts relating to the Militia. A.D. 1794.

XXIV. Whereas, a doubt has arisen, whether aliens and other transient persons who have resided, or may reside, in this State for a considerable length of time, and enjoy the benefit and advantage resulting from the organization of the militia of this State, are liable to perform militia duty.

And whereas, it is but just and reasonable that those whose property is secured by the care and watchfulness of the community in which they reside, should contribute to its protection: Be it enacted by the authority aforesaid, That all free white aliens or transient persons, above the age of eighteen and under the age of forty-five years, who have resided, or hereafter shall or may reside, in this State, for the term of six months, shall immediately thereafter be, and are hereby declared to be, subject and liable to do and perform all patrol and militia duty which shall or may be required by the commanding officer of the beat or district in which such alien or transient person shall reside, and be subject to all pains and penalties inflicted by this Act; any law, usage or custom to the contrary thereof, in any wise, notwithstanding. Provided, always, That nothing contained in this Act shall be construed to extend or effect in any way or manner the natural born citizen of any State or potenteate who shall be actually engaged in war with the United States, or to compel such alien or transient person to serve on patrol or militia duty out of the particular district of the regiment to which he shall or may be attached, nor to natural born and bona fide French citizens, (not being citizens of the United States,) who are, by treaty, exempt from all personal service.

XXV. And be it further enacted by the authority aforesaid, That if the Governor or Commander-in-chief for the time being, receive advice from any person or persons in authority in this State, or other credible person or persons in foreign parts, or if he shall receive any information, upon oath, from any credible person or persons within this State, that any foreign enemy or armed force, intend suddenly to invade the State, or if any dangerous insurrection or rebellion be actually raised within this State, which cannot be suppressed by one single company, the Governor or Commander-in-chief for the time being may raise and assemble such and as many of the divisions, brigades, battalions, regiments, troops and companies, by this Act directed to be formed, as he shall think sufficient and able to suppress and repel such invasion, rebellion or insurrection, as may happen; and for the more effectual execution thereof, he may make and publish, or cause to be made and published, an alarm, throughout the whole State, by firing six guns, two at a time, at three minutes distance; or by sending orders and expresses to the general officers, field officers, and other officers of the militia, to raise their several and respective divisions, brigades, regiments, troops and companies, or such part of them as shall be ordered and directed to march and rendezvous at such proper times and places within the State, as the Governor or Commander-in-chief for the time being, shall think fit; and the said alarms shall be carried on throughout the whole State, by all the commissioned officers of the militia, by firing three small arms at convenient intervals, from place to place, and by speedily raising their several corps, and taking all other proper and effectual measures to give notice of the motion of the enemy, and forwarding with the utmost expedition all necessary information to the Governor or Commander-in-chief, and by putting in execution all such orders as they shall receive from their superior officers.

XXVI. And be it further enacted by the authority aforesaid, That on
sight of an enemy, or on information of an enemy appearing, or mischief done by an enemy, from any white man of credit, who hath seen the same, of the credit of which informer, the officer to which information is given, shall be a judge; an alarm shall be made by any commissioned officer, by firing three small arms; and every alarm shall be carried on by all persons hearing or having knowledge of the same, by firing the small arms distinctly, as usual; and the said officer who fired the alarm shall assemble the corps of which he is an officer, by beat of drum, or by ordering them to warn their next neighbors, or otherwise, till the corps can be got together; and the commanding officer of said corps shall, with all convenient speed, despatch two express, one to the Governor or Commander-in-chief, and the other to the next field officer of the regiment to which the said corps belongs, with an account of the cause of the alarm so made; upon which notice, the said field officer shall despatch two express with an account of the same, one to the Brigadier of the brigade, and the other to the Major-general of the division; the field officer who shall receive the information as aforesaid, shall have power to assemble any number of men of the battalion or regiment, as the case may be, to which he belongs, to march to the assistance of any of the inhabitants of the State who are in danger.

XXVII. And be it further enacted by the authority aforesaid, That if any person liable to bear arms shall, in time of such alarm, neglect or refuse to use his utmost endeavors to convey and communicate the said alarm or notice of the enemy's approach, every such person shall forfeit and pay a sum not exceeding fifty pounds sterling; and in case any such person, after he hath notice of an alarm, does not forthwith repair, completely armed and accoutred as aforesaid, with all convenient speed, to the place where the regiment, troop or company, to which he shall belong, shall be appointed to rendezvous, every such person shall forfeit a sum not exceeding twenty pounds sterling money; and in case the company or troop to which such person shall belong, shall actually engage and fight with the enemy; before such person shall appear in the said regiment, troop or company, in every such case, the person not appearing as aforesaid, shall forfeit a sum not exceeding forty pounds sterling money.

XXVIII. And be it further enacted by the authority aforesaid, That every commissioned officer in the militia has power, when occasion shall require, to assemble, arm and raise, any number of men belonging to their respective corps; and if need be, to give notice and call to their aid the officers and men of any adjacent corps, to disperse, suppress, kill, destroy, apprehend, take or subdue, any pirate, sea rover, Indian, or other enemy, who shall, in a hostile manner, hurt, or attempt to hurt, any of the inhabitants of this State, in their person or persons; or any number of slaves who shall be met together, or who shall be lurking in any suspected place where they may do mischief; or who shall have absented themselves from the service of their owners; and in case any person liable to bear arms, shall, on such occasion, neglect or refuse to appear, upon notice given, by any commissioned officer of the troop or corps to which such person belongs, or appearing, shall not attend and obey the said officer, he shall, for every such neglect or refusal, forfeit the sum of two pounds sterling.

XXIX. And be it further enacted by the authority aforesaid, That in times of invasion or insurrection, when it shall be found necessary to march the several regiments, troops or companies, or any of them, out of
OF SOUTH CAROLINA.

Acts relating to the Militia.

A.D. 1794

In times of invasion, part of the militia to remain on guard at home.

their proper parishes, counties or districts, one fourth part at least, of every company in this State, shall stay and remain in the respective parishes and divisions to which they belong, and shall be formed into patrols, under the command of such officer as the commissioned officers of the companies shall direct and appoint, under whose command, respectively, they shall continue, until the rest of the company return to their habitations, and shall be discharged from bearing arms; and the patrol so formed shall be obliged to be on constant duty, and to ride and patrol, and guard the plantations, and keep the slaves within their several parishes and divisions in good order, and shall place proper guards, watches and sentinels, at proper and convenient places, to give notice of danger, or for the more speedy conveying advice and intelligence to the Governor or Commander-in-chief, or any army raised and assembled by his command; and in case any person or persons obliged to serve in such patrols, shall refuse or neglect to ride patrol, or to watch, stand sentinel, or to keep guard, or shall refuse to obey the lawful commands of any person appointed to command such patrol, every person so offending shall forfeit some sum not exceeding fifteen pounds sterling money.

XXX. And be it further enacted by the authority aforesaid, That in times of invasion, rebellion, or insurrection, when any person shall receive orders to march out of their parish, county, district or division, the captain, or other commanding officer, who shall be present, shall cause the names of all the persons who are entered, enlisted and enrolled in the muster roll of such company, officers excepted, to be written down on small scrolls of paper, which shall be folded up and put in a hat, and shall be shaken together, and the clerk or sergeant of the said company shall draw out of the hat the names of so many persons as will not exceed three fourths of the said company; and the persons whose names shall be so drawn, shall be obliged to march according to such orders as shall be given by the Governor or Commander-in-chief, and the rest whose names shall be left in the hat, shall stay in their respective parishes and divisions, and shall do the duty of the patrol, as before directed; but no officer of any company shall be excused from marching with the company for which he is appointed, unless by particular orders from the Governor or Commander-in-chief; and, in that case, such officer so directed to stay shall be commanding officer of that part of the company left for the patrol duty. If any person whose name is drawn, as aforesaid, and is thereby obliged to march out of his parish or division, can provide an able bodied man, (to be approved by the majority of the officers of the company to which such person belongs,) completely armed and furnished, according to the directions of this Act, every such person shall be permitted and at liberty so to do; and upon producing and sending out such able bodied man in his stead, he shall be excused from going out or marching in person; but, nevertheless, he shall be obliged to do patrol duty in his district; and in case of disobedience, neglect or refusal to ride in such patrol, he shall be liable to all the pains, penalties and forfeitures inflicted by this Act.

XXXI. And be it enacted by the authority aforesaid, That in time of an alarm, occasioned by any insurrection, rebellion or invasion, all field officers, and captains of every company, are empowered, by themselves or their warrants to any inferior officer or soldier, to impress any arms, ammunition, provisions, horses, wagons, carts, boats, canoes, pinnaces and vessels, with their furniture, or whatever other thing they shall want or have need of, for the service of this State. Provided, all such things

Manner of ascertain who shall leave their parishes.
so impressed be by the said officers brought before three or more indifferent persons, being freeholders, to be appraised and valued, before they be disposed of for the public service; and such valuation and appraisement being made, the officer shall give a receipt for the same, if he conveniently can; and the officer is to cause his clerk to enter the same in a book, to be kept for that purpose; and the said appraisers shall ascertain any loss or damage that may happen to the things so impressed, or allow a competent hire for the same when returned to the owner, as the case shall require, and shall give such appraisement, under their hands, to the owner, directed to the public treasurers, who are to lay the same before the Legislature. And the commanding officer or captain of each company, after such alarm shall be over, and before such company shall be discharged, is to order so many men as he shall think fit, to carry the several things by him impressed to the several owners, who, upon re-delivery of the same, shall give a receipt. The officer is likewise empowered to draw on the public treasury for so much money as he shall think the carriage of the said several things deserves.

XXXII. _And be it further enacted_ by the authority aforesaid, That the commanding officer or commander of each company, shall lodge in some convenient and secure place, for the public use, all the provisions and ammunition impressed by him, or by virtue of his warrant, that shall remain unexpended after an alarm, and must keep a particular account thereof.

XXXIII. _And be it further enacted_ by the authority aforesaid, That all free negroes and Indians, (nations of Indians in amity with the State excepted,) Moors, mulattoes and mestizos, between the ages of eighteen and forty-five, shall be obliged to serve in the said militia as fatigue-men and pioneers, in the several regimental beats in which they reside; and upon neglect or refusal to attend when summoned on duty, they, and every one of them, shall be liable to the like penalties and forfeitures as privates in the same regiment or company are made liable by law.

XXXIV. _And be it further enacted_ by the authority aforesaid, That the officers and privates in any company of artillery, infantry or cavalry, raised and uniformed in any militia regiment of this State, by permission of his Excellency the Governor, or any lieutenant-colonel or commanding officer of any regiment, or to be hereafter raised, shall be, respectively, liable to all the fines and forfeitures imposed by law on the officers or privates in any regimental or company beat; and that when any person now actually enrolled, or that shall hereafter be enrolled, in any such company, shall be desirous to quit the same, he shall be obliged to give at least thirty days notice of such intention; and shall be obliged, also, to enrol himself in the company beat in which he resides, or in some other company of artillery, infantry or cavalry, of the regiment to which he belongs, and produce a certificate thereof from the captain or officer commanding such beat or company, before he shall be permitted to leave the uniform company or corps to which he belonged, or be excused from duty therein.

XXXV. And whereas, the safety of the city of Charleston requires the calling forth, at certain times and seasons, one or more companies of the militia of the said city: _Be it therefore enacted_ by the authority aforesaid, That it shall and may be lawful for the Governor or Commander-in-chief for the time being, or the major-general of the division, or brigadier of the brigade, in which Charleston is comprehended, or the commanding officer of the Charleston regiment for the time being, to call forth, when necessary, such and so many companies, or detachments of companies, to mount
OF SOUTH CAROLINA.

Acts relating to the Militia. A.D. 1794.

Guard in the said city, as to them shall, respectively, appear necessary and proper. Provided, that no guard shall be obliged to continue on duty, at any one time, except in case of actual alarm, more than twenty-four hours on one guard; and every person duly summoned to turn out on any such guard, who shall not obey, or who shall leave his guard, or otherwise misbehave, shall be liable to pay the same fines and forfeitures as such person would be obliged to pay for default of duty by non-attendance or misbehavior at any battalion or regimental muster, by virtue of this Act.

XXXVI. And be it further enacted by the authority aforesaid, That every commissioned officer who, at the original organization of the militia, agreeable to this Act, shall be appointed in pursuance of the same, and accepts his commission, shall be furnished, at the expense of this State, with a copy of this law, the Act of Congress to provide for the national defence and establishing an uniform militia throughout the United States, Baron Steuben's military discipline, and the articles of war, all bound together in a small and convenient pocket volume; and that the senior major-general, elected in pursuance of this Act, is hereby authorized and empowered to contract for procuring the same on the best and cheapest terms.

XXXVII. And be it further enacted by the authority aforesaid, That if any person or persons whatsoever shall be sued, impleaded, molested or prosecuted, for any matter, cause or thing done or executed, or caused to be done or executed, by virtue of or in pursuance of this Act, and all and every person or persons who shall or may, by the command, or in aid or assistance, of any person who shall do or execute, or cause to be done or executed, any matter or thing by virtue of or in pursuance of the direction of this Act, shall and may plead the general issue, and give this Act and the special matter in evidence; and in case the plaintiff shall suffer a discontinuance, enter a nol prosequi, suffer a non-suit, or if a verdict or judgment shall pass against him, he shall pay to every defendant that shall be acquitted, or for whom judgment shall pass, his full double costs of suit.

XXXVIII. And be it further enacted by the authority aforesaid, That all former militia laws heretofore enacted in this State, respecting the militia, shall be, and laws repealed, the same are hereby, repealed, except such laws or parts of laws as respect the Charleston battalion of artillery.

In the Senate House, this tenth day of May, in the year of our Lord one thousand seven hundred and ninety-four, and in the eighteenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives.

VOL. VIII.—63.
AN ADDITIONAL ACT TO THE ACT ENTITLED "AN ACT TO ORGANIZE THE MILITIA THOUGHOUT THE STATE OF SOUTH CAROLINA, IN CONFORMITY WITH THE ACT OF CONGRESS."

WHEREAS, the law of Congress, entitled "An Act more effectually to provide for the national defence, by establishing an uniform militia throughout the United States," directs that each division, brigade and regiment, in each State, shall be numbered at the formation thereof, and a record made of such numbers, in the adjutant-general's office, in the State; and when in the field, or in service in the State, each division, brigade and regiment shall, respectively, take rank according to their numbers, reckoning the first or lowest number highest in rank. And whereas, it is necessary to fix the rank of officers who were elected to the same grade by the Legislature at their last session, or by the people since that period:

1. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the rank of the divisions, brigades and regiments, shall be determined by lot, in the following manner, that is to say: that a joint committee of both houses shall forthwith cause the words Eastern Division, and the words Western Division, to be, respectively, written on two pieces of paper, which shall be folded up and put into a hat, and they shall then cause a child, under ten years of age, to draw out, in their presence, one of the said lots, and that which shall be so drawn shall be the first division of this State, and the remaining lot shall be the second division; and if the eastern division shall be the first drawn, then the brigades and regiments in that division shall have the lowest numbers and highest rank, and the brigades and regiments in the western division the highest numbers and lowest rank; and if the western division be first drawn, then the brigades and regiments in that division shall have the lowest numbers and highest rank, and the brigades and regiments in the eastern division, the highest numbers and lowest rank. That then the committee shall cause the numbers of the brigades in each division to be determined in a similar manner, by lot, that is to say: if the eastern division shall be the first drawn, they shall cause the words Charleston brigade, Georgetown brigade, Cheraw brigade, Camden Brigade, and Beaufort and Orangeburg brigade, to be written on five lots, and to be folded up and put into a hat, and they shall then cause a child, under ten years of age, to draw, in their presence, the said lots, one by one, from the hat, and the brigade first drawn shall be numbered the first brigade, the brigade second drawn shall be numbered the second brigade, the brigade third drawn shall be numbered the third brigade, the brigade fourth drawn shall be numbered the fourth brigade, and the brigade fifth drawn shall be numbered the fifth brigade; and then they shall cause the words Edgefield and Abbeville brigade, Laurens and Newberry brigade, Washington brigade, and Pinckney brigade, to be written on four lots, and the same shall be folded up and put into a hat, and they shall then cause a child, under ten years of age, to draw, in their presence, the lots, one by one, from the hat, and the brigade first drawn shall be numbered the sixth brigade, the brigade second drawn shall be numbered the seventh brigade, the brigade third drawn shall be numbered the eighth brigade, and the brigade fourth drawn shall be numbered the ninth brigade. And if the western division shall be first drawn, they shall cause the words Edgefield and Abbeville brigade, Laurens and Newberry brigade,
Washington brigade, and Pinckney brigade, to be written upon four lots, which shall be folded up and put into a hat, and they shall then cause a child, under ten years of age, to draw, in their presence, the lots, one by one, from the hat; and the brigade first drawn shall be numbered the first brigade, the brigade second drawn shall be numbered the second brigade, the brigade third drawn shall be numbered the third brigade, and the brigade fourth drawn shall be numbered the fourth brigade; and then they shall cause the words Charleston brigade, Georgetown brigade, Cheraw brigade, Camden brigade, and Beaufort and Orangeburg brigade, to be written on five lots, and the same shall be folded up and put into a hat, and they shall then cause a child, under ten years of age, to draw, in their presence, the lots, one by one, from the hat, and the brigade first drawn shall be numbered the fifth brigade, the brigade second drawn shall be numbered the sixth brigade, the brigade third drawn shall be numbered the seventh brigade, the brigade fourth drawn shall be numbered the eighth brigade, and the brigade fifth drawn shall be numbered the ninth brigade. That then the committee shall, in like manner, by lots drawn in their presence, proceed to number the regiments, taking care so to conduct the drawing that the lowest number of the respective regiments be given to the lowest number of the respective brigades, and that the brigades highest in number have the regiments highest in number; and that the rank of battalions, in their respective regiments, be always determined by the seniority of their respective majors.

II. And be it further enacted by the authority aforesaid, That all the officers who were elected by the Legislature, at their last session, or by the people since, shall take rank in the following manner, that is to say: if the eastern division shall be the first drawn, all the officers of equal grade of date and commission in that division, shall take rank of all the officers of similar grade and date of commission in the western division; and if the western shall be the first drawn, all the officers of equal grade and date of commission in that division, shall take rank of all the officers of similar grade and date of commission in the eastern division; and all the officers of equal grade and date of commission, of the brigades lowest in number, shall take rank of all the officers of equal grade and date of commission in the brigades higher in number, in the division to which it belongs; and all the officers of equal grade and date of commission, in the regiments lowest in number, shall take rank of all the officers of equal grade and date of commission in the regiments highest in number, in their respective brigades. And all the officers of equal grade and date of commission in their respective regiments, shall determine their rank in their regiment by lot, drawn in the presence of the lieutenant-colonel or commanding officer of the regiment; or where the lieutenant-colonel is dead, and the rank has not been determined between the majors, in the presence of some person to be appointed by the brigadier-general, or in his absence by the major-general. Provided always, that nothing in this Act shall be construed to extend to deprive officers who have been elected to the same grade they held before, from retaining and taking rank agreeably to their old commissions, or to determine the rank of officers in any regiment, where they have already drawn for it.

III. And be it further enacted by the authority aforesaid, That when the commission of ensign is vacant in any company, the men liable to do duty in that company, as well in time of alarm as at common musters, shall elect, by ballot, a fit person to fill the vacancy; and the lieutenant-colonel...
or commanding officer shall order such election, giving notice on one muster day, in writing, which shall be publicly declared and made known to the company by the officer commanding the same, and shall be fixed up in some public place upon the muster ground, that the election will be held at the ensuing muster; and the captain or commanding officer of the company shall manage the election.

IV. And be it further enacted by the authority aforesaid, That if any person liable to do duty at common musters shall be appointed a sergeant, and refuse to do duty as such, he shall be fined in a sum of four pounds; but no person shall be obliged to act as sergeant more than one year at a time.

V. And be it further enacted by the authority aforesaid, That the Governor, the major-generals and brigadier-generals, respectively, as occasion may require, shall be authorized to appoint one or two extra aids-de-camp, who shall not be entitled to any other rank or pay than what they are entitled to in the line.

VI. And be it further enacted by the authority aforesaid, That each commanding officer of a corps, when on duty or parade, shall have full power and authority to ascertain and fix certain necessary limits and bounds to their respective parades and places of exercise, (no road in which people usually travel, or more than one half the width of any street, to be included,) within which no spectator shall have a right to enter, without liberty from the said commanding officer; and in case any person shall so intrude within the lines of the parade or place of exercise, after being once forbidden, he shall be liable to be confined under guard during the time of exercise, at the discretion of the commanding officer.

VII. And be it further enacted by the authority aforesaid, That every fine imposed by this Act, or the Act entitled "An Act to organize the militia throughout the State of South Carolina, in conformity with the Act of Congress," or by any future Act, shall be recovered in the following manner, that is to say: the officer who presided at the court martial when any such fine or fines shall be imposed, (excepting fines incurred for misconduct while under arms, which shall be recovered as is directed by said Act,) shall issue his warrant, under his hand and seal, directed to some sergeant belonging to the brigade, regiment, battalion, company or troop to which the offender, according to his rank, may immediately belong, or for want of such sergeant, to such other person as may be appointed by the commanding officer of the regiment, and shall mention therein the amount of the fine or forfeiture, or fines or forfeitures incurred, and for what default or misconduct, and by what court-martial the same was or were imposed, and shall thereby command such sergeant or other person to take the body of the defaulter or offender to the nearest gaol, there to be confined until such fine or forfeiture, or fines or forfeitures, together with the gaoler’s and sergeant’s fees, shall be paid; and every such sergeant or other person shall be obliged to execute such warrant, according to the tenor or purport thereof; and all district sheriffs and gaolers, county sheriffs and gaolers, and city sheriffs and gaolers, in this State, are hereby empowered and required to receive the body of any such defaulter or offender, who may be brought to either of them under any such warrant, and to keep him in safe custody until the amount specified in the warrant, together with the gaoler’s and sergeant’s fees, shall be paid; and the sheriffs and gaolers shall be allowed the same fees in such cases as are allowed in other cases of commitments,
and the sergeant shall be allowed the same fees as constables have for serving summonses, and for commitments for the same amount, or for levying an execution for the same amount. Provided, also, that the person so committed shall, at the end of a certain time, to be computed at the rate of one day for every three shillings and six pence he may be condemned to pay, be released, upon swearing that he is unable to pay the amount for which he may be committed, and the fees hereinbefore directed to be paid; and provided, also, that no person shall be taken up on any such warrant or execution, if he will immediately pay the amount he is liable for, and the fees due, or produce to the officer sufficient property of his own to satisfy the same, which, if he shall produce, the officer shall take and dispose of at public sale, in the same manner as constables make their sales under execution; and after paying the fine or fines due, and the fees that have accrued, he shall return the surplus, if any there be, of the proceeds of the sale, to the said defaulter or offender.

VIII. And be it further enacted by the authority aforesaid, That every officer in the militia shall, within six months after the ratification of this Act, or after he shall be elected or appointed, take the following oath or affirmation, before some justice of the peace, who shall certify the same on the back of his commission: "I, A B, do solemnly swear, (or affirm, as the case may be,) that I will support and maintain, to the utmost of my ability, the laws and constitution of this State and of the United States." And every officer neglecting so to do shall vacate his commission.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand seven hundred and ninety-four, and in the nineteenth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

JACOB READ, Speaker of the House of Representatives.

AN ADDITIONAL ACT TO THE ACT ENTITLED "AN ACT TO ORGANIZE THE MILITIA THROUGHOUT THE STATE OF SOUTH CAROLINA, IN CONFORMITY WITH THE ACT OF CONGRESS;" AND FOR OTHER PURPOSES THEREIN MENTIONED.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That in all cases where any of the regiments, or any of the battalions and companies belonging to any of the regiments, of this State, shall or may be aggrieved and injured, by the division or divisions made by the different commissioners appointed by the several Brigadier Generals, for the purpose of dividing the regiments belonging to their respective brigades into battalions and companies, pursuant to the Militia Act of this State, passed on the tenth day of May, seventeen hundred and ninety-four, the regiments, or any of the battalions or companies belonging to the said regiments, so aggrieved or injured, shall make their application for redress to the Brigadier General of the brigade to which the said regiment or regiments belong, who shall appoint two field officers of the brigade, who are not involved in the dispute or interested in the decision of the same,
who are hereby empowered and directed, should it appear to them fit and expedient, to make, direct and order, any arrangement or division of the said regiments, or any of the battalions or companies belonging thereto, as to them shall appear to the advantage of the same; provided, however, that such arrangement or division be, as nearly as conveniently may be, in conformity to the Act of Congress, passed on the eighth day of May, seventeen hundred and ninety-two.

II. And be it further enacted by the authority aforesaid, That in all cases of contested elections for field officers, where either of the candidates think themselves aggrieved by the determination of the brigadier general or field officers who have decided or shall decide on the election, such candidate may appeal from such decision to the major general of the division to which he belongs, and the said major general, together with a board of general and field officers, to be appointed by the said major general, and to consist of the said major General and not less than one brigadier general and three field officers, shall examine into the merits of the said election, and shall decide thereon; and such decision shall be final and conclusive, and the person in whose favor they decide shall be commissioned by the Governor.

III. And whereas, many of the officers in the militia have, through inadvertence, neglected to take the oath or affirmation prescribed by the Act, passed on the nineteenth day of December, seventeen hundred and ninety-four:—Be it further enacted by the authority aforesaid, That a further time of six months be allowed them to take the said oath or affirmation before some justice of the peace, who shall certify the same on the back of his commission; and every officer who shall neglect so to do, within the time above limited, shall vacate his commission; but provided he takes the said oath within the said time, he shall retain his commission; any thing in the said Act contained to the contrary thereof in any wise notwithstanding.

IV. And whereas, it has been represented to the Legislature, that the duty of the adjutant general is very laborious, and attended with considerable expense. Be it therefore enacted by the authority aforesaid, That the salary of the said officer shall be, in future, one thousand dollars per annum; provided, he shall attend the different regimental reviews throughout the State, once in every year.

V. And whereas, it is of great importance to this country, that encouragement should be given to the company for opening the Santee Canal. Be it therefore enacted by the authority aforesaid, That the overseers, toll-receivers, lock-keepers, and white laborers, employed or to be employed by the said company, be exempt from doing militia duty at any time hereafter, except in times of alarm.

VI. And be it further enacted by the authority aforesaid, That so much of this Act as relates to the office, salary, and duties of the adjutant general, shall continue in force for and during the term of three years, and from thence to the end of the next session of the Legislature thereafter, and no longer.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand seven hundred and ninety-five, and in the twentieth year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.

ROBT. BARNWELL, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to the Militia.

A.D. 1796.

AN ACT TO PROLONG THE TIME FOR CERTAIN OFFICERS OF THE MILITIA TO TAKE THE OATH OR AFFIRMATION PRESCRIBED BY LAW.

WHEREAS, many officers of the militia have, through inadvertence, neglected to take the oath or affirmation prescribed by the Act entitled An additional Act to the Act entitled An Act to organize the Militia throughout the State of South Carolina, passed on the nineteenth day of December, in the year of our Lord one thousand seven hundred and ninety-four, in conformity with the Act of Congress.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That a further time of six months be allowed the said officers to take the said oath or affirmation before some justice of the peace, who shall certify the same on the back of their commissions; and that the said officers thus taking the said oath or affirmation, shall be still qualified to hold their said commissions; any thing in the aforesaid Act, passed the nineteenth day of December, in the year of our Lord thousand seven hundred and ninety-four, to the contrary hereof notwithstanding. Provided, nevertheless, that if the said officers do not within the said time take the said oath or affirmation, at the expiration of the same their commissions shall be vacated.

II. And be it enacted by the authority aforesaid, That any officer or officers taking the oath or affirmation within the time abovementioned, shall receive commissions of the same date, and shall be entitled to the same grade, as if he or they had taken the said oath or affirmation when first elected.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand seven hundred and ninety-six, and in the twenty-first year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.
ROBT. BARNWELL, Speaker of the House of Representatives.

AN ACT CONCERNING THE CAVALRY AND ARTILLERY OF THIS STATE; No. 1662.

AND FOR OTHER PURPOSES THEREIN MENTIONED

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the cavalry of this State shall be arranged into squadrons and regiments, as follows:—the several troops now raised, and hereafter to be raised, in the brigade number one, (No. 1.) shall form one regiment; the several troops now raised, or hereafter to be raised, in the brigade number two, (No. 2.) shall form one regiment; the several troops now raised, and hereafter to be raised, in the brigade number three, (No. 3.) shall form one regiment; the several troops now raised, and hereafter to be raised, in the brigade number four, (No. 4.) shall form one regiment; the
several troops now raised, and hereafter to be raised, in the brigade number five, (No. 5.) shall form one regiment; the several troops now raised, and hereafter to be raised, in the brigade number six, (No. 6.) shall form one regiment or squadron; the several troops now raised, and hereafter to be raised, in the brigade number seven, (No. 7.) shall form one regiment; the several troops now raised, and hereafter to be raised, in the brigade number eight, (No. 8.) shall form one regiment; the several troops now raised, and hereafter to be raised, in the brigade number nine, (No. 9.) shall form one regiment or squadron. Provided, that no regiment shall consist of more than six troops, nor less than four, nor each troop of more than sixty-four, rank and file.

II. And be it further enacted by the authority aforesaid, That the brigadier general of each of the aforesaid brigades shall be, and he is hereby, authorized and empowered, whenever the regiment of horse in his brigade is not complete, to fill up the same, if he shall see fit, by authorizing proper persons to raise the necessary number of troops; and also, by empowering the captains of the respective troops in his regiment to enrol men who are not obliged to do militia duty, but who would be willing to enrol themselves in such troops, and to turn out with them, properly uniformed and accoutred, when called into actual service; and the said brigadiers shall distribute the troops in their respective regiments into squadrons.

III. And be it further enacted by the authority aforesaid, That to each of the aforesaid squadrons there shall be one major; and each of the abovementioned regiments shall be commanded by one lieutenant-colonel; and the Governor and Commander-in-chief shall be, and he is hereby, authorized to commission, in common form, the eldest captain of horse in each brigade, as lieutenant-colonel in each brigade, and the second and third in seniority, as majors of the first and second squadrons, in each regiment, respectively; and if any case should occur in which the captains' commissions bear even date, the preference shall be decided by lot, in presence of the brigade major, who shall make a return thereof to the adjutant-general; and the rank of the several lieutenant colonels shall also be determined by lot, to be drawn in the following manner:—the adjutant general shall write the names of the respective regiments on slips of paper, and having intermixed them well, shall, in presence of the Governor or Commander-in-chief, draw forth their names, singly; and each of the aforesaid lieutenant colonels shall take rank in the order in which his name is drawn; and the adjutant general shall make out two lists of the said officers, according to their respective ranks, and transmit one of the said lists to the secretary's office in Charleston, and the other to the secretary's office in Columbia, there to be recorded. Provided, that nothing herein contained shall be so construed as to give rise to any captain or commander of a troop, who has neglected, for six months previous to the passing of this Act, to muster his troop.

IV. And be it further enacted by the authority aforesaid, That all those of the militia who have heretofore enrolled themselves in any troop or company of cavalry, may remain with their troop or company; and that hereafter all volunteers for the corps of cavalry shall be limited to their respective brigades, except otherwise ordered by the Commander-in-chief.

V. And be it further enacted, That whenever any of the cavalry, or any part thereof, shall be called into the actual service of this State, it shall be the duty of the brigadier-inspector to call to his assistance two of the freeholders of the county where each horseman may reside, who, together
with the said brigade inspector, shall, on oath, appraise the horse of each horseman, immediately before the time of going into such service, and enter such appraisement in a book, to be kept for that purpose; and the said cavalry shall receive the same indemnification, and no other, for loss of horses or otherwise, under the same regulations and restrictions, as are or may be established, in like cases, in the militia in the service of the United States, by the laws thereof, for the time being.

VI. And be it further enacted, That the cavalry shall meet in troop, at Troops to least six times in each year, and at such places as the commanding officer meet.

of each troop shall direct.

VII. And be it enacted, That the brigadier in each brigade be, and he is hereby, authorized to direct the mode of uniform for the cavalry of his brigade; and the adjutant general shall prescribe the form of discipline to be used and adopted by them.

VIII. And be it further enacted, That the company of artillery attached to the twenty-eighth regiment, the company attached to the twenty-ninth regiment, and the company attached to the thirtieth regiment of infantry, shall form one battalion; and the said battalion, together with the Charles- son battalion of artillery, shall form one regiment.

IX. And be it further enacted, That the said regiment of artillery shall be commanded by a lieutenant-colonel; and each of the said battalions, by a major; and the Governor or Commander-in-chief shall be, and he is hereby, authorized to commission, in common form, the first officer in rank in the said regiment, as lieutenant-colonel thereof; and the second and third in seniority, as majors of the battalions, who shall take rank according to the dates of their commissions.

X. And be it further enacted, That throughout the other parts of the State, the captains of artillery shall be attached to the battalions in which they reside, respectively; and rise in the same, with the other officers, according to the dates of their commissions.

XI. And be it further enacted, That the said lieutenant-colonel of cavalry, and lieutenant-colonel of artillery, shall take rank and promotion together with and in the same manner as the other lieutenant-colonels of this State. Provided, nevertheless, that no officer to be appointed by virtue of this Act shall take rank and precedent over any officer of infantry of the militia of this State, of the same grade, except by seniority of commission.

XII. And be it further enacted, That the officers and men of the cavalry and artillery, throughout this State, be subject to the same laws and regulations, as the officers and men of the infantry of this State, are or shall be subject to. Provided always, nevertheless, that nothing contained in this Act shall be construed to affect the rights and privileges of the ancient battalion of artillery in Charleston, as secured to them by their charter, or by any other law or regulation.

XIII. And be it enacted by the authority aforesaid, That the three companies of artillery in brigadier-general Winn’s brigade shall also form one battalion; and the eldest captain in the said battalion shall be commissioned major thereof.

XIV. And be it enacted by the authority aforesaid, That the officers commanding in the different company beats in the town of Georgetown be, and the same are hereby, authorized to hold their respective commissions, although not resident in the beats aforesaid; provided, that the said residence be in his battalion.
STATUTES AT LARGE

Acts relating to the Militia.

XV. And whereas, it has been inconvenient, and sometimes oppressive, to issue warrants, in the first instance, against the body of defaulters, and other persons subjected to the fines by the militia law,—for remedy whereof, Be it enacted by the authority aforesaid, That the officer to whom the power is given of issuing warrants against the body of defaulters, and other persons liable to fines, shall, in the first instance, issue his warrant against the goods and chattels of such person; and the sergeant or other person to whom such warrant shall be directed, is hereby authorized and required to seize the property of the person against whom the warrant shall be issued, and sell the same, after having advertised it in some public place in the regimental or company district to which the said person may belong, at least five days previous to the sale; and if the person to whom the said warrant shall be directed, shall make a return that he cannot find any goods and chattels to be levied on, then the officer who issued the first warrant is hereby authorized and required to issue a warrant against the body of the person, in lieu of that which was issued against his goods and chattels.

XVI. And be it further enacted by the authority aforesaid, That the Governor and Commander-in-chief for the time being, be, and he is hereby, authorized to issue blank commissions to the lieutenant-colonels of the respective regiments; and the lieutenant-colonels of the respective regiments shall, from time to time, as vacancies may occur in their said regiments, fill up and issue commissions, and make return thereof to the brigadier.

XVII. And be it further enacted by the authority aforesaid, That the militia of Charleston and Georgetown shall be, and they are hereby, exempted from turning out on company parade, oftener than once in every two months; and the commanding officer in each regiment throughout the State, shall be authorized, if he see fit, to exempt his men from turning out on parade in the months of July, August and September; provided, they turn out not less than six times in the year.

In the Senate House, the sixteenth day of December, in the year of our Lord one thousand seven hundred and ninety-seven, and in the twenty-second year of the Independence of the United States of America.

DAVID RAMSAY, President of the Senate.
ROBT. BARNWELL, Speaker of the House of Representatives.

No. 1748.

AN ACT IN ADDITION TO THE MILITIA LAWS OF THIS STATE.

WHEREAS, it is necessary and proper to alter and amend, in some respects, the militia laws of this State; and whereas, also, it is highly necessary that due subordination and obedience to orders should be maintained and ensured in the said militia.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That every commissioned officer of the militia of this State, or any part thereof, who shall be tried for and found guilty of disobeying the lawful order or orders of his superior officers, shall be liable,
Acts relating to the Militia.

therefore, to be cashiered by a court martial, if the same shall be approved of, and the officer ordered to be cashiered, by the Commander-in-chief of this State.

II. And be it enacted by the authority aforesaid, That when any volunteer company of cavalry shall be reduced to less than twenty-four men, and when any volunteer company of infantry or artillery shall be reduced to less than thirty men, uniformed according to law, then, and in every such case, the commissions of the officers of such troop or company, as the case may be, shall, respectively, cease and determine; unless such troop or company shall, respectively, be completed with the number of men aforesaid, within twelve months after the passing of this Act.

III. And be it further enacted by the authority aforesaid, That no person liable to do militia duty, who now is, or hereafter may be, enrolled in any volunteer troop of cavalry, infantry or artillery, shall be exempted from doing duty in such troop or company, unless he shall have given six months previous notice, in writing, of his intention of leaving such troop or company, to the commanding officer thereof, and shall have complied with the other requisitions required by law.

IV. And be it enacted by the authority aforesaid, That the commission of every captain of any troop of cavalry or company of artillery or infantry, shall be null and void, to all intents and purposes, who hereafter shall refuse or neglect, for the space of six months in immediate succession, to muster his troop or company, as the case may be.

V. And be it further enacted, That the brigadiers general shall, within their respective commands, depute proper persons to collect all fines and penalties which may be imposed on delinquents under the militia laws of this State, and allow such percentage on the collection thereof, as to them shall appear advisable, so as the same shall not exceed ten per cent.

VI. And be it enacted by the authority aforesaid, That all persons acting as fire-masters, or enrolled in any department under them, shall, on ordinary musters, be exempted from the performance of militia duty.

VII. And be it enacted by the authority aforesaid, That every militia officer who shall be appointed to conduct an election for an ensign, or other commissioned officer, shall fairly enter, or cause to be entered, in a book or roll, the names of all persons voting at such election, and shall provide a box or glass for the purpose of receiving the said ballots; and the officer so managing such election may require any person offering to give his vote thereat, to swear that he is a resident within the company beat, or is otherwise properly enrolled therein, and is then liable to do duty in that company, under the third section of “An additional Act to organize the Militia throughout the State of South Carolina,” passed the nineteenth day of December, in the year of our Lord one thousand seven hundred and ninety four; and the officer holding such election shall make oath, that he has managed the election according to law, according to the best of his knowledge and belief, and the orders he shall have received from the commanding officer for conducting the same.

VIII. And be it enacted by the authority aforesaid, That whenever it shall be considered as necessary for any militia officer, not under the rank of captain, or other commanding officer of a company, to take a census of the number of persons within his beat, company or district, liable to the performance of militia duty, such officer or officers shall be, and they are duty, hereby, authorized and required to demand the name or names of each and every householder, or other person or persons so resident therein, and to
inquire into their liability to perform such duty in his said beat, company or
district; and if any householder, or other person or persons residing in
such beat, shall fail or refuse to satisfy the necessary enquiries of such
officer, touching his or their liability to be enrolled as a militiaman, such
householder or other resident shall forfeit and pay the sum of ten dollars,
to be sued for and recovered before any one justice of the peace; which
penalty shall be paid into the hands of the paymaster of the regiment in
which such person or persons may reside.

IX. And be it enacted by the authority aforesaid, That it shall and may
be lawful to and for any major of cavalry to attach to the squadron under
his command, by and with the consent of the commanding officer of the
regiment of which such squadron shall be a part, any number of rifle car-
bineers, not exceeding twelve to a troop, who shall also be armed as troop-
ers, in such way and manner as he shall think fit and direct.

X. And be it enacted by the authority aforesaid, That whenever a
vacancy or vacancies shall happen of any commissioned officer or officers
in any troop or company of the militia, and the men composing such
troop or company, respectively, shall neglect or refuse, for the space of three
months, due notice of an election being given, to fill up the same as the
law directs, then, and in every such case, it shall and may be lawful to
and for the commanding officer of the regiment to which such troop or
company shall belong or be attached, by and with the consent of the com-
manding officer thereof, to fill up such vacancy.

XI. Be it enacted by the authority aforesaid, That it shall and may be
lawful to and for the commanding officer of any company of artillery to
attach thereto any number of free negroes and Indians, moors, mulattoes,
and mestizoes, between the age of eighteen and forty-five, not exceeding
four, to act as pioneers, in such way and manner as the commanding offi-
cer of the regiment or battalion to which such company may belong or be
attached, shall think fit, or direct the said pioneers to be clothed in hunting
shirts and overalls, and equipped with the usual accoutrements of a pioneer,
except swords, hangers or bayonets.

XII. And be it enacted by the authority aforesaid, That the fines which
have been, or may hereafter be, collected in the ancient battalion of artil-
lery in Charleston, under the authority of the militia law of this State, from
the commissioned and non-commissioned officers and matrosses of the said
battalion, shall and may be applied, exclusively, to the uses and purposes of
the said battalion; and the fines collected, as aforesaid, in the second bat-
talion of the regiment of artillery in Charleston, shall and may be applied,
exclusively, to the uses and purposes of the said second battalion.

XIII. And be it enacted by the authority aforesaid, That no trumpeter or
musician, being a negro, mulatto, mestizo, or person of color, attached to
any corps of cavalry, be permitted to be armed with any offensive wea-
pons, unless in cases of alarm or of service on detachment.

In the Senate House, the twentieth day of December, in the year of our Lord one thou-
sand eight hundred, and in the twenty-fifth year of the Independence of the United
States of America.

JOHN WARD, President of the Senate.
THEO. GAILLARD, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to the Militia.

A.D. 1807.

AN ACT TO ALTER AND AMEND AN ACT ENTITLED "AN ACT CONCERNING THE CAVALRY AND ARTILLERY OF THIS STATE, AND FOR OTHER PURPOSES THEREIN MENTIONED;" PASSED THE SIXTEENTH DECEMBER, SEVENTEEN HUNDRED AND NINETY-SEVEN.

WHEREAS, by the eighth section of the Act aforesaid, it is enacted that the company of artillery attached to the twenty-eighth regiment, the company attached to the twenty-ninth regiment, and the company attached to the thirtieth regiment of infantry, shall form one battalion, and the said battalion, together with the Charleston battalion of artillery, shall form one regiment. And whereas, no such company as is stated in the said Act to be attached to the thirtieth regiment of infantry, did or does exist. And whereas, the Governor and Commander-in-chief for the time being, did permit to be raised a company of artillery, by the name of "The Federalist Artillery Company," pursuant to the Act of Congress, in such case made and provided, and did duly commission the officers thereof, which company hath ever since acted with the said regiment of artillery as a company of the battalion aforesaid, formed by the Act aforesaid, commonly called and known as the second battalion of the said regiment of artillery.

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now sitting in General Assembly, and it is hereby enacted by the authority of the same, That the said company of artillery, called the Federalist Artillery Company, be, and the same is hereby, attached to the said regiment of artillery, as one of the companies of the said second battalion of the said regiment; and that the officers thereof shall, in all cases, take and be entitled to rank in the said regiment, and militia of this State, according to law and the dates of their commissions.

II. And be it further enacted by the authority aforesaid, That if, at any time hereafter, it shall happen that one or more of the companies forming the said second battalion of artillery shall be dissolved, or otherwise legally cease to exist, it shall and may be lawful to and for the Governor or Commander-in-chief for the time being, to raise, or cause or permit to be raised, one or more companies, as the vacancies of the said second battalion of artillery may require, and to commission the officers thereof according to law; which company or companies, as the case may be, shall be attached, and form a company or companies, as the case may be, of the said second battalion of artillery, in the room and stead of any company or companies so dissolved or ceasing to exist, so that the said battalion may always be kept entire.

III. And be it further enacted by the authority aforesaid, That so much of the said Act entitled "An Act concerning the Cavalry and Artillery of this State," passed the 18th December, 1797, as is repugnant to this Act, be, and the same is hereby, repealed.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and seven, and of the Independence of the United States of America the thirty-second.

WM. SMITH, President of the Senate.

JOSEPH ALSTON, Speaker of the House of Representatives.
AN ACT TO GIVE THE MILITIA OFFICERS OF THIS STATE, WHO HAVE NOT TAKEN THE OATHS REQUIRED BY THE ACT OF THE GENERAL ASSEMBLY, PASSED THE NINETEENTH DAY OF DECEMBER, ONE THOUSAND SEVEN HUNDRED AND NINETY-FOUR, IN THE MANNER DIRECTED BY SAID ACT, FURTHER TIME TO TAKE THE SAID OATH.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met in General Assembly, and by the authority of the same, That all militia officers of this State, who have received commissions, and who have not taken the oath prescribed by the Act of the General Assembly of this State, passed the nineteenth day of December, in the year one thousand seven hundred and ninety-four, within the time limited by the said Act, and who shall take the said oath within the space of one year from the date of the passing of this Act, shall be, and they are hereby, established in their respective commissions, and shall take grade in the same manner, and possess the same rights and privileges, as they might or would have had, provided they had taken the oath as prescribed and directed by the said Act of the General Assembly, passed on the nineteenth day of December, in the year one thousand eight hundred and ninety-four; any law or custom to the contrary notwithstanding.

II. And be it enacted by the authority aforesaid, That nothing in this Act shall extend, or be construed to extend, to any militia officer of this State who is or may have been concerned in any decision already made by any military court, or where there are now any officers contending for rank, in consequence of the aforesaid oath not having been taken, or may contend for, three months after the passing of this Act.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and seven, and of the Independence of the United States of America the thirty-second.

WM. SMITH, President of the Senate.
JOSEPH ALSTON, Speaker of the House of Representatives.

AN ACT EXPLANATORY OF FORMER ACTS RELATIVE TO THE MODE OF DETERMINING THE SENIORITY OF OFFICERS IN THE MILITIA OF THIS STATE; AND FOR OTHER PURPOSES THEREIN MENTIONED.

WHEREAS, it appears that Captain Janet Laval and Captain John Geddes, hold commissions in the first squadron, eight regiment of cavalry, of the same grade, each to take rank on the same day; and whereas, in consequence thereof, Isaac Walter, Esq., lieutenant-colonel of the said regiment, did order and direct their seniority to be determined by lot, as directed by law; and whereas, brigadier-general Brad sat aside and annulled the said order, and a court of enquiry, unauthorized in such cases by any law, was called by the Governor of this State, to determine the rank
OF SOUTH CAROLINA.

Acts relating to the Militia.

of the said officers, and the seniority thereby given to Captain Jament Laval, although the same had not been determined by lot, as is directed by law, as aforesaid, whereby it appears that the said Captain John Geddes has been deprived of a right secured to him by the militia laws, in such cases made and provided.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That lieutenant-colonel Isaac Walter, or the commanding officer of the said eighth regiment of cavalry, is hereby required and directed, on or before the first Monday in February next, to cause the seniority of rank between Captain Geddes and Captain Laval to be determined by lot, according to the mode prescribed by the militia laws.

II. And be it further enacted by the authority aforesaid, That in all cases where two officers hold commissions of equal grade, and are entitled to take rank on the same day, notwithstanding the said commissions may have been issued and filled up on different days, yet the seniority of such officers shall be determined (without reference to their former commissions,) by lot, according to the directions of an Act of Congress, passed the eighth day of May, one thousand seven hundred and ninety-two, and an Act of this State, passed the eighteenth day of December, one thousand seven hundred and ninety-four, in conformity thereto.

III. And be it further enacted by the authority aforesaid, That this Act be deemed a public Act, and that it shall be the duty of the militia officers of this State to enforce the due observance thereof.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and seven, and of the Independence of the United States of America the thirty-second.

WM. SMITH, President of the Senate.

JOSEPH ALSTON, Speaker of the House of Representatives.

AN ACT REQUIRING THE MAJOR-GENERALS OF THE MILITIA OF THIS STATE TO CAUSE ONE UNIFORM SYSTEM OF EVOLUTIONS TO BE ADOPTED BY THE CAVALRY, WITHIN THEIR RESPECTIVE DIVISIONS; FOR PERFECTING THE SEVERAL OFFICERS OF THE MILITIA THROUGHOUT THIS STATE, IN THEIR MILITARY DUTIES; AND FOR OTHER PURPOSES THERIN MENTIONED.

WHEREAS, it is highly expedient and necessary that a uniform system of evolutions should be adopted for the cavalry; that the several militia officers throughout this State should become perfect in their military duties; and that patrol duty should be strictly and regularly performed:

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That an uniform system of evolutions be adopted
and performed by the cavalry of this State, the same to be settled and agreed upon by the major-generals and the adjutant-general, or a majority of them. That it shall be the duty of the major-generals of the militia of this State to cause the same to be notified to, and to be adopted and observed by, the cavalry within their respective divisions.

II. And be it further enacted by the authority aforesaid, That it shall be the duty of all the officers of the several different brigades throughout this State, under the rank of brigadier, excepting artillery and cavalry officers, to assemble in some central and proper place within their respective brigades, in full uniform, and equipped with a musket, bayonet, cartouch box and twenty-four cartridges, once at least in every two years, and there be kept on duty in the practice of the manual exercise, for a time not exceeding six days, nor less than three days, as the major-general of each division may think fit and proper. And it shall be the duty of the several brigadier-generals to attend the said officers so assembled within their respective brigades, and to lead, train, discipline and manouvré the said officers, according to the system of Steuben, or any other system which may be adopted by Congress. And it shall be the duty of the adjutant-general and brigade-majors, within the respective brigades, to attend such officers, and be subject to orders, as on reviews; and it shall also be the duty of the major-generals, within their respective divisions, to attend at the said musters; which said musters of the officers, as aforesaid, shall be ordered by the Governor or Commander-in-chief, and at such times as he shall deem fit and proper for the purposes intended by this Act. And in case any of the officers required by this Act to attend the musters aforesaid, shall fail or neglect so to attend, the said officers, respectively, so failing or neglecting, shall be subject to the fines and forfeitures following, that is to say: a major-general shall be fined in the sum of sixty dollars, a brigadier-general in the sum of fifty dollars, a colonel in the sum of forty dollars, a major in the sum of thirty-dollars, a captain, lieutenant or ensign, in the sum of twenty dollars; and that such defaulter or defaulters shall be tried in the same manner as is now directed by the militia laws of this State, and the fines applied to the use of the brigade in which such fines and forfeitures have accrued.

III. And be it further enacted by the authority aforesaid, That it shall be the duty of the officers of the several regiments within this State, in like manner, to assemble, once at least in every year, in some convenient and central place, within the bounds of the said regiments, respectively, at such times as the respective brigadiers shall order, accoutred in the same manner as hereinbefore directed; at which regimental musters it shall be the duty of the brigade-major of the respective brigades to attend; and the said officers, respectively, in case of default, shall be subject to the same fines and forfeitures as are in the said clause mentioned; which said fines and forfeitures are to be collected in like manner as aforesaid, and to be applied to the use of the regiments in which such fines and forfeitures have accrued.

IV. And be it further enacted by the authority aforesaid, That every lieutenant-colonel who shall wilfully neglect to turn out at a regimental muster, shall be fined in a sum of forty dollars, and fifty per cent. on the amount of his last general tax; and that every major, for a like neglect, either at a regimental or battalion muster, shall be fined thirty dollars, and also fifty per cent. on the amount of his last general tax; that every captain, for a like neglect, shall be fined twenty-dollars, and also a
OF SOUTH CAROLINA.

Acts relating to the Militia.

sum not exceeding fifty per cent. on his general tax; that every subaltern officer, for a like neglect, shall be fined fifteen dollars, and also a sum not exceeding fifty per cent. on the amount of his general tax; and that every non-commissioned officer and private, for a like neglect, shall be fined the sum of three dollars, and fifty per cent. on the amount of his general tax; that every captain who shall wilfully neglect to turn out at any ordinary muster, shall be fined in the sum of six dollars, and also fifty per cent. on the amount of his general tax; that every subaltern officer, for a like neglect, shall be fined in the sum of four dollars, and also fifty per cent. on the amount of his general tax; and that every non-commissioned officer and private, for the like neglect, shall be fined the sum of one dollar and fifty cents, and fifty per cent. on the amount of his general tax.

V. And be it further enacted by the authority aforesaid, That every person liable to perform patrol duty, or liable to procure a substitute to perform the same, shall, on failure (without legal excuse,) to ride patrol, either by himself or substitute, in their respective turn, for every such default, forfeit and pay to the commanding officer of the company of which such patrol is a detachment, the sum of two dollars, and also the sum of fifty per cent. on the amount of his last general tax, to be recovered before the captain of such company, the money to go to the use of the company of which such patrol is a detachment.

VI. And be it further enacted, That no officer, either of infantry, cavalry or artillery, shall be excused from the performance of patrol duty; but every officer, either of cavalry, infantry or artillery, and every private, shall be liable to perform patrol duty in the beat, under the [captain] of said beat, within which such officer or private resides.

VII. And be it further enacted, That every clause and article in this Act shall be construed to extend as well to the officers and privates of the Officers to per- cavalry, artillery and volunteer companies, as to the officers and privates of the infantry.

VIII. And be it further enacted by the authority aforesaid, That all acts of acts and clauses of Acts repugnant hereto, be, and the same are hereby, repealed.

IX. And be it further enacted by the authority aforesaid, That the proportion of the militia of this State ordered to be organized and held in readiness to act at a moment's warning, be exempt, during their organization and the continuance of such orders, from ordinary militia duty, and be subject to the immediate command only of the officers detached with them; duty, and that the militia so detached, until called into actual service, shall be subject and liable to the same fines and penalties for breach of duty, as by law are imposed on the militia of the State generally; such fines to be appropriated to the use of the respective battalions or regiments in which they may accrue; and that the militia so detached be required to assemble in battalions, squadrons or regiments, at the discretion of the commanding officers of regiments or brigades, to be encamped, and there to perform all the usual duties and exercises of a camp, and to continue embodied and encamped for not less than three or more than five days; and that the troops who may perform such duty shall be entitled to rations, or money in lieu thereof, agreeably to the contract of the United States for rations in this State; and that the sum of four thousand dollars be appropriated in the tax bill, for the above purpose; and that his Excellency the Governor be, and he is hereby, authorized to apply to the comptroller-general for

VOL. VIII.—65.
warrants, and the said comptroller general to issue the same, in favor of the commanders of the corps who may encamp as aforesaid, for the rations, or amount thereof, due to said corps, respectively.

X. And be it further enacted by the authority aforesaid, That the following mode, in relation to the rise of officers, and no other mode, be hereafter adopted and adhered to, viz.; that in case of any vacancy for any commissioned officer in any company, such vacancy shall be filled up by the ballot of all persons enrolled, (including alarm men,) in such company; that in case the majority in any battalion or squadron shall become vacant, that such vacancy shall be filled up by the votes of the commissioned officers of such battalion or squadron, who shall be compelled to elect a major from the captains of said battalion or squadron; that in case of the death, resignation or removal of any lieutenant-colonel, that the vacancy thereby occasioned shall be filled up by the votes of the captains in said regiment, who shall elect a lieutenant-colonel from one of the majors of said regiment; and if it should happen that two majors are not in commission when the lieutenant-colonel may die, resign or be removed, that the commissioned officers of the battalion in which such vacant majority may occur, shall be obliged to appoint a major or majors, as the case may be, before a choice of lieutenant-colonel can be made; that in case of the death, resignation or removal of any brigadier-general, that the vacancy thereby occasioned shall be filled up by the votes of the field officers of the brigade electing him, from among the lieutenant-colonels; that in case of the death, resignation or removal of any major-general, that the vacancy thereby occasioned shall be filled up by the brigadier-generals of the division, electing from among themselves.

XI. And be it further enacted by the authority aforesaid, That the regiments of cavalry and artillery of the two divisions of the militia of this State, be formed into brigades, one brigade of each to be attached to each division; and that as soon as his Excellency the Governor shall report the organization of said brigades, the brigadier-generals thereof shall be appointed from among the colonels of the brigades, respectively, by the field officers of the same.

XII. And be it further enacted by the authority aforesaid, That certified copies of this clause of this Act, together with the laws heretofore passed in relation to the cavalry and artillery of this State, be transmitted to the senators and members of Congress from this State, with a request that they endeavor to obtain from the Congress of the United States their sanction of the organization of the cavalry and artillery of this State.

XIII. And be it further enacted by the authority aforesaid, That the officers commanding uniform corps of infantry, cavalry or artillery, shall, on their court martial being approved of hereafter, transmit the same to the adjutant of their respective regiments, whose duty it shall be to sign and issue executions against all persons returned as defaulters by said courts martial, except as to the militia of Charleston, where the brigade collector shall sign all executions and collect all fines.

XIV. And be it further enacted by the authority aforesaid, That all persons enrolled in any company of militia in this State, who shall or may remove out of the company, beat or precinct, or settle or reside, for the space of three months, in any other part of the State, and who shall not enrol his name, and do ordinary militia duty in the place or precinct to which he may so remove and remain for the time above mentioned, or any
AN ACT TO AMEND AND EXPLAIN THE MILITIA LAWS OF THIS STATE. No. 1940.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That in case of vacancy of the majority in any battalion or squadron, the captains and subalterns thereof shall fill up the said vacancy, by the election of some officer from among themselves. That in case of vacancy of a colonel's commission in any regiment, the majors and captains thereof shall fill the same, by election of some officer from among themselves. That in case of vacancy in the commission of a brigadier-general, the colonels and majors of the brigade shall fill the said vacancy, by the election of some officer from among themselves. That in case of the vacancy of a general of division, the colonels and brigadiers of such division shall fill the same, by the election of some officer from among themselves.

II. And be it further enacted by the authority aforesaid, That so much of an Act, passed at the last session of the General Assembly, as enacts that the cavalry and artillery of this State shall be arranged into brigades, be, and is hereby, repealed; and that hereafter, colonels and majors of cavalry, and colonels and majors of artillery, respectively, may and shall be eligible by election to the commission of brigadier-general, or general of division, as the case may be, agreeably to terms set forth in the foregoing clause of this Act.

III. And be it further enacted by the authority aforesaid, That all elections for officers as aforesaid, shall be ordered by the officer commanding the battalion or squadron, regiment, brigade or division, wherein the vacancy shall occur, as the case may be, giving at least thirty days notice for the election of a major, at least forty days notice for that of a colonel, and at least fifty days notice of the election for a brigadier-general or general of division; that at every such election, it shall require a majority of the persons eligible to vote, to constitute an election, and a majority of the votes to elect.

IV. And be it further enacted, That in consequence of the major-generals and adjutant general of this State not having, as directed by the first section of the militia law, passed the seventeenth day of December last, brought forward a system of uniform exercise and evolutions, for the
training of cavalry, that the exercise and evolutions laid down and published by Hoyt, be now and hereafter adopted, and none else, throughout the State, until the major-generals and adjutant-general do bring forward such uniform system, as directed by the aforesaid Act.

V. And be it further enacted by the authority aforesaid, That in future, all fines to be imposed for neglect of patrol and militia duty, generally, in every company, battalion, regiment or brigade, shall be collected as follows, viz.:—by such person or persons as the majors, lieutenant-colonel, or commanding officer of regiments or brigades, shall appoint to collect the same within their respective commands; and that the said persons so to be appointed to collect said fines, shall be allowed a per centage on the monies to be collected by them, respectively, not exceeding ten per cent; and that it shall be the duty of the senior officer presiding at a court martial, to furnish the collector so to be appointed, with a list of the fines imposed by such court, within fifteen days after the said court shall have imposed the same; and that the said collector shall, within thirty days after receiving such lists, notify to each delinquent the amount of his fine, and require the payment of the same; and if the said delinquent, so to be notified of his fine, shall neglect to pay the same for the space of fifteen days after such notification, the said collector shall issue an execution, and may arrest thereunder the body of said delinquent for satisfaction of said fine, unless the said delinquent shall point out sufficient property which can be levied on for satisfaction of said fine so to be imposed; and that it shall be the duty of the several tax collectors in this State, on the reasonable request of any commissioned officer in the militia, or of any collector of militia fines, to discover and make known the amount of the last general tax of any defaulter liable to be fined as aforesaid; provided always, that every non-commissioned officer or private, who may conceive himself aggrieved by the sentence of any court martial, shall have a right to appeal from the same, within fifteen days after being notified of the fine imposed, to the field officers of his regiment; and the determination of a majority of the field officers of such regiment, shall be conclusive on the subject submitted to them.

VI. And be it further enacted by the authority aforesaid, That all officers ordering court martials, or authorized by law to approve court martials, within their respective commands, shall, as often as they may think proper, and once in every year at least, compel the collector or collectors of fines as aforesaid, and all others who may have received or collected fines for neglect of patrol or militia duty, to come to an account and reckoning, and pay over the said fines so collected, to be applied according to law.

VII. And be it further enacted by the authority aforesaid, That the field officers of the seventh brigade, residing within the parishes of St. Philip's and St. Michael's, shall have power, for the use of the militia of said parishes, to purchase as much land, not exceeding three hundred acres, as they may deem requisite and sufficient for a parade ground, or place of military exercise; and they and their successors in command, may hold the same for ever thereafter, as a parade ground for the militia aforesaid, free of taxes; and to aid them in the purchase hereby intended to be made, the said field officers, or a majority of them, shall have liberty to draw one or more lotteries, the profits whereof to be applied in payment of said parade ground, and to no other purpose, and not to exceed the amount of the said purchase.
OF SOUTH CAROLINA.

Acts relating to the Militia.

A.D. 1809.

VIII. And be it enacted by the authority aforesaid, That the lieutenant-colonels or commandants or the respective regiments, shall, at least once in every year, order and direct the several commissioned and non-commis-
sioned officers under their command, to assemble, completely armed and accoutred, at some convenient and central place, within their battalion or regimental precinct, one day previous to the battalion or regimental parade or review, for the purpose of being instructed in the exercise and man-
oeuvres intended to be performed by the battalion or regiment to which said officers may be attached, at the next parade or review of the same; which said duty shall be in substitution of the duties required by law of said regimental officers, under the Act passed seventh December, one one thousand eight hundred and eight; and any commissioned officer neglecting to obey the order of his commanding officer aforesaid, shall be liable to the fines imposed by the aforesaid Act; and every non-commis-
sioned officer, to the same fines as are imposed by law on them in case of their neglect of militia duty.

IX. And be it further enacted by the authority aforesaid, That every person liable to perform patrol duty, or liable to procure a substitute to perform the same, shall, on failure, without legal excuse, to ride patrol, either by himself or substitute, in their respective turn, for every such default, forfeit and pay to the commanding officer of the company of which such patrol is a detachment, the sum of five dollars, and also, the sum of five per cent. upon the amount of his last general tax, to be recovered before the captain of such company, the money to go to the use of the company of which such a patrol is a detachment; and all Acts and clauses of Acts repugnant hereto, be, and the same are hereby, repealed.

X. And be it further enacted by the authority aforesaid, That the sum of five hundred dollars be appropriated, subject to the draft of the Gover-
nor, for the payment of the balance due of the expenditure of the late quota of the militia of this State; and that the sum of five thousand dol-
ars be appropriated, and be subject to the draft of the Governor, as a pro-
vision, in case the General Government should call upon this State to furnish a quota of active militia to take the field, and not otherwise; and also, that the sum of two thousand five hundred dollars be appropriated for the purpose of building two new sheds for the securing of the carriages for the artillery in Charleston, and for repairing the former ones built for that purpose, and that the same be subject to the draft of the field officers of the twenty-eighth and twenty-ninth regiments of this State, and the field officers of the regiment of artillery in Charleston.

In the Senate House, the nineteenth day of December, in the year of our Lord one thou-
sand eight hundred and nine, and in the thirty-fourth year of the Independence of the United States of America.

SAMUEL WARREN, President of the Senate.

JOSEPH ALSTON, Speaker of the House of Representatives.
No. 2010. AN ACT TO EXEMPT THE OFFICERS, NON-COMMISSIONED OFFICERS AND
PRIVATES, OF THE CITY GUARD OF CHARLESTON, FROM MILITIA
DUTY.

WHEREAS, it has been represented to the Legislature, that under the
present militia laws of this State, the officers, non-commissioned officers
and privates, of the city guard of Charleston, are subject, (notwithstanding
their enrolment under the ordinance of said city,) to be fined by the officers
of the militia in whose beat they reside, for not performing the duties re-
quired under the militia law, when at the same time they are performing
the duties of guard and watch of the city; therefore, to remedy, in future,
this inconvenience and grievance,
I. Be it enacted, and it is hereby enacted, That from and after the pass-
ing of this Act, that so much of the militia law of this State shall be, and
is hereby, repealed, as imposes a fine or fines on any member of the city
guard of Charleston, so long as said members so continue, and until dis-
charged from the said guard, notwithstanding such member of the guard
may be resident in the militia beat; provided, that the city guard of
Charleston shall at no time consist of more than one-hundred, rank and
file; and this Act may, in the above case, be specially pleaded.

In the Senate House, the nineteenth day of December, in the year of our Lord one
thousand eight hundred and twelve, and in the thirty-seventh year of the Sove-
reignty and Independence of the United States of America.

SAMUEL WARREN, President of the Senate.
JOHN GEDDES, Speaker of the House of Representatives.

No. 2028. AN ACT TO ALTER AND AMEND THE MILITIA LAWS OF THIS 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 Commander-in-chief for the time being, may, in case of invasion or
other emergency, when he shall judge it necessary, order out any portion
of the militia of this State, to march to any part thereof, and continue not
more than three months at any one time, and until relieved, for which he
shall make timely provision; and likewise, may, in consequence of an ap-
lication of the Executive of any of the United States, on an invasion or
insurrection, or on apprehension of an invasion, of such State, at his dis-
cretion, order any number of militia, not exceeding one-third part thereof,
to such State; provided, that the militia which shall be so ordered out of
the State, shall not be obliged to continue on duty out of this State more
than two months at any one time.

II. And be it further enacted by the authority aforesaid, That in all
cases where the militia are ordered out by virtue of this Act, volunteers and
substitutes shall be accepted in the place of those ordered out, under the
conditions, limitations and restrictions, already established by law.
OF SOUTH CAROLINA.

Acts relating to the Militia. A.D. 1813.

III. And be it further enacted by the authority aforesaid, That no civil officer whatsoever shall, on any pretence, execute any process, unless for treason, felony or breach of the peace, on any person whatsoever, when such person shall be called out into service and embodied by the Executive authority of this State, in pursuance of the directions of this Act, or within thirty days after such person shall be discharged from the service upon which such person shall be called out, under the penalty of twenty dollars, and the service of any such process shall be void, to all intents and purposes whatsoever; and that all suits which may be pending against such persons, shall stand and be continued over, in the same manner as if they had been regularly postponed by affidavit.

IV. And be it further enacted by the authority aforesaid, That the estate of any person whatsoever, when such person shall be called out and embodied in pursuance of the directions of this Act, shall be free and exempt from levy, distress or sale, by virtue of any legal process whatsoever, from the time any such person shall be called out as aforesaid, and until thirty days shall elapse after such person shall be discharged from the service upon which such person shall be so called out; and that any person making any such levy, or distress, or sale, as aforesaid, shall be fined in the sum of twenty dollars; and every such levy, distress, or sale, as aforesaid, shall be void, to all intents and purposes whatsoever.

V. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, the officers, non-commissioned officers, musicians and privates, of the infantry, artillery, cavalry and riflemen, of the militia of this State, when called into service and embodied by the authority of the laws thereof, and whilst remaining therein, shall be entitled to the same pay, rations and forage, with the regular troops of the United States.

VI. And be it further enacted by the authority aforesaid, That whenever the militia shall be called into the actual service of this State, by the authority of the laws thereof, their pay shall be deemed to commence from the day of their appearing at the places of battalion, regimental or brigade rendezvous, allowing to each officer, non-commissioned officer, musician and private soldier, a day's pay and rations for every fifteen miles from his home to such place of rendezvous, and the same allowance for travelling home from the place of discharge.

VII. And be it further enacted by the authority aforesaid, That whenever the militia, or any part thereof, shall be in actual service, and embodied, either within or without the State, they shall be subject to the same rules and regulations as the troops of the United States shall be subject to, at the time the militia shall be so ordered out, in order to secure, as far as possible, an uniformity of discipline between the militia of this State and the troops of the United States; and the said rules and articles shall be proclaimed with due solemnity at the head of such detachment, as soon after their being assembled as possible.

VIII. And be it further enacted by the authority aforesaid, That whenever a militia-man, in either of the aforesaid cases, shall have been duly summoned or ordered to appear at the rendezvous appointed, and shall not appear, then, and in that case, he may be fined in a sum not exceeding five hundred dollars, and the amount of his taxes last paid to the State, at the discretion of a court martial, to be composed of officers of the detachment.
ordered out, if it be convenient; if not convenient, of officers of the brigade to which the delinquent shall belong, or of any other officers of the militia of this State, at the discretion of the Commander-in-chief, who is hereby authorized to order the said courts, in conformity with the usage of the army of the United States. And in addition to the fine which the said court-martial may inflict on any person who may subject himself to any of the aforesaid penalties, the said court martial may, at their discretion, sentence any delinquent to imprisonment in the common gaol, for a term not exceeding three months; provided, always, that no fine or imprisonment shall be imposed on any delinquent until he shall have been summoned to appear before a court-martial, to shew cause why such fine or imprisonment should not be imposed.

IX. And be it further enacted by the authority aforesaid, That as often as it shall happen that any non-commissioned officer or private shall be absent when any non-commissioned officer shall call to warn him to appear at rendezvous, a notice in writing, signed by such non-commissioned officer, and left at the usual place of his abode, shall be deemed a sufficient warning.

X. And be it further enacted by the authority aforesaid, That all fines which shall be imposed by virtue of this Act, shall be collected in the following manner: the president of every court martial shall make a list of all the persons fined, designating the company to which they belong, and the sum imposed as fines on each person, and draw his warrant, under his hand and seal, directed to any sheriff of any district, as the case may be, thereby commanding such sheriff to levy such fine or fines, together with his costs, of the lands, tenements, goods and chattels, of such delinquent; and every such sheriff to whom such list and warrant aforesaid shall be directed and delivered, shall execute the same by levying and collecting the said fines, as aforesaid, and shall make return thereof, within forty days from the receipt of such warrant, to the president who issued the same; and should the sheriff be able to find no lands, tenements, goods or chattels, of which to levy the said fine or fines, then he shall take the body of the said delinquent, and commit it to gaol, and there keep it until the said fine or fines shall be paid, or until double the time shall have elapsed for which the delinquent would have served, had he joined the militia so ordered out; and the said sheriff shall be entitled to the same fees for collecting the aforesaid fines, and subject to the same penalties for neglect, as are allowed and provided in similar cases.

XI. And be it further enacted by the authority aforesaid, That all fines collected as above, shall be paid into the hands of the pay-master of the regiment to which the delinquents shall, respectively, belong.

XII. And be it further enacted by the authority aforesaid, That all fines, (except such as are otherwise provided for by this Act,) now incurred, or which may hereafter be incurred or imposed for neglect or default of patrol or militia duty, (except in the parishes of St. Philip and St. Michael,) may be collected in the following manner, to wit: by warrant, under the hand and seal of the captain, or other commanding officer of the company, or by the presiding officer of the court-martial by which the fine is imposed, which said warrant may be directed to any sergeant of the company to which the delinquent belongs, commanding him to levy and collect the said fine or fines; and the said sergeant is hereby authorized and required, under the penalty of twenty dollars, to call on every delinquent who shall
be named in such warrant, or in a schedule or list to the warrant annexed, and to demand payment of the said fine or fines; and on neglect or refusal to make such payment, after demand thereof so as aforesaid made, then the said sergeant having the aforesaid warrant, is hereby required forthwith to proceed to collect the said fine or fines, together with such costs as are received by constables in small and mean causes.

XIII. And be it further enacted by the authority aforesaid, that the form of the warrant to be issued by the captain or commanding officer of the company, or the presiding officer of the court martial, for the collection of the fines aforesaid, shall be as follows:

"The State of South Carolina:

Whereas, the persons named in the schedule or list hereunto annexed, have been duly sentenced by a court martial to pay the sums to their names affixed; this warrant, therefore, authorizes and requires you to levy and sell of the goods and chattels sufficient to pay the fine and costs which have been adjudged against him; and pay over the fines aforesaid to the proper officer.

Given under my hand and seal, the —day of ———, one thousand eight hundred and ———.

A B, Captain. L. S."

XIV. And be it further enacted by the authority aforesaid, that if the body of delinquent person to whom the said warrant shall be directed, shall make return of the agreement he shall make to pay the sum of money he shall be levied on, then the officer who issues the warrant is hereby authorized and required to issue a warrant against the body of the delinquent, and take him to the common gaol, where to remain for such time as is already provided for by law, unless the fine and costs may be sooner paid.

XV. Whereas, Chapman Levy, Francis Blair, William Robinson, Robert Singleton, Joshua English, John Hughson, William Trapp, A. Blanchard, Camden rifle and artillery companies, have prayed for leave to raise a fund, by one or more lotteries, for the purpose of purchasing arms and other munitions of war for the use of the Camden rifle and artillery companies: Be it therefore enacted by the authority aforesaid, That the said Chapman Levy, Francis Blair, William Robinson, Robert Singleton, Joshua English, John Hughson, A. Blanchard, John Parker, and Robert Coleman, be, and they are hereby, authorized to raise a fund, not exceeding five thousand dollars, by establishing and drawing one or more lottery or lotteries; the said fund to be appropriated for the purchase of such arms as may be suitable for the use of the said Camden rifle and artillery companies.

XVI. And be it further enacted by the authority aforesaid, That all free persons of color, pioneers, fatigue-men, musicians, trumpeters, buglers, drummers, and fifers, attached to, or liable to do duty in, any company, troop or corps, shall be entitled to the same pay, and be liable to the same fines and penalties, and subject to the same rules and regulations, as the militia of this State are liable to.

XVII. And be it further enacted by the authority aforesaid, That the Commander-in-chief for the time being shall have authority to remove to some temporary place of safety and deposit, such portion of the arms, ammunition and military stores, at any time deposited in the public arsenals, of the State, as circumstances may appear to require, and, when necessary, in his opinion, to provide and furnish sufficient guards to protect the public
arsenals, until it be found expedient to call out into the public service detachments of the militia, on whom this duty may in part devolve.

XVIII. And be it further enacted by the authority aforesaid, That it shall be the duty of the Governor and Commander-in-chief for the time being, from time to time, to examine, or cause to be examined by some proper officer, the situation of the respective arsenals throughout the State; to require security from the arsenal keepers, and to remove them for negligence or other improper conduct, or incapacity of performing the duties devolving on them as and as such; and to appoint, in cases of removal, other persons to supply the vacancies thereby created.

XIX. And be it further enacted by the authority aforesaid, That the Commander-in-chief for the time being may, at his discretion, aid and assist the citizens of any portion of this State in erecting temporary works and means of protection, and build such redoubts and establish such military posts, as he shall deem necessary, and best calculated to promote the common defence.

XX. And be it further enacted by the authority aforesaid, That the Governor shall be, and he is hereby, authorized to make, to the adjutant-general, from the contingent fund, such additional compensation as the additional duties imposed on that officer may, in his judgment, render proper and reasonable; provided, the same do not exceed five hundred dollars per annum.

XXI. And be it further enacted by the authority aforesaid, That all Acts and parts of Acts repugnant to this Act, be, and the same are hereby, repealed.

In the Senate House, the twenty-fourth day of September, in the year of our Lord one thousand eight hundred and thirteen, and in the thirty-eighth year of the Sovereignty and Independence of the United States of America.

JAMES B. RICHARDSON, President of the Senate.
JOHN GEDDES, Speaker of the House of Representatives.

No. 2046. AN ACT TO PROLONG THE TIME FOR CERTAIN MILITIA OFFICERS TO TAKE THE OATH OR AFFIRMATION PRESCRIBED BY LAW.

WHEREAS, many officers of the militia have, through inadvertence, neglected to take the oath or affirmation prescribed by the Act entitled "An Act to organize the militia throughout the State of South Carolina," passed on the nineteenth day of December, in the year of our Lord one thousand seven hundred and ninety-four, in conformity with the Act of Congress.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That a further term of six months be allowed the said officers to take the said oath or affirmation, before some justice of the peace or quorum, who shall certify the same on the back of their commissions; and the said officers thus taking said oath or affirmation, shall be
OF SOUTH CAROLINA.

Acts relating to the Militia.

still qualified to hold their said commissions; any law to the contrary notwithstanding. Provided, nevertheless, that if the said officers do not, within the said time, take the said oath or affirmation, their commissions shall be vacated.

II. And be it further enacted by the authority aforesaid, That any officer or officers taking the oath or affirmation within the time above mentioned, shall receive commissions of the same date, and shall be entitled to take the same grade, as if he or they had taken the said oath or affirmation according to the requisitions of the above-mentioned Act.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and fourteen, and in the thirty-ninth year of the Independence of the United States of America.

JAMES R. PRINGLE, President of the Senate.
THOS. BENNET, Speaker of the House of Representatives.

AN ACT TO DIVIDE THE STATE INTO FIVE DIVISIONS AND TEN BRIGADES.

I. Be it enacted, by the Honourable the Senate and House of Representatives, now met and sitting in General Assembly; and by the authority of the same, That from and immediately after the passing of this Act, this State shall be divided into five divisions, and to each division there shall be a major-general; the first of which divisions shall comprehend the districts of Edgefield, Abbeville, Pendleton and Greenville; the second division shall comprehend the districts of Barnwell, Beaufort, Colleton, Charleston, Orangeburg, and Lexington, (except the Dutch Fork between Saluda and Broad rivers;) one other division shall comprehend the districts of Georgetown, Williamsburg, Horry, Marion, Marlborough, Chesterfield, and Darlington; one other division shall comprehend the districts of Richland, Sumter, Kershaw, Lancaster, Chester and Fairfield; one other division shall comprehend the districts of Union, York, Spartanburg, Newberry, and Laurens, including the Dutch Fork between Saluda and Broad rivers.

II. And be it further enacted by the authority aforesaid, That the rank of the three last divisions created by virtue of this Act, shall be ascertained and determined by lot, in the manner following, that is to say: a joint committee of both Houses shall forthwith cause the words Eastern Division, North-Eastern Division, and Northern Division, to be, respectively, written on three pieces of paper, which shall be folded up and put into a hat, and they shall then cause a child under ten years of age to draw out, in their presence, two of the said pieces of paper or lots, and that which shall be first drawn shall be the third division of this State, that which is next drawn shall be the fourth division, and the remaining lot or piece of paper shall be the fifth division.

III. And be it further enacted by the authority aforesaid, That the rank of the brigades and regiments of infantry shall likewise be determined by
lot, the first division having the lowest numbers and highest rank, those of
the second division shall be next lowest in numbers and highest in rank,
and so on, according to the rank of the respective divisions, taking care so
to conduct the drawing that the lowest number of the respective regiments
be given to the lowest number of the respective brigades; and that the rank
of the battalions, in their respective regiments, be always determined by
the seniority of their respective majors.

IV. And be it further enacted by the authority aforesaid, That the dis-
tricts of Fairfield and Chester shall form and constitute one additional bri-
gade, which shall be numbered according to the rank to which it may be
drawn.

V. And be it further enacted by the authority aforesaid, That the cavalry
now raised, and hereafter to be raised, in the districts of Fairfield and
Chester, shall form one regiment or squadron, according as the number of
troops therein may warrant.

VI. And be it further enacted by the authority aforesaid, That the Legis-
lature, under this Act, shall choose, by ballot, the major-generals of the
three additional divisions created by virtue of this Act, who shall take
rank according to the number of their divisions; the Legislature shall also
choose, in like manner, the brigadier-general of the newly formed bri-
gade; and as soon as the brigadier-general is notified by the Governor of
his election, he shall proceed to divide his brigade into four regiments, and
after he has made such division be shall appoint five fit and proper persons
in each regiment, whose duty it shall be to divide the respective regiments
into battalions and companies, as near as conveniently may be conforma-
tly to the Acts of Congress. Provided, no officer now in commission in
said regiments shall be divested of his commission by such division or alte-
rnative.

In the Senate House, the twenty-first day of December, in the year of our Lord one thou-
sand eight hundred and fourteen, and in the thirty-ninth year of the Independence
of the United States of America.

JAMES R. PRINGLE, President of the Senate.
THOS. BENNETT, Speaker of the House of Representatives.

No. 2055.

AN ACT TO RAISE A BRIGADE OF STATE TROOPS.

I. Be it enacted, by the Honorable the Senate and House of Represen-
tatives, now met and sitting in General Assembly, and by the authority of
the same, That there shall be raised, in this State, one brigade of military,
in the manner hereinafter mentioned; that said brigade shall consist of two
regiments, each regiment of two battalions, each battalion of five companies,
and each company of one captain, one first lieutenant, one second lieu-
tenant, one third lieutenant, one ensign, five sergeants, six corporals, two
musicians, and ninety privates. That each battalion shall have one major,
and each regiment one colonel, one lieutenant-colonel, one adjutant, one
quarter-master, one pay-master, one surgeon, two surgeon's mates, one
Acts relating to the Militia.

sergeant-major, and one quarter-master sergeant; and said brigade shall be commanded by a brigadier general, who shall appoint such brigade staff as are attached to the brigades in the army of the United States; and the colonels shall appoint the staff of their respective regiments.

II. And be it further enacted by the authority aforesaid, That the brigadier-general and field officers of the said brigade shall be appointed by the Legislature previous to the adjournment, but they shall not be called into service, nor be entitled to pay, until their respective commands have been raised, that is to say:—as soon as five companies are raised, the eldest major shall be called into service; as soon as six companies are raised, the eldest lieutenant-colonel shall be called into service; and as soon as a regiment is raised, all the officers of a regiment shall be called into service. That as soon as two regiments are completed, the brigadier-general, with his staff, shall be called into service; and when the services of these officers, respectively, are required, they shall be notified thereof by the Governor and Commander-in-chief.

III. And be it further enacted by the authority aforesaid, That the company officers of the said brigade shall be appointed and commissioned Company officers, how appointed.
in the following manner, that is to say:—as soon as any five citizens of the United States shall engage a full company of able bodied effective men, and present them to the Governor, or an inspector authorized to inspect them, or shall shew, by the articles of engagement, that he has actually engaged the said company, they shall be entitled to the commissions in that company, which shall be distributed according to any agreement which shall have been made between the parties; and the company first raised, shall rank first; that is to say, the captain thereof shall be the first captain in the brigade, and, with his officers, shall take rank from the day on which his company was inspected and received; and all the companies which shall be raised in the manner aforesaid, shall rank from the day on which they shall be inspected and received.

IV. And be it further enacted by the authority aforesaid, That every militia man of this State who shall furnish an able bodied man for the brigade, shall be, and he is hereby, exempted from any draft to which the militia of this State shall be liable during the service of the brigade, excepting in cases of invasion or insurrection; and the citizen so furnishing such recruit, shall, in every other respect, be liable to the performance of militia and patrol duty, as is now required by law; and the certificate of any officer of the said brigade shall be regarded as sufficient evidence to entitle any militia man to the exemption aforesaid; provided, however, that the recruit so furnished shall not be entitled to and receive the bounty offered by the State.

V. And be it further enacted by the authority aforesaid, That if the whole number of troops authorized by this Act shall not be raised in the manner beforementioned, the deficiency shall be raised in the following manner, that is to say:—the Governor shall appoint four convenient places of rendezvous, or more, for the four battalions hereby authorized to be raised, and shall, by proclamation, call upon all persons who shall raise any number of men to present them, on the first day of May next, at one of the places of rendezvous appointed by him; that the Governor is hereby authorized and directed to appoint some proper person to inspect the said troops; that if any five persons shall then and there present a full company, they shall be first commissioned; that if no full companies shall have been commissioned, or there shall remain vacancies in the said regiment, the
person presenting the greatest number of men shall be commissioned
captain, and take rank next to those previously commissioned; the
person presenting the next greatest number shall be the next captain; and so
on, until all the vacancies are filled, each officer taking rank according to
the number of men he shall bring. Provided, always, that no person shall
be entitled to a captain's commission who shall bring less than forty men;
no person a first lieutenant's commission, who shall bring less than twenty-
one men; no person a second lieutenant's, who shall bring less than eighteen
men; no person a third lieutenant's, who shall bring less than fourteen
men; and no person an ensign's, who shall bring less than ten men. And
provided also, that if a greater number of men are presented than are
required, those who bring the greatest number of men shall be first accepted,
and the surplus shall be discharged proportionally and by lot; and the
men so discharged shall be entitled to forty cents per day, from the time
they left the place of their engagement, until their return to the same
place, at the rate of fifteen miles for every day.

VI. And be it further enacted by the authority aforesaid, That any per-
son who shall undertake to raise men for the brigade aforesaid, shall be
authorized to obtain signatures to an engagement to serve the State during
the continuance of the present war; and any person who shall sign such
engagement, shall be bound thereby as firmly as if they had regularly en-

gaged with an authorized officer of the State; and if, after having so
engaged, he shall fail to appear at the places of rendezvous appointed by
virtue of this Act, he shall be deemed a deserter, and proceeded against
accordingly; and on the said recruit's appearing at any of the abovementi-
tioned places of rendezvous, he shall receive a bounty of thirty dollars, and
have the rules and articles of war read to him, and shall be liable to the
said rules and articles of war, as practised in the army of the United
States. Provided, nevertheless, that nothing herein contained shall affect
any minor, unless such minor shall have the sanction, in writing, of his
father, if he be alive, and if the father be not alive, of his mother, and if
neither father or mother be alive, then of his guardian.

VII. And be it further enacted by the authority aforesaid, That on the
appointment of the field officers, a joint committee of the two houses shall
determine by ballot the rank of the officers; those which shall draw the
lowest numbers shall be the highest in rank, and be attached to the first
regiment, and the others to the second regiment; and the said regiments
shall be called the first and second regiments of South Carolina State
Troops; and in case any officer appointed by the Legislature shall refuse
to accept said appointment, or resign, or die, before the battalions shall
have been raised, the Governor shall appoint some suitable person to fill
such vacancy.

VIII. And be it further enacted by the authority aforesaid, That the
officers of the said brigade shall rise in line in conformity to the regula-
tions adopted in the army of the United States; and the Governor shall
appoint proper persons to be ensigns in the place of those who shall be
promoted.

IX. And be it further enacted by the authority aforesaid, That the offi-
cers, non-commissioned and privates of the said brigade, shall be entitled to
the same pay, rations, clothing, and allowance, (except bounty,) as the
troops of the United States.

X. And be it further enacted by the authority aforesaid, That the offi-
cers of the said brigade shall, when serving with the militia of this State,
or the army of the United States, have the same rank as the officers of the United States's army; and that all persons attached to the said brigade, committing any offences, shall be tried, and the offenders punished, by a court-martial composed of officers of the brigade; and when any offence shall be committed by the brigadier-general or the field officers of the said brigade, a court-martial shall be held by the militia officers of the State.

XII. And be it further enacted by the authority aforesaid, That the uniform of the said brigade shall be blue woolen coats and pantaloons, after the same fashion, and in every respect conformable, with the uniform of the infantry of the United States, except that the non-commissioned officers and soldiers shall wear round wool hats, with blue pompons; but the officers of the said brigade shall wear the same dress as the officers of the United States infantry, with yellow buttons, gold epaulets, and a blue feather.

XIII. And be it further enacted by the authority aforesaid, That as soon as the said brigade, or any part thereof, shall be raised, they shall be offered to the Governor to the United States; on the condition, however, that they be kept within the State for the defence thereof, unless in the case of an actual invasion of a contiguous State, it shall become necessary to call on the people of South Carolina to assist in repelling them; in which case, the said brigade may be marched to repel such invasion; provided, they be not kept out of the State longer than necessary to repel such invasion; and while so out of the State, an equal number of militia be called into service by the United States, for the protection of this State.

XIV. And be it further enacted by the authority aforesaid, That as soon as any part of the said brigade shall be called into service, the Governor shall be authorized to purchase, and attach to the several posts that may be established on the sea board, any number of row, or other boats, not exceeding twelve, suitable to the transportation of troops at a moment's warning, to any point of attack, and to be employed as look-out boats, to ascertain the approach of the enemy's barges, and to give notice thereof to the coasting trade.

XV. And be it further enacted by the authority aforesaid, That the sum of five hundred thousand dollars be, and the same is hereby, appropriated out of any monies in the treasury not otherwise appropriated, for the purpose of carrying this Act into full and complete effect.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and fourteen, and in the thirty-ninth year of the Independence of the United States of America.

JAMES R. PRINGLE, President of the Senate.

THOMAS BENNETT, Speaker of the House of Representatives.
AN ACT FOR THE ORGANIZATION OF THE STAFF OF THE MILITIA OF SOUTH CAROLINA; AND FOR OTHER PURPOSES THEREIN MENTIONED.

I. Be it enacted, by the Senate and House of Representatives of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the adjutant-general's department shall hereafter consist of one adjutant and inspector-general, with the rank of a brigadier-general, and five division or deputy adjutant generals, with the rank of lieutenant colonel, one in each division. That the quartermaster-general's department shall consist of one quartermaster-general, with the rank of colonel, five division or deputy quartermaster generals, with the rank of major, and ten brigade or assistant deputy quartermaster generals, with the rank of captain; one division quartermaster being taken from each division, and one brigade quartermaster from each brigade. That there shall be to each division of the State, one division or assistant inspector-general, with the rank of lieutenant-colonel, and to each brigade, one assistant deputy inspector-general, with the rank of major. There shall also be to the militia of this State, one judge advocate general, with the rank of lieutenant-colonel; and to each brigade there shall be a brigade or deputy judge advocate general, with the rank of major.

II. And be it further enacted by the authority aforesaid, That there shall be one commissary-general of purchases, with the rank of lieutenant-colonel; one commissary-general of issues, with the rank of lieutenant-colonel; one paymaster-general, with the rank of lieutenant-colonel; one physician and surgeon-general, with the rank of lieutenant-colonel; one apothecary-general, with the rank of major; and one brigade chaplain to each brigade.

III. And be it further enacted by the authority aforesaid, That the Governor and Commander-in-chief shall be entitled to ten aids-de-camp, with the rank of lieutenant-colonel; the major-generals to three aids-de-camp, with the rank of major; and the brigadier-generals to two aids-de-camp, with the rank of captain.

IV. And be it further enacted by the authority aforesaid, That the adjutant-general shall be, and he is hereby, appointed adjutant and inspector-general, and that all officers who now hold any of the aforesaid offices, be, and they are hereby, confirmed in them respectively; and the Governor and Commander-in-chief shall be authorized to appoint proper persons to the offices hereby created, and to fill all vacancies which shall hereafter occur in any of the abovementioned offices, except aide to the major-generals and brigadier-generals.

V. And be it further enacted by the authority aforesaid, That it shall be the duty of the Governor and Commander-in-chief, and he is hereby authorized, to prepare general regulations, better defining and prescribing the respective duties and powers of the several officers before mentioned, which shall be respected and obeyed, until altered and revoked by the same authority; and the said general regulations shall be laid before the Legislature at their next meeting.

VI. And be it further enacted by the authority aforesaid, That nothing herein contained shall be construed so as to affect the officers of the regimental staff, or the brigade majors, now authorized by law, otherwise than being subject to the general regulations aforesaid.

VII. And be it further enacted by the authority aforesaid, That the uniform of the officers of the militia of this State shall hereafter be the
same in every respect, as that now established in the army of the United States for officers of similar grade and character; and that all the officers hereafter to be elected, shall be required to conform to this arrangement immediately on their election; and all officers now in commission, shall be allowed twelve months to procure the new uniform. Provided, nothing herein contained shall be construed to extend to officers of volunteer companies.

In the Senate House, the thirteenth day of December, in the year of our Lord one thousand eight hundred and fifteen, and in the fortieth year of the Sovereignty and Independence of the United States of America.

JAMES R. PRINGLE, President of the Senate.
THOMAS BENNETT, Speaker of the House of Representatives.

AN ACT TO ALTER AND AMEND THE MILITIA LAWS OF THIS STATE. No. 2071.

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 incompetent from and after the passing of this Act, every officer of the militia of this State who shall be declared, by the sentence of a court martial, to be incompetent to the discharge of the duties of his station, shall be cashiered; provided, every officer, after charges exhibited, shall be at liberty to resign; the said courts martial to be ordered by the officers commanding battalions, regiments, brigades, and divisions, respectively; and on major-generals, by the Commander-in-chief; and the members of every court martial hereafter to be held in this State, as well on officers as non-commissioned officers and privates, shall, in addition to the oath now prescribed by law, severally swear, "that they will well and truly try and determine the cases that shall be brought before them, according to law, and the evidence that shall be adduced."

II. And be it further enacted by the authority aforesaid, That courts martial on non-commissioned officers and privates, may hereafter be held by any three commissioned officers of the regiment to which they belong.

III. And be it further enacted by the authority aforesaid, That no appeal shall hereafter be made from courts martial, imposing fines on non-commissioned officers and privates, unless the appellant shall accompany his appeal by an affidavit, that he could not attend the court by which he was fined, and that he does not appeal for the purpose of delay; in all other cases, the decision of every such court martial shall, when approved by the officer ordering the same, be final and conclusive.

IV. And be it further enacted by the authority aforesaid, That every officer who shall hereafter be cashiered by the sentence of a court martial, appeals, how shall be disqualified from holding any commission in the militia, for a period not less than one year, nor more than five, at the discretion of the court; and no officer who shall hereafter resign his commission, shall be VOL. VIII.—67.
re-eligible to the same office, until it shall have been filled by some other person.

V. *And be it further enacted* by the authority aforesaid, That in addition to the fines now imposed by law on officers neglecting to attend the brigade encampments, without a sufficient excuse, every officer so neglecting shall pay fifty per cent. on his general tax for the year preceding such default, and shall be fined the sum of one dollar for each article of uniform or equipment which he shall not have at such encampment, unless he can shew that he could not procure the same; and it shall be the duty of the brigadier and major-generals to attend the reviews of their respective brigades; and for their neglecting so to do, every brigadier-general shall be fined in the sum of fifty dollars, and fifty per cent. on his general tax; and every major-general the sum of eighty dollars, and fifty per cent. on his tax. And all fines hereby imposed for default at any brigade encampment, shall be collected in the manner following, that is to say:—the presiding officer of the court martial shall issue his warrant under his hand and seal, directed to any person now authorized to collect fines in the several regimental districts, who shall collect the same in like manner as other fines are now collected; and for the collection of the same, he shall be allowed twenty per cent. on the amount collected; and that the said penalty, when received, shall be paid to the collector of the regiment, to be applied to the purchase of drums, fifes or colors, for the use of the regiment, and for defraying other necessary expenses of the same, or the necessary expenses of the brigade or division.

VI. *And be it further enacted* by the authority aforesaid, That every officer whose duty it shall be to enforce the militia laws of this State, who shall wilfully neglect so to do, shall, on conviction, be cashiered; and courts martial shall be ordered as in other cases.

VII. *And be it further enacted* by the authority aforesaid, That it shall be the duty of officers commanding regiments, to assemble the officers and non-commissioned officers of their respective regiments, the day previous to every regimental muster, to instruct them in the exercise and evolutions to be performed on the day following; and every officer and non-commissioned officer who shall fail to attend such meeting, shall be subject to the same fines as are imposed by law for non-attendance at regimental musters; and courts martial shall be ordered as in other cases.

VIII. *And be it further enacted* by the authority aforesaid, That officers of the cavalry and artillery shall be liable to attend at the brigade encampments; and where cavalry and artillery companies are attached to regiments of infantry, the officers and non-commissioned officers of the companies so attached, shall attend the meeting of the regimental officers of infantry the day previous to every regimental muster, to be instructed in the evolutions to be performed; and the said officers of cavalry and artillery shall, at the brigade encampments, be armed in the same manner as officers of infantry; and for non-attendance at such encampments, or at the regimental meetings aforesaid, the said officers and non-commissioned officers shall be liable to the same fines as the officers of infantry; and any officer guilty of misconduct at any encampment or regimental meeting, shall be liable to be put under guard, and to be cashiered by the sentence of a court martial; and should any person not bound to attend at such meetings, molest or disturb the same, such person may be put under guard, and kept in confinement at the discretion of the commanding officer, during the continuance of such encampment.
OF SOUTH CAROLINA.

Acts relating to the Militia.

A.D. 1815.

IX. And be it further enacted by the authority aforesaid, That the rules and regulations of the field exercise and manoeuvres of infantry, compiled and adapted to the organization of the army of the United States, agreeably to a resolve of Congress, shall hereafter be observed in the instruction and exercise of infantry within this State, and that every officer shall be furnished by the State with a copy thereof; and every such officer so furnished, shall be compelled, upon the vacation of his commission, to deliver over to his successor the said book, under the penalty of five dollars, to be recovered before any magistrate.

X. And be it further enacted by the authority aforesaid, That the officers commanding regiments of infantry within this State, shall be authorized to permit volunteer uniform companies of infantry or riflemen to be raised within their respective commands, and the officers thereof shall be commissioned, if such companies shall consist, respectively, of forty effective rank and file in uniform; and officers commanding brigades are authorized to permit volunteer companies of cavalry and artillery to be raised within their respective commands, which shall consist of thirty effective men in complete uniform, and to commission the officers thereof; and if such volunteer companies of infantry or riflemen shall at any time be reduced below thirty men in uniform, and any such company of cavalry or artillery shall be reduced below twenty-four men in uniform, and the said companies, respectively, shall not, within six months after notice given by the commanding officer of the brigade or regiment, recruit their respective companies, they shall be dissolved, and the commissions of the officers forfeited; provided always, that no beat or district company shall be reduced below thirty men, by the formation of any volunteer company or companies; and provided also, that whenever any call shall be made for the services of any volunteer company, they shall go by companies under their own officers; provided, nothing herein contained shall authorize the raising a greater portion of cavalry, artillery, riflemen or infantry, than are now authorized by law.

XI. And be it further enacted by the authority aforesaid, That the rank of officers in the militia of this State shall be the same as that of the officers of the army of the United States, that is to say:—the commanding officers of regiments shall hereafter have the rank of colonel; the second officer in each regiment shall have the rank of lieutenant-colonel; and to each company of infantry there shall be a captain, first lieutenant, second lieutenant, and ensign; and every lieutenant-colonel in the State is hereby created a colonel; the first major of every regiment, a lieutenant-colonel; the lieutenant of every company, a first lieutenant; and the ensign of every company, a second lieutenant; and elections shall be held throughout the State for ensigns in the several companies; and the proper officers are hereby authorized to give commissions to the officers hereby promoted, who shall take rank from the date of their former commissions, respectively.

XII. And whereas, the Charleston Ancient Battalion of Artillery are now entitled to or do assume certain exclusive privileges, from which other militia corps are excluded:—Be it therefore enacted by the authority aforesaid, That the said Charleston Ancient Battalion of Artillery shall be, and they are hereby, divested of all exclusive privileges, and put upon an equality with the other militia companies and battalions of this State; provided, the captains-lieutenants now in commission, shall retain their commissions; but when vacancies hereafter occur in said offices, no elections
shall be held, nor rise by seniority to supply said offices, but the office of
captain-lieutenant shall be abolished.

XIII. And be it further enacted by the authority aforesaid, That the
Governor and Commander-in-chief, in order to prevent the confusion which
may arise from too many men being under arms, when fires shall break out
in the city of Charleston, be, and he is hereby, authorized to fix the num-
ber of men necessary to be under arms in such cases, and to make regula-
tions by which a certain portion only of the militia of Charleston shall be
required, for the period of three months, to hold themselves in readiness to
parade in cases of alarm from fire; and if any officer, non-commissioned
officer, or soldier, so ordered, shall fail to attend at his muster-ground in
cases of alarm, he shall be subject to the same fines as are imposed by law
for non-attendance at regimental musters.

XIV. And be it further enacted by the authority aforesaid, That the
Governor and Commander-in-chief be, and he is hereby, authorized to
cause to be sold such arms as on inspection shall be found incapable of
repair, and to pass the amount of such sales to the credit of the quarter-
master-general's department, to be applied to the repair and preservation
of arms.

XV. And be it further enacted by the authority aforesaid, That it shall
be the duty of the brigade quarter-masters, within the limits of whose bri-
gades arsenals are or shall hereafter be established, to visit and inspect
the same, at least once in every year, and to report to the quartermaster-
general thereon; and that the several arsenal keepers within the State
shall each receive an additional compensation of one hundred dollars per
annum, and shall give bond to the quartermaster-general for the faithful
performance of their duties.

XVI. And be it further enacted by the authority aforesaid, That where
vacancies shall hereafter occur in any company, battalion, regiment, bri-
gade, or division, such vacancy shall be filled by the officer next in rank,
the officers rising by seniority in their respective companies, battalions,
regiments, brigades and divisions.

XVII. And be it further enacted by the authority aforesaid, That all
Acts and parts of Acts contrary to any thing herein contained, be, and the
same is hereby, repealed.

In the Senate House, the sixteenth day of December, in the year of our Lord one thou-
sand eight hundred and fifteen, and in the fortieth year of the Independence of
the United States of America.

JAMES R. PRINGLE, President of the Senate.
THOS. BENNETT, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to the Militia.

AN ACT TO MAKE ALL THE OFFICERS OF THE MILITIA OF THIS STATE ELECTIVE.

WHEREAS, experience has shown that it is inexpedient that the officers of the militia of this State should rise by seniority; for remedy whereof,

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and it is hereby enacted, by the authority of the same, That from and after the passing of this Act, when any vacancy shall take place in any of the military commissions of the militia of this State, the same shall be filled by election, in the following manner: when any vacancy shall take place in the commission of a major-general, the Governor for the time being shall forthwith issue his orders to the several brigadier-generals of the division in which such vacancy shall happen, requiring such brigadier-generals to order an election in each regiment within the division in which such vacancy shall have occurred, for a major-general to fill such vacancy; and all commissioned officers of the division in which such vacancy shall have occurred, shall be entitled to vote for a major-general; and any commissioned officer of the division in which such vacancy shall have occurred, shall be eligible to the office of major-general; and each colonel shall return the state of the polls of his regiment to the brigadier-general, who shall transmit the same to the Governor, who is hereby empowered to pronounce the person having the greatest number of votes to be duly elected, and shall commission such person accordingly.

II. And be it further enacted by the authority aforesaid, That when any vacancy shall take place in the commission of brigadier-general, the major-general, and in case there is no major-general, then the next commanding officer of the division, shall forthwith issue his orders to the several colonels of the regiments composing the brigade where such vacancy shall be, to hold, in each of their respective regiments, an election for brigadier-general, to fill such vacancy; and all commissioned officers of the brigade where there shall be such vacancy, shall be entitled to vote for brigadier-general to fill the same; and any commissioned officer of such brigade shall be eligible to the office of brigadier-general; and each colonel shall attend the counting out of the votes, and return the state of the polls of his regiment to the commanding officer of the division, who shall pronounce the person having the greatest number of votes duly elected, and commission him accordingly. And when any vacancy shall take place in the commission of colonel of infantry, the same shall be filled by election by all free white men above the age of eighteen years, who reside within the said regiment, (except such persons as are attached to the cavalry, or any regiment of artillery,) the person having the greatest number of votes shall be the person elected. When any vacancy shall take place in the commission of lieutenant-colonel, the major then in commission in the same regiment shall be immediately commissioned lieutenant-colonel; and whenever a vacancy shall take place in the commission of major, the same shall be filled by election by all free white men above the age of eighteen years, who belong to the battalion where such vacancy shall occur; the person having the greatest number of votes shall be elected. When any vacancy shall take place in the commission of captain, first-lieutenant, second-lieutenant, or ensign, of any beat company, the same shall be filled by election by all free white men above the age of eighteen years, residing within
the said beat company; the person having the greatest number of votes shall be the person elected. Provided, nevertheless, that nothing herein contained shall extend to any volunteer corps of artillery, cavalry or light infantry, who shall elect their respective officers from among themselves, in the following manner: when any vacancy shall take place in the commission of colonel of cavalry, the same shall be elected from amongst the officers, non-commissioned officers and privates of the said regiment, by themselves; the person having the greatest number of votes to be the person elected. When any vacancy shall take place in the commission of lieutenant-colonel, or major of cavalry, or major of artillery, the same shall be filled by election, by the officers, non-commissioned officers and privates composing the said battalion or squadron, from amongst themselves; the person having the greatest number of votes to be the person elected. When any vacancy shall take place in the commission of any captain, first lieutenant, second lieutenant, ensign or cornet, of any company of artillery, light infantry, or troop of cavalry, the same shall be filled by election, by the officers, non-commissioned officers and privates of the said company or troop, from amongst themselves; the person having the greatest number of votes shall be the person elected.

III. Be it further enacted, That when the commission of a colonel shall become vacant, the brigadier-general, or, in case there be no brigadier-general or major-general commanding the said regiment, the Governor for the time being, shall appoint two fit and proper persons to open and hold a poll at each of the battalion muster grounds of the said regiment, and two fit and proper persons to open and hold a poll at the regimental muster ground of the said regiment; which said managers shall advertise the same for forty days in twelve public places in the said regiment; the said managers shall hold the polls one day at each place, from eleven o'clock in the morning until three o'clock in the afternoon, and shall meet at the regimental muster ground on the day following, and count over the votes and declare the election.

IV. Be it further enacted, That when the commission of major shall become vacant, the colonel, or, if there be no colonel, the officer next in command in the said regiment or battalion, shall appoint two fit and proper persons to open and hold the poll for the said election, at the battalion muster ground of the said battalion, from ten o'clock in the morning until four o'clock in the afternoon, after having advertised the same for thirty days in six public places within the said battalion; and the said managers shall meet at the said place of election the day following, count over the votes and declare the election.

V. Be it enacted, That when any vacancy shall take place in a captain’s commission, the lieutenant-colonel or officer commanding the battalion or squadron, shall appoint two fit and proper persons within the said company or troop, to manage the said election, who shall hold the polls at the usual muster ground of the said troop or company, from eleven o’clock in the morning until three o’clock in the afternoon, after having advertised the same for twenty days before the said election, in at least four public places in the said company or troop; and that on the same evening the managers shall count over the votes and declare the election.

VI. Be it further enacted, That when the commission of first lieutenant, second lieutenant, ensign, or cornet, shall become vacant, the captain, or if there be no captain, the major or lieutenant-colonel, commanding the said company or troop, shall appoint two fit and proper persons to hold an election at the usual muster ground of said company or troop, from eleven
o'clock in the morning until three o'clock in the afternoon, after having advertised the same for at least twenty days previous to the election, in at least four public places in the said company or troop; and on the same evening the managers shall count over the votes and declare the election.

VII. Be it further enacted, That when any division, brigade, regiment, battalion, squadron, company or troop, shall be embodied and in actual service, either under the authority of this State or of the United States, the vacancies therein shall be filled by seniority, according to the usages and customs of war.

VIII. And be it further enacted by the authority aforesaid, That whenever an election is ordered for a major-general or brigadier-general, it shall be the duty of each colonel who shall be ordered to hold such election, to give fifty days notice in his regiment of such election, and post up the said notice for that length of time, at least at one public place in each beat in his regiment.

IX. And be it further enacted by the authority aforesaid, that from and after the passing of this Act, it shall not be necessary, in order to constitute an battalion court martial or court of enquiry, that a field officer should preside; but that the same may consist of a captain, as presiding officer of said court, and four other commissioned officers of said battalion, one of whom at least shall be of the rank of a captain.

X. And be it further enacted by the authority aforesaid, That the commanding officer of any division, brigade, regiment, battalion, squadron, troops or company, who shall call out the men under his command to muster, shall be, and he is hereby, authorized and empowered to appoint a sutler to retail spirituous liquors at the muster ground of said division, brigade, regiment, battalion, squadron, troop or company; without any other license or permission. Provided, that the said sutler so appointed do furnish a suitable field to exercise the said troops on, to be approved by the commanding officer who shall have ordered the said muster.

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

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

JAMES R. PRINGLE, President of the Senate.
THOS. BENNETT, Speaker of the House of Representatives.

AN ACT TO INCREASE THE NUMBER OF PLACES OF ELECTIONS, NOW LIMITED BY LAW, FOR THE ELECTIONS OF COLONELS AND MAJORS IN EACH REGIMENT OR BATTALION THROUGHOUT THE STATE; AND FOR OTHER PURPOSES THEREIN MENTIONED.

I. Be it enacted by the Honorable Senate and House of Representatives, now met and in Session, and by the authority of the same, That from and immediately after the passing of this Act, instead of the elections for colonels being only held at the battalion muster grounds as heretofore, when
the commission of colonel in any regiment shall hereafter become vacant, the brigadier-general, or in case there be no brigadier-general or major-general commanding said regiment, the officer next in command in said brigade, shall issue his order, to be extended to each captain or commanding officer of a company constituting said regiment, to call to his assistance two of his subaltern officers, or, if none, two other fit and proper persons, to open and hold a poll at their respective muster grounds, which said captain shall adver Allize for at least forty days at three public places in the bounds of his command; the said managers shall hold the polls one day, from eleven o'clock in the morning until three o'clock in the afternoon, and shall meet at the regimental muster ground the first or second day after the election, as may be ordered by the officer who shall order such election, to count over the votes and declare the election. That when the commission of major shall become vacant, the colonel, and if there be no colonel, the officer next in command in said regiment, shall order each captain or commandant of a company to call to his assistance two of his subaltern officers, or other fit and proper persons, to open and hold a poll at their respective muster grounds, giving forty days notice, by advertising in three public places in the bounds of their command; the said managers shall hold the poll on one day at their muster ground, from eleven o'clock in the morning until three o'clock in the afternoon, and shall meet on the battalion muster ground, or some public house near the same, on the day following, and count over the votes and declare the election.

II. And be it further enacted by the authority aforesaid, That the managers of elections to be appointed in pursuance of this Act, before they proceed to hold any election, shall be duly sworn that they will impartially and faithfully hold such election; and that the presence of not more than one manager from each place of election, shall be necessary at the time of counting over the votes and declaring the election.

III. And be it further enacted by the authority aforesaid, That the battalion of artillery formed by an Act of the General Assembly of the year seventeen hundred and ninety-seven, of the three companies of artillery then in brigadier-general Winn’s brigade, be, and the same is hereby, dissolved.

IV. And be it enacted by the authority aforesaid, That the managers of elections for colonels and majors as aforesaid, shall be exempted from paying any ferriage or toll which are usually paid at the ferries and toll-bridges within this State, while going or returning from the places for holding and declaring the elections, as aforesaid; any law, usage or custom to the contrary notwithstanding.

V. And be it further enacted by the authority aforesaid, That the brigadier-general or commandant of the third brigade, be, and he is hereby, authorized to appoint three fit and proper persons to subdivide into three companies the two companies now commanded by captains Simms and Farr, of the south battalion, thirteenth regiment South Carolina militia. Provided, nevertheless, that the officers now in commission shall hold their respective commissions in one of the said subdivided companies, and cause the vacancies for the balance of the officers to be filled up, as heretofore provided by law.

VI. And be it further enacted by the authority aforesaid, That the brigadier-general of the eighth brigade be, and he is hereby, authorized to appoint three fit and proper persons to subdivide Robert Hamilton’s company of militia, in the upper battalion, and thirty-second regiment of the
said eighth brigade, into two companies. Provided, nevertheless, the officers now in commission in the aforesaid Robert Hamilton’s company shall hold their respective commissions in one of the said companies.

VII. And be it further enacted by the authority aforesaid, That so much of an Act of an Act passed on the seventeenth day of December, in the year of our Lord one thousand eight hundred and eight, as requires all the officers of the several different brigades throughout this State, under the rank of brigadier, excepting artillery and cavalry officers, to assemble in some central and proper place once at least in every two years, to be practiced and instructed for a term not exceeding six days, nor less than three, be, and the same are hereby, repealed.

VIII. And be it enacted by the authority aforesaid, That all Acts and Repealing parts of Acts repugnant to the true intent and meaning of this Act, be, clause, and the same are hereby, repealed.

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

JAMES R. PRINGLE, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.

AN ACT TO EXCUSE THE OFFICERS OF THE SEVERAL BRANCHES OF THE BANK OF THE STATE OF SOUTH CAROLINA FROM THE PERFORMANCE OF ORDINARY MILITIA DUTY, AND SERVING ON JURIES.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the presidents and cashiers of the several branches of the Bank of the State of South Carolina, and the clerks employed in the same, shall be, and they are hereby declared to be, exempted from the performance of ordinary militia duty, and from serving on juries.

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

JAMES R. PRINGLE, President of the Senate.
ROBT. Y. HAYNE, Speaker of the House of Representatives.

VOL. VIII.—88.
AN ACT TO PROVIDE FOR THE MORE EFFECTUAL PERFORMANCE OF PATROL DUTY.

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

II. And be it further enacted by the authority aforesaid, That it shall be the duty of the commanding officer of each and every beat company to cause to be made out a roll for each patrol district, which shall include the names of all the free white male inhabitants above the age of eighteen years, residing within the said patrol district. Provided, that nothing herein contained shall be construed to compel any male inhabitant of any beat company to perform patrol duty, either in person or by substitute, who may have attained the age of forty-five years or upwards, and who shall not possess any slave or slaves.

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

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

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

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

VII. And be it further enacted by the authority aforesaid, That the com-
mander of every patrol shall have power to keep the men under his com-
mand in good order and demeanor during their term of service; and in
case any patrol man shall misbehave himself, or neglect or disobey the or-
ders of his commander, he shall be subject to a fine of not more than two
dollars, to be imposed by the company court martial to which such offender
shall belong, to be paid to the commissioners of the poor for the use of the
poor.

VIII. Be it further enacted, that if any captain of a patrol shall act dis-
orderly while on duty, so as to defeat the orderly performance or execution Captain of pa-
of the patrol laws, agreeable to the true intent and meaning thereof, he
shall be liable to be returned by either of the members of his patrol, or
other person competent to give evidence, to the commanding officer of the
beat, who shall order a court martial for such trial, and upon sufficient evi-
dence being given of the charge, such captain of the patrol shall be fined
in the sum of five dollars, to be recovered and applied as aforesaid to the
use of the poor.

IX. And be it further enacted by the authority aforesaid, That it shall
be lawful for any person or persons hereby declared liable to perform patrol
STATUTES AT LARGE

Acts relating to the Militia.

A. D. 1819.

Substitutes may be employed.

return to be made.

Slaves to be corrected.

Unlawful assemblages to be dispersed.

Owners of plantations to employ white persons thereon.

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

X. And be it further enacted by the authority aforesaid, That each captain of patrol shall make a return, upon oath, of the performance of the duties of his office as commander of such patrol, to the captain or officer commanding the beat company, at the regular times required by this Act, under the penalty of a fine of twenty dollars, to be recovered by indictment.

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

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

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

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

XV. And be it further enacted by the authority aforesaid, That the
Secretary of State to distribute this Act. Secretary of
Secretary of State be, and he is hereby, required to have a sufficient num-
ber of copies of the aforesaid Act printed, and by him to be transmitted to
the commandants of regiments, to be by them distributed to the com-
missioned officers of their respective regiments; and it shall be the duty of
the captain or commanding officer of each company, to read this Act to
his company, at least once in six months.

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

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

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

AN ACT TO GIVE THE SAME COMPLIMENT OF OFFICERS TO COMPANIES
OF ARTILLERY IN THIS STATE, AS ARE REQUIRED BY THE LAWS NOW
IN FORCE IN THE UNITED STATES SERVICE; AND FOR OTHER PURPU-
SES THEREIN MENTIONED.

I. Be it enacted, by the Honorable the Senate and House of Represen-
tatives, now met and sitting in General Assembly, and by the authority of
the same, That from and after the passing of this Act, the several artillery
companies in this State shall have the same compliment of officers as are
now required by law in the companies of artillery in the service of the
United States, to wit:—each company of artillery in this State shall con-
sist of one captain, one first lieutenant, one second lieutenant, and one
third lieutenant.

II. And be it further enacted, by the authority aforesaid, That immedi-
ately after the passing of this Act, elections shall be ordered and held, in
the same manner already prescribed by law, for the purpose of filling the
STATUTES AT LARGE

Acts relating to the Militia.

office of third lieutenant in each and every company of artillery in this State.

III. And be it further enacted by the authority aforesaid, That so much of the militia law as requires the encampment of artillery and cavalry officers, be, and the same is hereby, repealed.

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

BENJ. HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

No. 2244. AN ACT AUTHORIZING ANOTHER REGIMENT OF MILITIA TO BE RAISED AND ORGANIZED IN THE DISTRICT OF PENDLETON; AND FOR OTHER PURPOSES.

WHEREAS, the persons subject to militia duty in the District of Pendleton, suffer many inconveniences in consequence of the extensive bounds of the Regiment in the said district, which have been greatly enlarged by the late acquisition of territory from the Cherokee Indians.

I. Be it therefore enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the three regiments of militia in the district of Pendleton, be, and the same are hereby, required to be so divided, as to form four regiments, as equal in strength as practicable, each regiment to consist of at least eight companies.

II. And be it further enacted by the authority aforesaid, That the following persons be, and they are hereby, appointed commissioners to divide the said regiments, and to make another regiment, as directed by this Act, viz:—Alexander Moorhead, Peter Keys, Patrick Norris, John C. Kilpatrick, Robert Stribbling, Thomas Stribbling, George Rankin, John Ealy, and Andrew Hambleton.

III. And be it further enacted by the authority aforesaid, That if the said commissioners shall refuse or neglect to act, so as to carry this Act into effect, then it shall be the duty of the brigadier-general commanding said regiments, to appoint three suitable and proper persons from each of the present regiments, to lay out and designate the bounds and limits of the said new regiment; and also, to make alterations in the lines of the present existing regiments; provided, they do not alter the lines of beat companies, or divide any established beat company.

IV. And be it further enacted by the authority aforesaid, That it shall be the duty of the said commissioners, so soon as they have made a division and formed said regiment, to report the same to the brigadier-general commanding said regiment, and to the several colonels commanding the same, which said report shall designate the companies composing the said several regiments; and it shall be the duty of the said brigadier-general, immediately after the receipt of the said report, to order elections for such
field officers as it shall be necessary to create in consequence of raising the
said new regiment; and where the present field officers shall fall into the
said new regiment, they shall have command in the same.

V And be it further enacted by the authority aforesaid, That the said
new regiment shall be ranked the Forty-second Regiment of the South
Carolina Militia, and be attached to the first brigade of the first division
of the same.

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

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

AN ACT AUTHORIZING ANOTHER REGIMENT OF MILITIA TO BE No. 2271.
RAISED AND ORGANISED IN THE DISTRICT OF BARNWELL; AND FOR
OTHER PURPOSES.

WHEREAS, the persons subject to militia duty in the District of Barn-
well, suffer many inconveniences, in consequence of the extensive bounds of
the Regiment in said district.

I. Be it therefore enacted by the Senate and House of Representatives,
now met and sitting in General Assembly, and by the authority of the
same, That the regiment of militia in the district of Barnwell, be, and the
same is hereby, required to be so divided as to form two regiments, as
equal in strength as practicable, each regiment to consist of at least seven
companies.

II. And be it further enacted by the authority aforesaid, That the fol-
lowing persons be, and they are hereby, appointed commissioners to divide
the said regiment, and to make another regiment, as directed by this Act,
viz:—William Walker, William McMillian, William Bush, Barnet H.
Brown, and James W. Maxwell.

III. And be it further enacted by the authority aforesaid, That if the
said commissioners shall refuse or neglect to act, so as to carry this Act
into effect, then it shall be the duty of the brigadier-general commanding
said regiment, to appoint three suitable and proper persons from said regi-
ment, to lay out and designate the bounds and limits of said new regi-
ment.

IV. And be it further enacted by the authority aforesaid, That it shall
be the duty of the said commissioners, so soon as they have made a divi-
sion and formed said regiment, to report the same to the brigadier-general
commanding said regiment, and to the several colonels commanding the
same, which said report shall designate the companies composing the said
two regiments; and it shall be the duty of the said brigadier-general, im-
mEDIATELY after the receipt of the said report, to order elections for such
field officers as it shall be necessary to create in consequence of raising the
said new regiment; and where the present field officers fall into the said new regiment, they shall command in the same.

V. And be it further enacted by the authority aforesaid, That the said new regiment shall be ranked Forty-third Regiment of South Carolina Militia, and be attached to the third brigade of the second division of the same.

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

BENJAMIN HUGER, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

No. 2294. AN ACT TO CONSOLIDATE AND EQUALIZE CERTAIN MILITIA COMPANIES; TO AUTHORIZE THE SALE OF SMALL ARMS; AND THE INSPECTION OF MUSKETS MADE BY ADAM CARUTH, PREPARATORY TO THEIR BEING PURCHASED BY THE STATE.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and after the passing of this Act, there shall be but one beat company in each of the parishes of Christ Church and St. James Santee; and the two companies in each of the said parishes shall be consolidated into one.

II. And be it further enacted by the authority aforesaid, That the persons residing in the parish of Saint James Santee, entitled to vote for company officers, shall meet at the head of Wigfall's, (now Cordes's causeway,) on the third Monday in January next, for the purpose of electing officers for the company within said parish, which place is hereby declared to be the muster ground of the said company.

III. And be it further enacted by the authority aforesaid, That the eleven mile post on the Stage-road from Charleston to Georgetown, shall be the place of meeting of the company within the parish of Christ Church; and an election shall be held at the said place on the third Monday of January next, for the election of officers for the said company.

IV. And be it further enacted by the authority aforesaid, That Thomas Gaillard, Thomas Porcher, jr., Peter Broughton, Philip Porcher, and Samuel Porcher, or any three of them, shall be, and they are hereby, appointed commissioners to alter the dividing line between the upper and lower beat companies in the parish of Saint John's Berkly, for the purpose of making said beat companies equal; and the said commissioners, or any three of them, after altering the said line, shall make a report of their proceedings in the premises, to the colonel or other officer commanding the regiment in which the said companies are situated.

V. And be it further enacted by the authority aforesaid, That as soon as practicable after the passing of this Act, it shall be the duty of the
OF SOUTH CAROLINA.

Acts relating to the Militia.

A.D. 1822.

Colonels or other commanding officers of the 16th and 17th regiments in the 4th brigade of South Carolina Militia, to divide the company of militia on Charleston Neck, into four companies, as nearly equal in number as may be; two of which companies shall be attached to the 16th and the other to the 17th regiment.

VI. And be it further enacted by the authority aforesaid, That the Governor and Commander-in-chief do cause an inspection to be made of the muskets manufactured by Adam Carruth, under a contract with the General Government, and now the property of William Young, Barksdale Garrison, John Charles, and Robert Anderson; and if on inspection the said muskets are approved, he is hereby authorized to receive in payment of the debt due by the said William Young, Barksdale Garrison, John Charles, and Robert Anderson, as securities of the said Carruth, any number of the said muskets not exceeding one thousand, at such price as was contracted to be paid for muskets to the said Carruth by the Government of the United States.

VII. And be it further enacted by the authority aforesaid, That the Governor and Commander-in-chief be, and he is hereby, authorized and empowered to cause to be sold, to any of the militia of this State, any arms belonging to the State, in any of the public arsenals, at such price as the said arms may have cost the State; and the Governor is hereby authorized to lay out the money received from the sale of any arms as aforesaid, in the purchase of other arms.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand eight hundred and twenty-two, and in the forty-seventh year of the Independence of the United States of America.

JACOB BOND I'ON, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

AN ACT TO REGULATE THE PERFORMANCE OF PATROL DUTY ON NO. 3817.

CHARLESTON NECK.

WHEREAS, the local situation of Charleston Neck, from the bounds of the city of Charleston to the northern boundary of St. Philip’s Parish, renders the present existing patrol laws insufficient to protect the property of the inhabitants of said neck, and to control and keep in order the numerous black population of the same, and others travelling to and from the city within the aforesaid limits.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of the officer or officers commanding the militia company or companies on Charleston Neck, within two months after the passing of this Act, to cause his or their company or company of VOL. VIII.—69.
companies to be divided into convenient patrols, in such manner as a
majority of said company officers shall direct; which division, when made,
shall be permanent, until altered by a majority of said officers; and in case
the officers of such company or companies shall neglect or refuse to per-
form the duty hereinbefore required of them, each shall forfeit and pay
the sum of thirty dollars, to be recovered in any court having competent jur-
scription, to be paid to the commissioners of the Cross Roads of Charleston
Neck, for the use of the said roads.

II. And be it further enacted by the authority aforesaid, That it shall be
the duty of the commanding officer or officers of the company or com-
panies aforesaid, to cause to be made out a roll for each patrol district,
which shall include the names of all the free white male inhabitants above
the age of eighteen years, and under the age of sixty, residing within the
said patrol district, except Ministers of the Gospel of any sect or denomina-
tion whatsoever, and all females owning ten slaves above the age of ten
years. And all persons having settled farms, or a house and lot with five
or more slaves above the age of sixteen years, residing within the said
company or companies, shall be liable to perform the patrol duty hereinaf-
ter prescribed.

III. And be it enacted by the authority aforesaid, That it shall be the
duty of the commanding officer or officers of the said company or com-
panies to appoint, which appointment shall be in writing, signed by such
commanding officer or officers, some prudent and discreet person as leader
in each patrol district, who shall perform the duty hereinafter prescribed,
until the expiration of two months from the date of such appointment;
and in case the person appointed shall refuse to accept such appointment,
or the commanding officer or officers of the said company or companies,
or the leader or leaders of the patrol, shall fail to perform any of the duties
required of them by this Act, they shall, respectively, forfeit and pay the
sum of twenty dollars, to be recovered in any court having competent jur-
scription, to be paid to the commissioners of the Cross Roads of Charle-
ton Neck, for the use of the said roads; provided always, that no person
shall be compelled to serve more than once in every twelve months as
leader of any patrol.

IV. And be it enacted by the authority aforesaid, That it shall be the
duty of the leader of each patrol, at least as often as twice a month, to
call out any number of persons under his command, and to ride patrol
through Charleston Neck, and to take up all slaves who may be found
within its limits, and without their owner's inclosures under suspicious
circumstances, or at a suspicious distance therefrom, and to correct all
such slaves by a moderate whipping with a whip or cowskin, not exceeding
twenty lashes, unless the said slave shall have a ticket or letter to shew the
reasonableness of his or her absence; and if any white man shall wanton-
ly beat or abuse any slave, quietly and peaceably being in his or her
owner's inclosure, or found any where without the same with a lawful
ticket, he shall forfeit the sum of fifty dollars, to be recovered by the owner
of said slave, and to his use, by action of debt, besides being liable to the
owner in an action of trespass for damages.

V. And be it enacted by the authority aforesaid, That the said patrols
shall have power, within the limits of Charleston Neck, and they are here-
by authorized and required, to enter into any disorderly house, or into any
vessel or boat, suspected of harboring, or unlawfully trafficking or dealing
with slaves, and if resisted, to break open doors, windows or locks, and to
OF SOUTH CAROLINA.

Acts relating to the Militia. A.D. 1823.

apprehend and correct or commit, all slaves found there contrary to the true intent and meaning of this Act; and the leaders of said patrols are further authorized and required to give information of such white persons, or persons of color, as may be found in such house, vessel or boat, or place, unlawfully trading or trafficking with slaves, to any lawful magistrate; and to deliver to the said magistrate such produce or articles for trafficking as may be found in such house, vessel, boat or place, to be disposed of according to law.

VI. And be it enacted by the authority aforesaid, That the leader of every patrol shall have power to keep the men under his command in good order and demeanor during their time of service; and in case any patrol man shall misbehave himself, or neglect or disobey the orders of his commander, he shall be subject to arrest, at the discretion of the said leader, and be liable to a fine of not more than two dollars, to be imposed by a court consisting of the officers of the company to which he belongs, to be paid to the commissioners of the Cross Roads of Charleston Neck, for the use of the said roads.

VII. And be it further enacted by the authority aforesaid, That if any leader of patrol shall act disorderly while on duty, so as to defeat the orderly performance or execution of the patrol law, agreeable to the true intent and meaning of this Act, he shall be liable to be reported by any of the members of his patrol, or other persons competent to give evidence, to the commanding officer of the company to which he is attached, who shall order a court, consisting of the officers of said company, or of any three officers of the regiment to which such company is attached, to try him, and upon sufficient evidence being given of the charge, such leader of the patrol shall be fined in the sum of ten dollars; to be paid to the commissioners of the Cross Roads of Charleston Neck, for the use of the said roads.

VIII. And be it further enacted by the authority aforesaid, That it shall be lawful for any person or persons hereby declared liable to perform patrol duty, to send any able bodied white man, between the age of eighteen and sixty, to perform patrol duty for him or them; and if any patrol man shall neglect or refuse to perform the duty required of him by this Act, or procure a substitute to perform the same, without a legal excuse, he shall forfeit and pay a fine of two dollars for each and every default, and ten per cent on his general tax for the year preceding on property owned by him on Charleston Neck, to be inflicted by a court composed of the officers of the company to which he is attached, a majority of whom shall be sufficient to form such court, or any three officers of the regiment to which the said company is attached, and to be collected by the collector of the regiment, who shall have as full power and authority to collect the same, as he now has or may hereafter have to collect militia fines, under any law which now is or may hereafter be of force in this State; to be paid to the commissioners of the Cross Roads of Charleston Neck, for the use of the said roads.

IX. And be it further enacted by the authority aforesaid, That it shall be the duty of each leader of patrol to make a return upon oath of the performance of the duties of his office, to the commanding officer of the company to which he belongs, once in every two months, under the penalty of a fine not exceeding twenty dollars; to be paid to the commissioners of the Cross Roads of Charleston Neck, for the use of the said roads.

X. And be it further enacted by the authority aforesaid, That all persons of color, (Indians in amity with the United States excepted,) negroes, slaves, to be
mulattoes, or mestizoes, found within the limits of Charleston Neck, shall
be taken and considered as slaves, and shall be liable to such correction or
other punishment to which by this Act slaves are liable, unless such per-
sons of color shall produce their free papers, or copies of the same, or such
other good and sufficient evidence of their freedom as may be satisfactory
to the leader of the patrol; provided, nevertheless, that free negroes, mul-
attoes or mestizoes, found within Charleston Neck, and without their own
or their employer’s enclosure, not having a regular ticket from their guar-
dian, after the hours of nine o’clock, P. M.; from the twentieth of Septem-
ber to the twentieth of March, and ten o’clock, P. M., from the twentieth
of March to the twentieth of September, in each and every year, shall be
liable to the same punishment to which by this Act slaves are liable.

XI. And be it further enacted by the authority aforesaid, That it shall
not be lawful for any owner or occupant of a grocery store or retail shop,
within the limits of Charleston Neck, or of any store, shop or place within
the limits aforesaid, wherein are vended spirituous liquors, to keep open
the said stores, shops and places, for the purpose of trade, or to trade,
traffick or barter therein, with negroes or persons of color, on the Sabbath
day, or any other day after the hours of nine o’clock, P. M., from the
twentieth of September to the twentieth of March, and ten o’clock, P. M.,
from the twentieth of March to the twentieth of September, in each and
every year. And in case any owner or occupant of any such store, shop or
place, shall transgress or violate this Act, by keeping open the said stores,
shops or places, or by trading, traffickling or bartering therein, with any
negroes or persons of color, on the Sabbath day, or on any other day after
the hours of nine o’clock, P. M., from the twentieth of September to the
 twentieth of March, and ten o’clock, P. M., from the twentieth of March
to the twentieth of September, in each and every year, he, she or they,
shall forfeit and pay the sum of fifty dollars, to be recovered in any court
having competent jurisdiction; to be paid to the commissioners of the
Cross Roads of Charleston Neck, for the use of the said roads.

XII. And be it further enacted by the authority aforesaid, That every
person liable to perform patrol duty on Charleston Neck, shall provide for
himself, and keep always in readiness, and carry with him on his patrol
service, one good gun or pistol, in order, with at least six ball cartridges for
the same, or a cutlass, under the penalty of two dollars, and ten per cent
on his general tax for the year preceding, on property owned by him on
Charleston Neck, for want of any such arms or ammunition; to be recov-
ered and appropriated in the same manner as by this Act fines for non-
performance of patrol duty are recovered and appropriated.

XIII. And be it further enacted by the authority aforesaid, That the
commissioners of the Cross Roads of Charleston Neck shall have power
to demand and receive all such fines and forfeitures, and other monies and
things whatsoever, as are appropriated by this Act to the use of the said
Cross Roads; and in case of refusal to deliver or pay the same, to com-
mence and prosecute any lawful action for the recovery thereof.

XIV. And be it further enacted by the authority aforesaid, That the
commanding officer of the militia company or companies of Charleston
Neck, shall have power to appoint a secretary, whose duty it shall be to
prepare and lay before the court or courts hereby established, all necessary
papers, and to keep a record of the proceedings of the same, which record
shall be open to the inspection of any citizen interested therein; for which
services, the said secretary shall be excused from the ordinary patrol duty.
OF SOUTH CAROLINA.

Acts relating to the Militia.

XV. And be it further enacted by the authority aforesaid, That the leader of each patrol district shall have power to appoint a person whose duty it shall be to summon out the patrol at the times and places appointed by the leader, and to extend such orders and commands as may be given to him by the said leader of patrol; for which services, the said person shall be excused from ordinary patrol duty.

XVI. And be it further enacted by the authority aforesaid, That it shall be the duty of the commanding officer of each militia company on Charleston Neck, and of all lawful magistrates within the limits of Charleston Neck, to give information of unlawful assemblies to be given to the commanding officer.

XVII. And be it further enacted by the authority aforesaid, That if any person or persons shall commence an action against any patrol or patrolman, for any trespass by him committed in carrying into execution the laws to pay trelle costs. 

XVIII. And be it enacted by the authority aforesaid, That all Acts repealed and parts of Acts repugnant to this Act, be, and the same are hereby, clause.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and twenty-three, and in the forty-eighth year of the Independence of the United States of America.

JACOB BOND I'ON, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

AN ACT TO REQUIRE THE OFFICERS OF EACH BRIGADE OF MILITIA TO ASSEMBLE IN BRIGADE ENCAMPMENTS; AND FOR OTHER PURPOSES.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and after the passing of this Act, it shall be the duty of all the commissioned officers of the several different brigades throughout this State, under the rank of brigadier, to assemble in some central and proper place, within their respective brigades, in full uniform, and equipped with a musket, bayonet, cartouch-box and twenty-four cartridges, at least once in two years, and there be kept on duty and in the practice of the manual exercise for a time not exceeding six days nor less than three days,
as the major-general of each division may think fit and proper; and it shall be the duty of the several brigadier-generals to attend the officers so assembled within their respective brigades, and to lead, train, discipline and manoeuvre the said officers, according to the system of Scott, or any other system which may be adopted by Congress; and it shall be the duty of the adjutant-general and brigade-majors, within their respective brigades, to attend such musters, and be subject to orders as on reviews; and it shall also be the duty of the major-generals, within their respective divisions, to attend at the said musters. Which said musters of the officers, as aforesaid, shall be ordered by the Governor and Commander-in-chief, and at such times as he shall deem fit and proper, for the purposes intended by this Act. And in case any of the officers required by this Act to attend the musters aforesaid, shall fail or neglect so to attend, the said officers, respectively, so failing or neglecting, shall be subject to the fines and forfeitures following, that is to say: a major-general shall be fined in the sum of sixty dollars; a brigadier-general in the sum of fifty dollars; a colonel in the sum of forty dollars; a major in the sum of thirty dollars; a captain, lieutenant or ensign, in the sum of twenty dollars; and that such defaulters or defaulters shall be tried in the same manner as is now directed by the militia laws of this State, and the fines applied to the use of the brigade in which such fines and forfeitures have accrued.

II. Be it further enacted, That if any bat company of militia shall neglect or refuse, for three months, to elect officers to command said company, it shall be the duty of the colonel, lieutenant-colonel or major commanding the regiment or battalion to which the said company may belong, to divide the said company, and attach it to the nearest bat companies thereto, until the said company shall elect officers to command the same, and those composing such company are hereby required to do duty in the bat company to which they shall be attached.

III. And be it enacted, That the officers commanding the 2d company of the 2d battalion of the 19th regiment of South Carolina militia, shall hereafter hold their company musters at Brown's Tavern, in St. John's parish, Berkeley.

In the Senate House, the twentie day of December, in the year of our Lord one thousand eight hundred and twenty-three, and in the forty-eighth year of the Independence of the United States of America.

JACOB BOND I'ON, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.
hundred and twenty-three, all the commissioned officers in each brigade of militia in this State were required to meet and assemble at some central and proper place within their respective brigades, in full uniform, and equiped as therein directed, at least once in two years, and there to be kept in the practice of military exercises for a time therein specified. And whereas, the said law has not only effected no beneficial purpose, but is inconvenient, oppressive and burdensome to the officers of the militia of this State:

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the first section of an Act entitled "An Act to require the officers of each brigade of militia to assemble in brigade encampments, and for other purposes," be, and the same is hereby, repealed.

II. And be it further enacted by the authority aforesaid, That the Beaufort volunteer company of artillery be, and the same are hereby, exempted from attending any regimental reviews; provided, the said company, in addition to the days and times now required by law, do, on the days and times when the regiment to which the said company is now attached shall parade for review and exercise, also assemble at the usual muster ground of said company, for drill, exercise and instruction; and provided, also, that the members of said company shall at no time exceed sixty-four men, rank and file.

III. And be it further enacted by the authority aforesaid, That the fifth section of an Act passed on the twenty first day of December, in the year of our Lord 1822, entitled "An Act to consolidate and equalize certain beat companies; to authorize the sale of small arms, and the inspection of muskets made by Adam Carruth, preparatory to their being purchased," be, and the same is hereby, repealed.

IV. And be it further enacted by the authority aforesaid, That all that part of the Charleston Neck company which lies on the east side of King street, up to the cross roads, and thence on the east side of the main road to the quarter house, be and constitute one company; and that part of said company which lies on the west side of said line, be and constitute another company; both of which companies shall continue attached to the sixteenth regiment.

V. Be it further enacted by the authority aforesaid, That the commissioned officers of the Charleston Neck company may select in which of the companies hereby created they will hold their commissions, and they shall, respectively, hold and be confirmed in the rank and commission which they now hold; and it shall be the duty of the colonel or commanding officer of the 16th regiment, as soon hereafter as may be practicable, to order an election for officers in the other company.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and twenty-four, and in the forty-ninth year of the Independence of the United States of America.

JACOB BOND I'ON, President of the Senate.

JNO. B. O'NEALL, Speaker of the House of Representatives.
AN ACT TO ALTER AND DEFINE THE LINE BETWEEN THE 34TH AND 35TH REGIMENTS OF THE SOUTH CAROLINA MILITIA; AND FOR OTHER PURPOSES.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the following shall hereafter be the boundary between the 34th and 35th regiments of the South Carolina militia, that is to say: the line shall commence on Pacolet river, opposite Sandy Run; thence down said river to Thomas Taylor's; thence to William Huckby's, son of Robert Huckby; thence down the old regimental line to Broad river, near the mouth of Thicketty creek; thence up said Thicketty creek to John Jeffers's ford, on the said Thicketty creek; thence along the main road, by Hancockville, to the Grindal Shoals, on Pacolet river; and that the persons liable to perform militia duty, residing within the aforesaid limits, be formed into a beat company, be, and the same is hereby, attached to the thirty-fifth regiment.

II. And be it further enacted, That the lower battalion of the seventh or Glasscock's regiment, shall be divided into five beat companies, instead of four, as heretofore: and that Col. Thomas Glasscock, Lieut. Col. John Marsh, and Major Andrew P. Jones, are hereby appointed commissioners to make such division; the said commissioners to report to the brigadier-general the division so made, and on his approval of the same, the proper officer shall forthwith order an election of officers for the additional beat company hereby authorized to be laid off; provided, that no officer in command shall thereby have his commission vacated.

In the Senate House, the twenty-fourth day of November, in the year of our Lord one thousand eight hundred and twenty-seven, and in the fifty-second year of the Independence of the United States of America.

JACOB BOND I' ON, President of the Senate.
JNO. B. O'NEALL, Speaker of the House of Representatives.

AN ACT TO ENLARGE THE RECRUITING LIMITS OF THE WINNSBOROUGH LIGHT INFANTRY VOLUNTEER COMPANY.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That hereafter it shall and may be lawful for any person residing within Fairfield district, and liable to do militia duty, to join and become a member of the Winsborough Light Infantry Volunteer Company, in the same manner as such person would be entitled to do, were he a resident of that regiment to which said company is attached.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and twenty-seven, and in the fifty-second year of the Independence of the United States of America.

JACOB BOND I' ON, President of the Senate.
JNO. B. O'NEALL, Speaker of the House of Representatives.
AN ACT TO REGULATE THE ELECTION OF CAVALRY AND ARTILLERY OFFICERS THROUGHOUT THIS STATE.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That whenever any vacancy shall take place in the commission of lieutenant-colonel of cavalry or artillery, the major then in commission in the same regiment, shall be immediately commissioned lieutenant-colonel.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and twenty-eight, and in the fifty-third year of the Independence of the United States of America.

H. DEAS, President of the Senate.
B. F. DUNKIN, Speaker of the House of Representatives.

AN ACT TO REGULATE THE COLLECTION OF MILITARY FINES; 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 all fines hereafter imposed on any commissioned officers for neglect of military duty in any battalion, regiment or brigade, shall be collected by the sheriff of the judicial district in which such delinquent may reside, and for the performance of this duty the sheriff shall receive twenty-five per cent. on all monies so collected; except in the parishes of St. Philip and St. Michael, where fines shall be collected as heretofore; the collector of fines in which place shall be entitled to the like compensation as is herein provided for the sheriff.

II. And be it further enacted by the authority aforesaid, That it shall be the duty of the officer ordering any courts martial, to furnish the sheriff, within fifteen days after any fine has been imposed on any commissioned officer, with executions against such delinquents; and the said sheriff, within thirty days after receiving such executions, shall notify each delinquent of the amount of his fine, and to require payment thereof; and if the said delinquent shall neglect or refuse to pay the same within fifteen days after such notification, the said sheriff shall proceed on this execution, and shall arrest the body of the said delinquent for the satisfaction of the said fine, unless the said delinquent shall point out sufficient property whereof to levy and satisfy such fine so imposed as aforesaid.

III. And be it further enacted by the authority aforesaid, That it shall be the duty of the several tax collectors in this State, at the request of any militia officer, to furnish such officer with the amount of the last general tax of any defaulter liable to be fined as aforesaid; but nothing in this Act shall be construed to deny the right of appeal to any officer who may conceive himself aggrieved by the sentence of any court-martial.
STATUTES AT LARGE

Acts relating to the Militia.

IV. And be it further enacted by the authority aforesaid, That the sheriff with whom any such execution shall be lodged, shall be bound to execute and return the same to the paymaster of the regiment, within three months from the time of the lodgment thereof, and on default, he shall pay the sum of fifty dollars, to be recovered by summary process, in the name of the State of South Carolina; one half of which shall be paid to the informer, and the other half to the use of the regiment.

V. And be it further enacted by the authority aforesaid, That it shall be the duty of the sheriff within ten days after demand, to pay over all monies collected by him, pursuant to this Act; and, in default thereof, an action may be brought against him, in the name of the regimental paymaster, and the amount so collected, recovered against him, with interest at the rate of six per cent. for each month, from the time of demand.

VI. And be it further enacted, That if any member of the magazine guard, at Laurel Island, on Charleston Neck, or of the guard to be hereafter, or at this session, established at Georgetown, shall be hereafter intoxicated, or disorderly or disobedient to lawful orders, he may be arrested and confined, by order of the commanding officer of said guard.

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

HENRY DEAS, President of the Senate.

BENJ. F. DUNKIN, Speaker of the House of Representatives.

No. 2487. AN ACT TO PROVIDE FOR THE DIVISION OF BEAT COMPANY NUMBER SEVEN, OF THE 15TH REGIMENT OF SOUTH CAROLINA MILITIA.

I. Be it enacted, by the Honorable the Senate and House of Representatives, That beat company number seven, of the fifteenth regiment of South Carolina militia, now commanded by captain Jacob Kitchen, shall, as soon hereafter as practicable, be divided into two companies, and that Richard Jones, Esq., John Horsey, Jacob Kitching, John Quattlebaum, and George Sawyer, be appointed commissioners to divide the same.

II. The said commissioners, or a majority of them, shall, as soon as may be practicable, meet and make such division, and shall return, in writing, to the colonel of the regiment, a report of such division, and the limits apportioned to each beat company; and the colonel shall cause the same to be entered in the books of the regiment.

III. The officers now holding commissions in said beat company, shall be entitled to hold the same in the company, within the limits of which they may, respectively, fall.

IV. The colonel shall, as soon as the said limits are fixed, order elections to fill up the vacancies that may exist in said companies, respectively.

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

HENRY DEAS, President of the Senate.

BENJ. F. DUNKIN, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to the Militia.

AN ACT TO CONSOLIDATE THE TWO BATTALIONS OF GEORGETOWN. No. 2488.

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 passing of this Act, the two battalions of the lower battalion, thirty-first regiment, heretofore known as the upper and lower battalions of Georgetown, be, and the same are hereby, consolidated, so as to constitute hereafter but one battalion instead of two.

II. And be it further enacted by the authority aforesaid, That the officer now in command of the said lower battalion, thirty-first regiment, be, and he is hereby, authorized and directed to carry into effect the provisions of this Act, and forthwith to order the necessary elections, and cause to be filled the offices of the said company, whereupon he shall report his proceedings to the colonel of his regiment.

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

HENRY DEAS, President of the Senate.

BENJ. F. DUNKIN, Speaker of the House of Representatives.

AN ACT TO CHANGE THE PLACE OF COMPANY MUSTER IN ST. JAMES SANTEE. No. 2504.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and after the passing of this Act, the battalion of militia in the parish of St. James Santee, shall cease to be mustered at the head of Wigfall's or Cordes's causeway, as they heretofore have been, and that the head of Palmer's causeway shall be, and is hereby, fixed and established as the muster ground of the said battalion company.

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

H. DEAS, President of the Senate.

H. L. PINCKNEY, Speaker of the House of Representatives.
No. 2506. AN ACT TO ESTABLISH THE DIVIDING LINE BETWEEN THE 26TH AND
27TH REGIMENTS OF MILITIA; AND TO LAY OFF A NEW BAT COM-
PANY AT AND AROUND SUMTERVILLE.

I. Be it enacted, by the Honorable the Senate and House of Representa-
tives, now met and sitting in General Assembly, and by the authority of
the same, That the boundary line which divides the 26th and 27th regi-
ments of South Carolina militia from each other, shall be, and the same is
hereby, altered, defined and established, to run as follows, that is to say:
beginning at M'Clure's old field, on the Saluda road, near the village of
Chester; running thence in a direct line to the spring east of the said vil-
lage; thence along the meanders of the branch from the said spring until
it intersects the Charleston road; and thence along the said road as here-
tofore.

II. Be it further enacted by the authority aforesaid, That a new bat
company of militia be formed and established in and around the village of
Sumterville, by uniting portions of the two bat companies commanded by
captain William N. Harvin and captain James A. Vaughan, in manner and
form following, that is to say: captain Harvin's bat shall be divided by a
line beginning at the mouth of Cow-pen branch, near Thomas J. Wilder's
plantation; thence upward along said branch to its source; thence directly
to the head of Camp branch; thence along the meanders of the same to
its juncture with Black river; and that captain James A. Vaughan's bat
shall be divided by a line beginning at Mr. Charles Spann's mill; thence
along the road to John Knox's; thence along the Stateburg road to Green
swamp; and that the contiguous portions of the said bat companies, so
abstracted and divided off by the said lines, form and be constituted a sepa-
rate bat; provided, that the companies hereby directed to be divided, shall
not be reduced by such division below the number directed by law to con-
stitute a company.

III. And be it further enacted, That the bat hereby directed to be
formed and established, shall be attached to, and form a part of the lower
battalion of the 20th regiment, and that the officer whose duty it may be,
shall forthwith issue the necessary orders for the election of company offi-
cers in the said new bat.

In the Senate House, the eighteenth day of December, in the year of our Lord one
thousand eight hundred and thirty, and in the fifty-fifth year of the American Inde-
pendence.

H. DEAS, President of the Senate.

H. L. PINCKNEY, Speaker of the House of Representatives.
AN ACT TO CONFORM THE MILITARY WITH THE JUDICIAL DIVISIONS OF PENDLETON DISTRICT; 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 from and after the first day of March next, the 4th and 42d regiments of militia, shall be included in the district of Anderson; and that the 2d and 5th regiments of militia, shall be included in the District of Pickens.

II. That the fifth street in the village of Anderson, be the line between the 4th and 42d regiments, continuing from the east end thereof to a point on Saluda river, within one mile of Wilson’s Ferry, above; and from the west end of said street, to a point on Senaca river, between Mrs. Sloan’s Ferry, and two miles above the mouth of said river. The said lines to be run by a person to be nominated by the Colonels of those regiments, and the expense to be defrayed out of fines collected from defaulters in said regiments, each contributing equally.

III. And be it further enacted, That this line dividing the 2d and 5th regiments, shall commence at the point of intersection between the district line of Pickens and Anderson, and the public road leading from the village of Pendleton to Harrison’s Ferry on Senaca river; thence along said road to said ferry; thence up said river, to the mouth of Toxaway, and up Toxaway to the Three Forks; and thence up South Fork to the State line.

IV. And be it further enacted, That the General’s road shall be the dividing line between the two battalions of the 4th regiment; and that Samuel J. Hammond, Christopher Orr, and Asa Clinkscale, be commissioners in the first battalion; and that John McFall, Jr., Solomon Shelton, and William Houston, be appointed commissioners in the second battalion, to establish the beat company lines and battalion parade grounds in their respective battalions.

V. And be it further enacted, That Swellen Goode, A. J. Liddell, and Job Rainwater, be appointed commissioners for like purposes, in the battalion in which they reside; and that James L. McCann, James Mulligan, and Saxon Anderson, be appointed commissioners for like purposes, in the battalion in which they reside; and that they jointly, form a board of commissioners for the 42d regiment, to determine the grade of battalions, the dividing line of the battalions, and the regimental parade ground.

VI. And be it further enacted, That Samuel Reid, William Duff, and Michael Edmonston, be appointed commissioners for like purposes, in the battalion in which they reside; and Samuel C. Reeder Jacob R. Cox, and Obadiah Trimmier, be appointed commissioners in the battalion in which they reside, for like purposes, who shall, jointly, determine the grade of the battalions, the battalion line, and the regimental parade ground for the second regiment; and that Samuel Gassaway, John Bowen, Jr., and James Hendrix, be appointed commissioners for like purposes, in the battalion in which they reside; and John Hunter, Nathaniel Lynch, and William Sutherland, be appointed commissioners for similar purposes, in the battalion in which they reside, who shall also, jointly, determine the grade of the two battalions, the battalion line, and regimental parade ground for the fifth regiment.

VII. And be it further enacted, That the foregoing changes shall not
occasion any forfeiture of commission or rank, either in regimental, battalion, or beat company officers, or any dissolution of any existing uniform corps, but such officers or privates may continue to exercise the duties of their respective commands, or parade with the uniform corps to which they may have been attached, as the case may be.

VIII. And be it further enacted, That Jesse W. Norris, A. Rice, Thos. Bunoughs, William Houston, Archibald Simpson, Christopher Orr, Hugh Wilson, Miles J. Hardy, James Pagett, and John T. Broyles, be appointed commissioners of roads and bridges for the fourth regiment; and that Jas. C. Griffin, Wyatt Smith, William Steel, John Harris, jr., Jas. L. McCann, William Holcomb, Joseph V. Shanklin, Herbert Hammond, Baylus Wodkins, William McMurry, and Eben Smith, be appointed commissioners of roads, bridges, et cetera, for the forty second regiment; and that William G. Field, Joseph Evetta, Jeptha Norton, jr., Frederick N. Garvin, Stephen C. Reid, Weyman Holland, and John Hunter, be appointed commissioners of roads for the fifth regiment; and that John T. Humphreys, Thomas Fitzgerald, Jesse McKinney, Samuel C. Reeder, Samuel Kirksey, John E. Calhoun, and Joseph Grisham, be appointed commissioners of roads for the second regiment, vested with the same powers, and subject to the same penalties as now by law provided.

IX. And be it further enacted, That the boards of the fourth and forty-second regiments, shall form a general board for Anderson district; and the said boards for the fifth and second regiments, shall form a general board for Pickens districts; each to meet on the first Monday in January next, at their respective court houses, and annually, thereafter, to transact such business as is now required of such general board by law; and it shall be the duty of the tax collector for Pendleton district, to collect such assessments as he may be required by each of these boards, from the tax-paying inhabitants in Anderson and Pickens, respectively. And it shall be the duty of the treasurer for the general board for Pendleton, to exhibit a fair account, current, to each of the general boards for Anderson and Pickens, the balance of funds on hand, or amount, if deficient, to be received or contributed in equal proportion by each of the general boards aforesaid, as the case may be; and all appeals now pending, or other unfinished business before the general board, to be transferred to that board to which it properly belongs, by the said treasurer.

X. And be it further enacted, That Robert Anderson, Thos. W. Sloan, Benjamin D. Dupree, Bailey Barton, James Osborne, David Hendricks, and David McKinney, shall constitute a board of commissioners of free schools for Pickens District; and that Levi Garrison, Jesse W. Norris, Christopher Orr, J. D. Gaillard, J. L. McCann, Garrison Lynn, and A. Evans, shall constitute a board of commissioners of free schools for Anderson district, shall meet at their respective court houses on the first Monday in February next, for the purpose of organizing their boards, locating schools, and transacting such duties as are now required of boards of commissioners by law; meeting quarterly and annually thereafter, on such days as are now provided. And it shall be the duty of the present board of commissioners of free schools for Pendleton, on the fourth Monday in January next, only to examine the reports of teachers, and ascertain the amounts due to each, and draw their order therefor on the treasurer of the Upper Division, in conformity with existing laws; and bring to a close, as far as practicable, all engagements with their teachers, from and after which day, the said board is hereby, dissolved; nevertheless, it shall be
their duty to transfer to each of the new boards, respectively, such business as may not be closed.

XI. And be it further enacted, That the balance of appropriation, as well as all future appropriations to which Pendleton District may be entitled by laws now of force, be, and the same shall hereafter be, divided between the districts of Anderson and Pickens, in equal shares, one moiety to each, and no more; liable to be drawn from the treasury, as is now provided for the other boards of free schools. And it shall be the duty of the treasurer of the upper division, after the payment of said order from the board for Pendleton District, to open an account, current, with Pickens and Anderson, in conformity with the provisions.

XII. And be it further enacted, That in the event of the neglect or refusal of any one or more of the commissioners, appointed to adjust and establish the lines of beat companies, etc., such vacancy or vacancies, may be filled by the Pendleton delegation.

XIII. And be it further enacted, That from and after the passing of this Act, Anderson district shall be entitled to fifteen justices of quorum, and twenty justices of the peace; and Pickens district shall be entitled to twelve justices of the quorum, and fifteen justices of the peace, and no more; each inclusive of those now in office.

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

H. DEAS, President of the Senate.

H. L. PINCKNEY, Speaker of the House of Representatives.

AN ACT TO FORM A SQUADRON OF CAVALRY IN THE EIGHTH BRIGADE. No. 2511.

I. Be it enacted, by the Senate and House of Representatives, That the All Saints Light Dragoons, the Winshaw Hussars, and the Marion Troop, three troops of Cavalry belonging to the Eighth Brigade of the Militia of this State, be formed into a Squadron, under the command of a field officer, with the rank of Major, who shall be elected by the members of the said corps; and that the brigadier-general of the said brigade, be authorized to order an election for such officer.

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

H. DEAS, President of the Senate.

H. L. PINCKNEY, Speaker of the House of Representatives.
STATUTES AT LARGE

A.D. 1831.

Acts relating to the Militia.

No. 2523. AN ACT TO AUTHORIZE THE FORMATION OF A MOUNTED CORPS IN CHARLESTON.

I. Be it enacted, by the Senate and House of Representatives, That from and after the passing of this Act, it shall and may be lawful to and for such persons, not exceeding one hundred in number, as reside in the city or district of Charleston, who are exempt from ordinary militia duty, to form themselves into a military corps of mounted men, under the name of “The Charleston Horse Guards,” to be equipped in such manner as the Governor shall direct or approve.

II. That the said corps shall be entitled to the usual number of officers, and are hereby, authorized to regulate the election and removal of said officers as they see fit.

III. That when the said corps shall be organized in such manner as the Governor shall approve, the Governor is hereby, authorized and required to, commission the officers to be elected by them.

IV. That it shall be the duty of the said corps in times of alarm, to perform such service as shall be prescribed and directed by the commanding officer of the militia in Charleston, on pain of incurring like penalties as the other militia of the State.

V. That a list of the persons who may be enrolled in the said corps, duly certified by the captain, shall be furnished to the captains of the several beat companies in which they reside; and said persons while they continue members of the Horse Guards, shall not be liable to do duty in said beats.

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

H. DEAS, President of the Senate.

H. L. PINCKNEY, Speaker of the House of Representatives.

---

No. 2525. AN ACT TO DEFINE THE RECRUITING LIMITS OF THE FAIRFIELD GRENADIER COMPANY.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That hereafter, it shall be lawful for any person residing within the districts of Fairfield and Chester, and liable to do militia duty, to join and become a member of the Fairfield Grenadier Company, in the same manner as such person would be entitled to do, were he a resident of that regiment to which said company is attached.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty-one, and in the fifty-sixth year of the Independence of the United States of America.

H. DEAS, President of the Senate.

H. L. PINCKNEY, Speaker of the House of Representatives.
AN ACT TO LAY OFF AND ESTABLISH A NEW BEAT COMPANY IN THE SEVENTH REGIMENT OF SOUTH CAROLINA MILITIA.

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 new beat company be formed and established, in and around the Town of Edgefield, by uniting portions of Bland’s and the Horn’s Creek Beat Companies, by lines running in the following manner, that is to say:—beginning at the head of Log Creek, and running down and along the meanders of the said creek to the dividing line between the seventh, (Col. Bacon’s,) and ninth, (Col. Tompkins’s,) regiments; thence along said regimental line, to its intersection with the old Long Cane road, near the residence of James Griffin; thence down said road to the two mile stone, on the road leading from Edgefield Court House to the Pine House; thence a direct line to the head of Log Creek, the beginning; and that the portions of said two beat companies included within the said lines, form and be constituted a separate beat.

II. And be it further enacted, That the beat hereby directed to be formed and established, shall be attached to and form a part of the upper battalion of the seventh regiment; and that the officer whose duty it may be, shall immediately issue the necessary orders for the election of company officers in the said new beat.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty-one, and in the fifty-sixth year of the Independence of the United States of America.

H. DEAS, President of the Senate.
H. L. PINCKNEY, Speaker of the House of Representatives.

AN ACT TO ENABLE OFFICERS OF THE MILITIA TO RESIDE, IN CERTAIN CASES, OUT OF THEIR COMMANDS.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That in all cases where the dividing line between any regiments in this State shall pass through any town or village, it shall be lawful for any person holding a commission in either regiment, to reside any where within the limits of said town or village, without a forfeiture of his commission.

In the Senate House, the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty-one, and in the fifty-sixth year of the Independence of the United States of America.

H. DEAS, President of the Senate.
H. L. PINCKNEY, Speaker of the House of Representatives.

VOL. VIII.—71.
AN ACT FURTHER TO ALTER AND AMEND THE MILITIA LAWS OF THIS STATE.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That in case the Government of the United States, or any officer thereof, shall, by the employment of naval or military force, attempt to coerce the State of South Carolina into submission to the Acts of Congress, declared and ordained to be null and void and no law, in a convention of the people of the State of South Carolina, on the twenty-fourth day of November, in the year of our Lord one thousand eight hundred and thirty-two, or to resist the enforcement of an ordinance adopted by the convention aforesaid, or the laws passed in pursuance thereof, or in case of any armed or forcible resistance thereto, the Governor is hereby authorized and empowered to resist the same; and in order to render such resistance effectual, he is hereby authorized and empowered to order into service the whole military force of this State, or so much thereof as he may, from time to time, deem necessary and proper.

II. In case of any overt act of coercion, or an intention on the part of the Government of the United States, or any officer thereof, to commit such an act, manifested by an unusual assemblage of naval or military forces, in or near this State, or the occurrence of any circumstances indicating the probability that armed force is about to be employed against this State, or in resistance to its laws, the Governor be, and he is hereby, authorized to call into the service of this State, from time to time, such portion of the militia as may be required to meet the emergency.

III. Each company of infantry called into the service, shall consist of sixty privates, five sergeants and six corporals, to be officered by one captain, one first and second lieutenant and ensign; and each company of infantry or riflemen, shall consist of not less than forty privates, and the requisite number of non-commissioned and commissioned officers.

IV. Each regiment of infantry called into service as aforesaid, shall consist of eight companies of infantry, and two companies of light infantry or riflemen, to be commanded by one colonel, one lieutenant-colonel and one major, to be selected by the commander-in-chief from amongst the officers of their respective grades in commission at the time, in the brigade or division out of which such regiment shall be raised; and each colonel commanding a regiment of volunteers or militia, shall appoint his regimental staff, subject to the approval of the brigadier-general.

V. The Governor is hereby authorized, out of the several brigades or divisions of the State, to permit volunteer companies, troops, battalions, squadrons, and regiments of infantry, artillery, cavalry, light infantry, and riflemen, to be raised; and he is hereby authorized to accept the services of volunteers, whether by files, companies or otherwise; and it shall be his duty, whenever in his opinion the public interest shall require it, to cause such volunteers to be organized into companies, troops, battalions, squadrons or regiments, as the case may be, and he may form the same into brigades and divisions; provided, no troop or company shall consist of less than forty or more than one hundred effective rank and file, with the proper compliment of non-commissioned and commissioned officers required by law; the field and general officers to be selected by the Governor, from amongst the officers of their respective grades in the brigade or division out of which such regiment or brigade shall be raised; and where any
OFFICE OF SOUTH CAROLINA.

Acts relating to the Militia. 583

A.D. 1832.

officer already in commission, shall accept a command in any such volunteer corps, he may retain both commissions, and at the end of his term of service as a volunteer, shall be at liberty to resume his rank and command; provided, that every volunteer company, troop, battalion, squadron or regiment, which shall offer its services as a whole, shall be received and permitted to retain its own officers.

VI. The officers, non-commissioned officers, and privates of every volunteer company, troop, battalion, squadron or regiment, which may be raised, or whose services may be accepted as aforesaid, shall not be called upon to do militia duty in any other corps; but shall be liable to perform, in their respective volunteer companies, all the duties now required, or which may hereafter be required, of the militia by law; and the officers of such volunteer corps, shall, when acting in conjunction with their corps, rank according to the date of their respective commissions.

VII. The volunteers which shall be raised, or whose services shall be accepted as aforesaid, or any portion thereof, may be called out by the Governor in any of the cases above mentioned, or other emergency in which he is authorized by law to call out the militia, and the term of service of the said volunteers, as well as the other militia corps, shall be six months from the day of their being mustered into service, unless sooner discharged; and all free white men above the age of sixteen years, may be accepted as volunteers; and all between the ages of eighteen and forty-five, shall be liable to be called out as is hereinbefore provided for.

VIII. Whenever any portion of the volunteers or militia aforesaid, shall be required for actual service, they shall, in every respect, be subject to the provisions contained in the second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, and eleventh sections of the Act of the General Assembly, ratified on the twenty-fourth day of September, eighteen hundred and thirteen, entitled "An Act to alter and amend the militia laws of this State."

IX. The Governor shall be, and he is hereby, authorized to order out any portion of the volunteers and militia of this State for review, inspection, and military instruction, as often as, in his opinion, the public service may require; provided, that when so ordered out, they shall not be kept longer in the field than twelve hours at any one time; and every officer, non-commissioned officer and private, shall be liable to the same fines and other penalties for non-attendance, or disobedience of orders while under arms, as are now imposed by law for non-attendance or disobedience of orders at regimental musters; the same to be imposed, collected and appropriated as now provided for by law in relation to regimental musters.

X. The Governor is hereby authorized and empowered to purchase, for the use of the State, as he may judge necessary, from time to time, ten thousand stand of small arms, and the necessary accoutrements, the requisite quantity of cannon balls, powder, lead, and other munitions, such ordinance as he may deem advisable, and to repair and mount such ordinance now belonging to this State, as may be worth the expense. And the Governor also shall be, and he is hereby, authorized to appoint, from time to time, such assistant staff officers of the grades now established by law, as may be necessary for the purpose of carrying this Act into complete effect; and he is also authorized to appoint additional aids-de-camp, whenever, in his opinion, the public service may require it; provided, that such appointments shall not continue in force longer than two years after the passage of this Act.
XI. The Governor shall have power, and it is hereby declared to be his duty, in all cases of insurrection or invasion, or eminent danger thereof, and in cases where the laws of this State shall be opposed, and the execution thereof forcibly obstructed, by combinations too powerful to be suppressed by the power vested in the sheriffs or other civil officers of the State who may be charged with the execution of the said laws, to call forth such portions of the militia and volunteers aforesaid, as may be necessary promptly to suppress such combinations, and to cause the laws of the State to be duly executed.

XII. And if any person or persons whosever shall be suod, impeached, molested or prosecuted, for any matter, cause or thing, done or executed, or caused to be done or executed, by virtue of or in pursuance of this Act, all and every such person shall and may plead the general issue, and give this Act and the special matter in evidence; in case the plaintiff should suffer a discontinuance, enter a nonsuit, suffer a non-suit, or if a verdict or judgment shall pass against him, he shall pay to every defendant that shall be acquitted, or for whom judgment shall pass, his full double costs of suit.

XIII. The laws now of force prohibiting the reduction of boat companies below the number of thirty men, or the raising a greater portion of certain descriptions of troops than are now authorized within the limits of each military division, be, and the same are hereby, suspended, so far as the operation of this Act is concerned; and this Act shall continue in force, unless sooner repealed, for two years from the passing thereof, and no longer. The abstract of infantry tactics for the use of the militia of the United States, published by the department of war, under the authority of the Act of Congress, of the second of March, eighteen hundred and twenty-nine, shall, hereafter, be observed in the instruction and exercise of infantry within this State; and the exercise and manoeuvres of light infantry and riflemen, annexed to said abstract, shall, in like manner, be observed in the instruction and exercise of light infantry and riflemen; and the system of exercise and instruction of field artillery, including manoeuvres for light or horse artillery, shall likewise be observed by the artillery within this State; and the officers of infantry, cavalry and artillery, respectively, shall be furnished with a copy thereof by the Governor; and every officer shall be required, on the vacation of his commission, to deliver over to his successor the said book, or pay to said successor three dollars, to be by him recovered before any magistrate, and applied by said successor to the purchase of another and similar book.

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

H. DEAS, President of the Senate.

H. L. PINCKNEY, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to the Militia.

A.D. 1838.

AN ACT TO REGULATE THE MILITIA OF THE PARISHES OF ST. PHILIP AND ST. MICHAEL; AND FOR OTHER PURPOSES.

WHEREAS, from the location of the regiments and corps composing the militia of the parishes of St. Philip and St. Michael, they can be conveniently assembled as a body, for inspection, exercise and review, to their manifest advantage in point of discipline and efficiency:

I. Be it therefore enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and after the passing of this Act, it shall and may be lawful for the brigadier-general, or officer commanding the fourth brigade, in the second division of the militia of this State, to order the several regiments and corps composing the militia of the said parishes, to parade for inspection, exercise and review, twice in each and every year; parades for such purpose to be enumerated as a part of the six company parades now annually required by law.

II. Be it further enacted by the authority aforesaid, That the brigadier general of the said brigade be, and he is hereby, constituted a member and Parade ground. presiding officer of the board of field officers residing in said parishes, empowered by the Act of 1809 to purchase a parade ground for the use of the militia of the said parishes.

III. And be it further enacted by the authority aforesaid, That the brigadier-general of the said brigade be, and he is hereby, authorized and required to appoint a collector of the militia fines for the said parishes, whose duty it shall be to collect all fines now imposed, or hereafter to be imposed, for neglect of militia duty, in the militia of said parishes; and who shall be clothed with the same authority and powers as are now vested by law in the collectors of militia fines throughout the State; and who shall receive, as a compensation for his services, a sum not exceeding twenty-five per cent. on all monies collected, together with the usual fees allowed to magistrates and constables, to be collected from the parties, if able to pay, in all cases where executions shall be issued.

IV. And be it further enacted by the authority aforesaid, That the fines so collected shall form a common fund for the militia of said parishes, to Fines, how defray the expenses incident to their company and other parades, and in general, to be appropriated to their use, and disbursed under the direction of the board of officers aforesaid, composed of the brigadier-general and field officers residing within the said parishes.

V. And whereas, some difficulty has arisen in relation to courts martial ordered to be held on the commissioned officers, non-commissioned officers and privates, who may compose the fire guard of the city of Charleston, Courts-martial ordered for fire-guard. for default of duty and other military offences; for remedy whereof, Be it further enacted by the authority aforesaid, That from and after the passing of this Act, the brigadier-general of the fourth brigade, or in his absence from the parishes of St. Philip and St. Michael, the senior officer of the militia of said parishes, shall have full power and authority to order courts martial on all officers, non-commissioned officers and privates, composing the aforesaid fire guard, who shall fail to attend in case of alarm from fire, and when ordered to mount guard, and for relief of the same, and for other military offences, at such times and in such manner as may be deemed fit and proper; and that the proceedings of such courts martial shall be approved or disapproved of by the officer so ordering the same.
VI. And be it further enacted by the authority aforesaid, That all Acts and parts of Acts repugnant to this Act, be, and the same are hereby, repealed.

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

H. DEAS, President of the Senate.
H. L. PINCKNEY, Speaker of the House of Representatives.

No. 2555. AN ACT TO EMPOWER THE COMMISSIONERS OF CROSS ROADS, FOR CHARLESTON NECK, TO APPOINT A COLLECTOR OF PATROL FINES.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That so much of the Act of General Assembly, ratified the twentieth day of December, one thousand eight hundred and twenty-three, as appoints the collector of the regiment to collect the fines and penalties imposed for neglect or default in the performance of patrol duty, on Charleston Neck, be, and the same are hereby, repealed; and that the commissioners of cross roads for Charleston Neck, be, and are hereby, empowered to appoint a collector, who shall have the same power and authority to collect the fines and penalties imposed for neglect or default in the performance of patrol duty, as by the said Act is vested in the collector of the regiment. And the said commissioners are authorized and empowered to require of the collector to be appointed by them, bond, with sufficient security, for the faithful performance of the duties of his office; and also to remove said collector from office.

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

H. DEAS, President of the Senate.
H. L. PINCKNEY, Speaker of the House of Representatives.
OF SOUTH CAROLINA.

Acts relating to the Militia.

A.D. 1822.

No. 2567.

AN ACT TO TRANSFER CAPTAIN CLECKLEY'S COMPANY TO THE FOURTEENTH REGIMENT, SOUTH CAROLINA MILITIA; AND FOR OTHER PURPOSES.

I. Be it enacted, by the Senate and House of Representatives, That the company of militia in St. Matthew's parish, now under the command of captain Cleckley, and known by the name of the Buck-head company, be transferred from the fifteenth regiment, and attached to and form a part of the fourteenth regiment of the militia of this State.

II. And be it further enacted, That the field officers of the fifteenth regiment of the militia of this State, divide the battalions composing the same, by substituting Savannah-hunt, instead of Sandy Run, as the division line of said battalions, on or before the thirteenth day of January next.

III. And be it further enacted, That the dividing line between the first and second battalions, in the first and second battalions in the fourth regiment, be so altered as to include the dwelling house on the Verennes Tract, within the limits of the first battalion.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and thirty-two, and in the fifty-seventh year of American Independence.

H. DEAS, President of the Senate.

H. L. PINCKNEY, Speaker of the House of Representatives.

AN ACT PRESCRIBING THE MODE OF ALTERING THE BOUNDARIES OF THE SEVERAL MILITIA BEATS, BATTALIONS AND REGIMENTS, WITHIN THIS 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 from and after the passing of this Act, it shall be the duty of each of the brigadier-generals of this State, to whom representation shall be made of any gross inequality or manifest inconvenience of boundary, between any two or more adjoining beats, battalions, or regiments, within his brigade, to appoint a board of commissioners, consisting of not less than five persons from each of the beats, battalions or regiments, liable to be affected by their decision, whose duty it shall be to examine fully the complaints or representations so made as aforesaid, and to make such decision in the premises, in favor of the existing boundaries, or of such new boundaries, as to their shall seem proper. And any boundaries of any adjoining beats, battalions or regiments, adopted by such board of commissioners, when approved by the brigadier-general, and by him announced in brigade orders, shall be the boundary of every such beat, battalion or regiment.

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

H. DEAS, President of the Senate.

H. L. PINCKNEY, Speaker of the House of Representatives.
STATUTES AT LARGE

Acts relating to the Militia.

No. 2612. AN ACT TO PROVIDE FOR THE MILITARY ORGANIZATION OF THIS STATE.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, That from and after the passing of this Act, the commissions of the major-generals, brigadier-generals, and their respective staffs, the adjutant and inspector-general, and deputy adjutant-generals of the militia of this State, are hereby vacated; and the Legislature shall forthwith, by joint ballot of both houses, elect five major-generals, one for each division, and ten brigadier-generals, one for each brigade.

II. There shall be one adjutant and inspector-general, with the rank of brigadier-general, five assistant adjutants-general, with the rank of colonel, and to each division and brigade the additional staff officers now required by law. The adjutant and inspector-general to be elected by joint ballot of both branches of the Legislature, to continue in office for four years from the date of his commission. The division staff to be appointed by the major-generals, subject (except his aids-de-camp,) to the approval of the commander-in-chief; the brigade staff to be appointed by the brigadier-general, subject, except his aids-de-camp, to the approval of the major-general; and the adjutant and inspector-general shall receive an annual salary of fifteen hundred dollars.

III. Each and every volunteer company of light infantry, riflemen, or grenadiers, in existence at the passing of this Act, attached to any regiment or battalion of the militia of this State, except such as are incorporated by Act of the Legislature, shall be dissolved on the first day of March next, and the commissions of their respective officers vacated, and of none effect.

IV. Each brigadier-general, immediately after his election, shall appoint five commissioners in each battalion of his brigade, in which there shall be either more or less than four beat companies, whose duty it shall be to divide said battalions into four beat companies, as nearly as may be, and report the same to the brigadier-general, designating the boundaries and lines of each beat, within two months from the adjournment of the Legislature. Three of said commissioners shall be a quorum to perform said duties; and if either of said commissioners shall wilfully neglect or refuse to perform the duty hereby assigned, he shall, upon conviction on indictment, be fined not less than one hundred dollars.

V. Within fifteen days after the report of the commissioners is received, each brigadier-general shall issue an order, defining the boundaries of each beat company, which shall be posted up at two public places, at least, within said beat company, and which shall be recorded in the office of the register of mesne conveyance of the district in which said beat is situated; he shall also order an election and appoint managers to conduct and declare the same, for one captain, two lieutenants, and one ensign, to command said company; for one major to command said battalion, and one colonel to command the regiment; which election shall be held on the eleventh day of April next; elections shall also be held on the same day in each volunteer uniform company, having the full compliment of rank and file required by this Act, and regularly attached to said regiment, for company, battalion and regimental officers. And should any brigadier-general neglect or refuse, or from any cause fail, to have the several battalions of his brigade divided into beats, as herein provided, or to order the election of officers on the eleventh of April next, the commander-in-chief is hereby authorized
OF SOUTH CAROLINA.

Acts relating to the Militia.

A.D. 1833.

and required to cause the election of field officers to be advertised and held in every regiment of such brigade, the return to be made to the commander-in-chief; and every colonel so elected, when commissioned, shall forthwith cause each of the battalions in his regiment to be divided into four beat companies, and order elections to be held for company officers in each of such beats.

VI. On the tenth day of April next, the commission of each and every militia officer of this State, except those elected or appointed under this Act, and the aids of the Commander-in-chief, shall be, and the same are hereby declared, vacated and of none effect; provided, that every officer who may be elected or appointed under this Act to the same office which he may hold on the said tenth day of April next, shall take rank from the date of his commission so vacated. The Secretary of State shall be allowed one thousand dollars, in lieu of all fees and charges for services, in relation to military commissions for the ensuing year.

VII. From and after the present session of the Legislature, each major-general shall be elected by the commissioned officers of the division in which the vacancy shall occur, from amongst the general, field and staff officers, residing within the said division, or of above the rank of major; and no such officer shall be eligible, unless he has held a commission of or above the rank of captain, for twelve months next preceding the election; and each brigadier-general shall be elected by the commissioned officers of the brigade in which such vacancy shall occur, and by the staff officers residing in the said brigade, from among the officers of the brigade and the staff officers residing in said brigade, of or above the rank of captain; and no officer shall be eligible, unless he has held a commission of or above the rank of captain, for twelve months next preceding the election; provided, the ineligibility above specified shall not extend to officers elected or appointed under the provisions of this Act, until the expiration of twelve months from the eleventh day of April next.

VIII. From and after the eleventh day of April next, every vacancy in the offices of colonel and major in the line, shall be filled by election, as Colonels and now prescribed by law; provided, that no person shall be eligible to either majors of said offices, unless he has held a commission in said regiment or battalion at least six months next preceding the election; provided, the ineligibility above specified shall not extend to officers elected or appointed under the provisions of this Act, until the expiration of twelve months from the eleventh day of April next; and all vacancies in the offices of the volunteer uniform and battalion beat companies, shall also be filled as now prescribed by law; provided, that no person attached to the cavalry, and no person who has not resided in the State at least six months next preceding such elections, shall be allowed to vote at the same.

IX. Whenever any beat company shall neglect or refuse to elect an officer to fill any vacancy which shall occur in said company, for the space of two months, or where the person elected to fill such vacancy shall refuse to officers to be accept, within thirty days from the time of his election, it shall be the duty of the colonel or officer commanding the regiment to which said company belongs, to appoint and commission some fit and proper person, liable to do ordinary militia duty within such beat, to fill such office, who shall discharge the duties thereof for twelve months, unless said office be sooner filled by the election of some person who will accept the same, as provided by this Act; and upon the refusal of any person so appointed to office to...
discharge the duties of said office, he shall pay a fine of twenty dollars, to be imposed by the field officers sitting in court-martial, and collected as other fines hereinafter provided. And it shall be the duty of the colonel or officer commanding the regiment, to appoint and commission, as often as such vacancy shall occur, until the same shall be filled by some person accepting said office; and in every case of refusal to accept, the penalty above mentioned shall be enforced against the person so refusing, in the manner prescribed in the foregoing part of this clause; and each company officer elected and commissioned as provided by this Act, shall, under a penalty of twenty dollars, to be imposed as aforesaid, be compelled to serve at least twelve months, unless he shall be promoted or shall remove from the limits of his command, or in the opinion of the field officers of the regiment, become incompetent to discharge the duties of the same. Provided, that no person accepting a commission under the appointment of the colonel or other officer in command of the regiment, as hereinabove provided for, shall be compelled to uniform himself, or be compelled to discharge the duties of a commissioned officer in said company longer than one year in three.

X. In addition to the oaths now required by law, every officer of the militia hereafter elected, shall, before he enters upon the duties of his office, take and subscribe, before some person authorized by law to administer oaths, the following oath:

"I, A B, do solemnly swear, (or affirm, as the case may be,) that I will be faithful, and true allegiance bear to the State of South Carolina. So help me God."*

Which oath shall be indorsed and certified upon his commission, as hereinafter prescribed.

XI. If any person elected or appointed to any military office in this State shall accept the same, and shall neglect or refuse to take the oath of office prescribed by law, within thirty days after his election or appointment, he shall, in addition to the penalties provided by this Act, for refusing to discharge the duties of the office to which he has been elected or appointed, forfeit his commission; and the officer authorized to commission such person is hereby authorized and required to appoint some suitable person to fill said office, who, upon taking said oath, shall continue to discharge the duties thereof until the same shall be filled by election or appointment, as provided for by this Act. All officers authorized to commission an officer by the provisions of this Act, are hereby authorized to administer the oath of office; and no person elected or appointed to office under this Act, who shall accept the same, and wilfully neglect or refuse

---

* This clause of the Act, the late court of appeals, composed of three judges, declared unconstitutional and void. Johnson, J., holding that the State Constitution, article 4, having prescribed the form of the oath of office, the Legislature had no authority to change, add to or alter it; and O'Neil, J., that the oath is contrary to the Constitution of the State, and inconsistent with the allegiance of the citizen to the Federal Government. Harper, J., dissenting, held that it was neither repugnant to the Constitution of the State, nor inconsistent with any obligation of the citizen to the Federal Government. The State ex rel. Crady vs. Hunt, and McKnight vs. McKeein; 2 Hill R., 1, and note by the Reporter, at page 2.

See 1st volume, 120, 135, 147, for former Acts requiring oath of allegiance. Mr. attorney-general Smith's argument; 2 Hill 96, 110, 111, 112. See, also, the oath required of all district officers in the State, in the present volume, at page 384; and the oaths required of attorneys and solicitors, chancellor, of magistrates, sheriffs and constables, in relation to the laws against gaming; of the takes of the census, tax collectors, and electors of president and vice president of the U. S.; oath of commissioners to count the votes for members of Congress, &c., &c.

See amendment of the Constitution of South Carolina, of Dec. 6, 1834. 1 vol., 196.
OF SOUTH CAROLINA.

Acts relating to the Militia.

A.D. 1833.

... to take the oath prescribed by law, shall thereafter be eligible to that office.

XII. The officer whose duty it shall be to commission any person elected or appointed to any office in the militia, shall, in each and every case, before issuing a commission to an officer, receive from such officer the above prescribed oath, sworn to as the law directs, certified by the officer before whom the oath was taken: which oath and certificate he shall indorse upon said commission, and certify to be true copies.

XIII. Each regiment of infantry shall consist of two battalions, and each battalion of four beat companies; and to each regiment there may be attached two light companies and one company of artillery, and no more; and from and after the eleventh day of April next, the colonel or commanding officer of each regiment in which the number of light companies allowed by this Act, have not been raised, is hereby authorized and required to permit said companies to be raised.

XIV. No light company shall be inspected and received into any regiment unless it consist of forty rank and file, four officers and four serjeants; nor shall any such company contain more than one hundred, rank and file; and should any such company at any time be reduced below the number above required for inspection, the colonel of the regiment to which it is attached, shall give notice to its commanding officer to fill up its ranks; and unless the said company shall, in six months after the said notice, be filled up to the number above required for inspection, the colonel shall disband it.

XV. Immediately after the brigadier-general has issued his order defining the boundaries of the beat companies, the light companies specified in the foregoing clauses may be raised, precedence, in all cases, being given to those companies already incorporated by Act of the Legislature. And all such volunteer light companies which are in complete uniform and attached to their proper regiments, on the tenth day of April next, shall hold elections for company, battalion and regimental officers, as provided by this Act.

XVI. The volunteer light companies to be raised under this Act, shall, when called into service by the authority of this State, go as a whole; and upon refusal of any such company so to turn out, it shall be disbanded, and the commissions of its officers vacated and of none effect; and the proper officer shall forthwith permit another company to be organized to supply its place.

XVII. Artillery companies, troops, squadrons and regiments of cavalry, which were organized according to law, previous to the Act passed in December last, entitled “An Act further to alter and amend the militia laws of this State,” shall be allowed to re-organize themselves, and elect their officers on the eleventh day of April next; and where no such companies, troops, squadrons and regiments have been raised, as now provided by law, the brigadier-generals are hereby authorized to permit the raising of such corps within their respective commands.

XVIII. No beat company shall be reduced below forty rank and file, by the raising of any light or other volunteer company.

XIX. Each captain or officer commanding a company or troop, shall assemble his command six times in every year, for drill, exercise and instruction, to continue not more than one day at each time of assembling.

XX. Each colonel or officer commanding a regiment, is hereby authorized and required to order out his regiment once in every year, to assemble at
some convenient place for drill, exercise and instruction, to continue assembled not more than one day; and the said colonel or officer commanding a regiment, shall likewise, on the day preceding such drill, assemble all the officers and non-commissioned officers of his regiment, and drill, exercise and instruct them in the manoeuvres which are to be performed the next day.

XXI. It shall be the duty of each colonel to attend the muster of each company in his regiment, at least once in every year, and of the lieutenant-colonel and major to attend the muster of each company in their respective battalions, at least twice in each year, to give them assistance and superintendence in the drill, exercise and instruction of said companies. And each captain or officer commanding a company, shall arrange his musters at such times as will best enable the colonel, lieutenant-colonel and major to perform the above duties; and shall, whenever required, furnish said officers with a report, specifying the times and places at which his company will be mustered for the year ensuing.

XXII. It shall be the duty of each brigadier-general to order, and with his staff attend, a muster and review of each regiment in his brigade, at least once in every year; and of each major-general to order, and with his staff attend, a muster and review of each regiment in his division, at least once in every two years.

XXIII. The Commander-in-chief shall have power and authority to order reviews of such portions of the militia, and at such times and places, as he may deem expedient and proper; and be also invested with all the powers and authority now provided by law in cases of invasion or threat of invasion.

XXIV. The army regulations of the United States, as far as consistent with the laws and constitution of the State, are hereby adopted and established as a system of police for the militia of this State.

XXV. The Commander-in-chief is hereby authorized to cause a system of cavalry and artillery tactics to be compiled, published and distributed, for the use of the cavalry and artillery of this State.

XXVI. It shall be the duty of the brigadier-general or officer commanding the brigade, under the direction of the Commander-in-chief, once in two years, to assemble the commissioned officers of his brigade, at some convenient place within said brigade, to be encamped for five days, and instructed and exercised in the various schools of the soldier, company and battalion, the manoeuvres of the line, and the routine of the duties and discipline of the camp; each officer to be in full uniform, and fully equipped, besides his side arms, with a musket, bayonet, cartouch-box, twenty-four rounds of blank cartridge, and a knapsack; and each brigade shall be furnished by the State with the requisite number of good tents.

XXVII. Whenever a brigadier-general, or officer commanding a brigade, shall have issued orders for a brigade encampment, he shall notify the major-general, or officer commanding the division, of the time and place at which the officers of his brigade will be encamped; and it shall be the duty of the said major-general, or officer commanding the division, with his staff, to attend such encampment.

XXVIII. In addition to the duties now required by law of the adjutant and inspector-general, it shall be his duty to attend all encampments of officers, and to drill, train, exercise and instruct them in the various branches of military manoeuvre and tactics.
Acts relating to the Militia.

XXXIX. Each colonel of a regiment shall have power to order courts-martial for the trial of all officers under his command, except field officers, to consist of not less than five, nor more than thirteen officers, one of whom shall be a field officer; and it shall also be his duty to detail courts-martial, to consist of at least three commissioned officers, who shall meet at least once in every four months, in full uniform, at or near the regimental muster-ground, or at such other place within the limits of the regiment as the colonel may deem proper, to try all defaulters at company, battalion or regimental musters, and all non-commissioned officers, privates or fatigue-men, for the non-performance or violation of any duty required by law, as well as for disobedience of orders, and for non-performance of patrol duty. The officers commanding companies in said regiment shall report all the defaulters to this court, at each of its meetings, and shall cause them to be summoned to attend its sittings, and furnish the court with proof of the summons. Defaulters may send their excuse, if fairly written out and sworn to before some person competent to administer an oath, unless specially summoned to attend in person by the court; and from this court there shall be no appeal; but no sentence of any court-martial shall be put in force until approved of by the officer ordering said court.

XXX. All penalties imposed by this Act may be recovered within twelve months after the party has made default; but no defaulter shall be liable to be collected, any penalty after the expiration of the time aforesaid.

XXXI. The president of every court-martial imposing a fine shall issue an execution, fi. fa. or ca. sa., for the same, directed to all and singular the sheriffs of this State, who shall execute and return the same to the court from which it issues, within four months, and pay the amount collected to the proper paymaster, under the same penalties as are now imposed by law for not returning process issued by any court of this State. The sheriff's fees for executing such process shall be fifty cents from the defendant, and ten per cent. on the fines collected.

XXXII. Each sheriff failing to collect and pay over fines, or to make return of the execution, as above required, shall be subject to rule and attachment from the court of common pleas of the district wherein he resides, upon motion of any attorney, president of a court-martial, the officer ordering the same, or any paymaster or other officer, whose duty it is to see that such process be duly executed.

XXXIII. The paymaster of the regiment shall receive all fines imposed by regimental courts-martial, which shall be disbursed by order of the field officers of the regiment, as now required by law.

XXXIV. Each major-general and brigadier-general is hereby authorized to appoint a paymaster for his division or brigade, respectively, who shall continue in office during the pleasure of the officer making his appointment, and who shall receive all fines imposed by division or brigade courts martial, which shall be disbursed by order of the major-general or brigadier-general, for the use of the division or brigade in which they may have been imposed.

XXXV. It shall be the duty of each officer authorized to appoint a paymaster, to take from him a bond, with good security, in the penal sum of $1,000, conditioned for the faithful performance of the duties of his office; which said bond shall be made payable to the State of South Carolina, and shall be lodged with the clerk of the court of the district in which the paymaster resides; and every paymaster shall be allowed to retain for his services, ten per cent. of the monies collected by him. And each
paymaster shall be compelled to account, once at least in twelve months, and oftener, if required, to the commanding officer of the regiment, brigade or division, respectively, of which he is paymaster; which account shall be subject to the inspection of the brigadier-general, major-general, and commander-in-chief, respectively.

XXXVI. A major-general and each officer of his staff, a brigadier-general and each officer of his staff, each field officer, and each officer of the regimental staff, shall, for any neglect of duty, on or off parade, in addition to the other penalties provided by law, be liable to pay a fine of not less than twenty, nor more than one hundred dollars; to be imposed by courts martial authorized to try officers of their grades, respectively.

XXXVII. Every commissioned company officer for each neglect of duty or disobedience of orders, either on or off parade, shall be fined not less than five dollars, nor more than fifty dollars; to be imposed by courts martial authorized to try officers of their grade, besides being liable to the other penalties now imposed by law.

XXXVIII. Each non-commissioned officer or private for non-attendance at a company muster, shall be fined two dollars, and fifty per cent on his last general tax; provided, that such fines shall in no case exceed twenty dollars.

XXXIX. While on parade, the officer commanding shall have full power and authority to put under arrest any non-commissioned officer or private, who may disobey orders, or be guilty of disorderly conduct, or any other person who shall disturb the parade; and to inflict, forthwith, a fine of not less than two nor more than ten dollars on the offender; for the collection of which, he shall issue an execution forthwith, directed to the sheriffs of the State, as is hereinbefore provided for other fines; and shall also have power to cause the offender to be confined, not exceeding ten hours, under a guard.

XL. Each non-commissioned officer for disobedience of orders, or any neglect of duty off parade, shall be fined by a court martial, not less than three, nor more than twenty-five dollars.

XLI. Any officer whose duty it is to make any returns required by law, or any paymaster whose duty it is to account, shall do so whenever ordered by the proper officer, under a fine, for neglecting so to do, of not less than ten, nor more than one hundred dollars; to be imposed by a court martial.

XLII. Instead of the fines now imposed by law, on a non-commissioned officer or private, who appears on parade without the proper equipments, he shall be fined one dollar, unless he appears at muster with a gun in good order for service, the officer commanding to issue execution therefor forthwith; provided, that no person shall be compelled to pay said fine, who shall make oath, before some magistrate, or the commanding officer of his company, who is hereby authorized to administer such oath, of his inability to purchase or procure such weapon.

XLIII. Every person removing from one beat to another, shall report himself within thirty days after his removal, to the officer commanding the beat from which he has removed, and to the officer commanding the beat to which he has removed, or be fined five dollars, besides being liable for default of duty in the beat from which he has removed.

XLIV. For a non-attendance of brigade encampments, the following fines shall be imposed:—a major-general, one hundred dollars; a brigadier-general, eighty dollars; a colonel, sixty dollars; a lieutenant-colonel or major, fifty dollars; a captain or subaltern, twenty-five dollars; to be
imposed by courts martial authorized to try officers of their grades, respectively.

XLV. The following persons, and none others, shall be exempt from the performance of ordinary militia duty, and those not in time of alarm or military invasion, to wit:—the lieutenant governor; judges; members of both branches of the Legislature, and their respective officers, fifteen days before the commencement, during, and fifteen days after the close of each session; regularly officiating clergymen; schoolmasters, having under their tuition not less than fifteen scholars; students at school, academies and colleges; clerks of courts; sheriffs and jailors; regularly admitted practicing physicians and surgeons; all branch pilots; one white man to each established ferry, toll-bridge and toll grain mill; one white man to each forge, and three white men to each furnace erected at any iron works in this State, who shall constantly reside and work at the same; the overseers, toll-keepers, and lock-keepers of the Santee Canal; the president, cashiers, and clerks, employed in keeping the books of the several banks of this State, the branches of the bank of the State, and the office of discount and deposit of the bank of the United States; the officers and men of the city guard of Charleston; the officers of the South Carolina Canal and Rail Road Company, as specified in the Act entitled "An Act concerning the South Carolina Canal and Rail Road Company," passed on the twentieth day of December, in the year of our Lord one thousand eight hundred and thirty-two; the superintendent and keepers of the Lunatic Asylum; and the several fire engine companies; the superintendent of public works, toll-collectors on the State road, and lock-keepers on the State canals; the keepers of the arsenals at Charleston and Columbia, and the citadel and magazine guard in Charleston; all persons holding office under the United States, who are now exempt by law; and all persons under the age of eighteen, and over the age of forty-five years.

XLVI. From and after the eleventh day of April next, the uniform of all officers shall be the same as that prescribed in the army regulations adopted in 1815, except, that the uniform of all officers of the line, of and under the rank of captain, shall be a plain black hat with a white plume, common dress coat, of blue broad cloth, and pantaloons of white or blue cloth, with a sword and epaulette; provided, that the buttons worn upon the uniform of all general, staff and field officers, shall be convex; and those worn by officers of the line, shall be flat; having, in all cases, the palmetto emblem; provided, nothing herein contained shall apply to volunteer uniform companies.

XLVII. The Governor is hereby authorized to have the militia and patrol laws, and the decisions of the court thereon, properly digested and Militia laws to be published, indexed, at the expense of the State, and a number of copies published, sufficient to furnish one to each officer; and every officer shall be required, on the vacation of his commission, to deliver over to his successor the said digest, or pay to such successor four dollars, to be by him recovered before any magistrate, and applied by said successor to the purchase of another copy of said digest.

XLVIII. The Act of the General Assembly, entitled "An Act further to alter and amend the militia laws of this State," passed on the twentieth day of December last, so far as relates to the organization of volunteers, and so ed. far as it may be repugnant to this Act, shall be repealed from and after the first day of March next.

XLIX. A separate mode of organization shall be adopted for the militia
of the parishes of Saint Philip and Saint Michael, and the militia of said parishes shall be arranged as heretofore, into one regiment of artillery, one squadron of cavalry, and two regiments of infantry.

L. The organization of the artillery and cavalry of said parishes shall be continued in precisely the same form as it now exists; and the present organization of the sixteenth and seventeenth regiments of infantry, in the said parishes of Saint Philip and Saint Michael, be abolished.

LI. On the tenth day of April next, the commission of each and every officer of the said parishes, except those elected or appointed under the provisions of this Act, shall be, and the same is hereby, vacated and of no-effect; and the brigadier-general of the fourth brigade, immediately after his election, shall appoint five commissioners to re-organize said regiments, in the manner following, viz:—the artillery and cavalry of the said parishes, in the same form precisely as it now exists, in manner following, viz:—public notice shall be given for the re-organization of the several companies and troops composing the regiment of artillery and the squadron of cavalry of said parishes. Within twenty days from the date of said notice, report shall be made to said commissioners by the captains elect of all such companies or troops as may be re-organized, of the effective force of their respective corps; and said commissioners are authorized and required to receive as a full company of artillery or troop of cavalry, [any company of artillery or troop of cavalry] so re-organized and reported, which shall consist of not less than thirty effective rank and file, with a proper compliment of commissioned and non-commissioned officers; and the officers of the said corps shall be commissioned on the eleventh day of April next. After said re-organization of companies and troops, it shall be the duty of the said commissioners to organize said companies and troops into one regiment of artillery, and one squadron of cavalry, in the form as at present existing, and report such organization to the brigadier-general of the brigade, who shall be authorized and required to issue the necessary orders for the election, on the eleventh day of April next, of all officers within said parishes whose commissions shall be vacated under the provisions of this Act. And the said commissioners shall also reorganize the sixteenth and seventeenth regiments of infantry. Public notice shall be given for the re-organization of volunteer corps of infantry in the said parishes. Within twenty days from the date of said notice, report shall be made to the said commissioners, by the captains elect of all such volunteer corps as may be re-organized in the said parishes, of the effective force of their respective corps; and the said commissioners are authorized and required to receive, as a full corps of infantry, any volunteer corps so re-organized and reported, which shall consist of not less than forty effective rank and file, with a proper compliment of commissioned and non-commissioned officers; and the officers of the said corps shall be commissioned on the eleventh day of April next. As soon as the number of the said volunteer corps shall be ascertained, the said commissioners shall cause a census to be taken of all the male inhabitants of said parishes, not attached to the volunteer corps aforesaid, the cavalry or artillery, specifying the individual registered, and whether he be exempt or not from militia duty. After said census shall be taken, the said commissioners shall proceed to lay off the said parishes into as many beats as shall be required to make up, with the volunteer corps aforesaid, ten companies to each of the said sixteenth and seventeenth regiments. The said beats
OF SOUTH CAROLINA.

Acts relating to the Militia.

A. D. 1838.

shall be divided by certain territorial boundaries, and as far as may be prac-
ticable, the individuals registered in the census aforesaid, be equally distrib-
uted and classified among the several beats so laid off. After the said
division and classification into beats shall have been effected, the said com-
missoners shall proceed to organize the whole number of volunteer and
beat companies into two regiments, to be entitled, as heretofore, the six-
teenth and seventeenth regiments of infantry, and report such organization
to the brigadier-general of the said brigade, who shall be authorized and
required to issue the necessary orders for the election, on the eleventh day
of April next, of all officers within the said parishes, whose commissions
shall be vacated under the provisions of this Act.

LII. No volunteer corps in the said parishes of Saint Philip and Saint
Michael shall consist of more than sixty-four rank and file, with the usual
compliment of commissioned and non-commissioned officers.

LIII. Each corps of artillery throughout the State shall be supplied, as
heretofore, from the State magazine, with the requisite quantity of pow-
der and ball for the usual parades ordered by law; and the necessary ex-
penses incurred by said corps in providing cartridges, tubes, match-ropes,
and other incidental charges, to be paid by the State; provided, the amount
of said charges shall, in no event, exceed the sum of fifty dollars a year
to each corps; and that each regiment of cavalry may be furnished with
twenty pounds of powder for each regimental review; and each squadron,
with ten pounds for each squadron muster or review; the said powder to be
subject to the order of the colonel, lieutenant-colonel, or major command-
ing said regiment or squadron.

LIV. Militia fines in the parishes of Saint Philip and Saint Michael,
shall be collected and disbursed as provided for by this Act. The Governor
is hereby authorized and required to cause military commissions to be pre-
pared and issued in proper form. It shall be the duty of the Governor to
commission the major-generals and the general staff. The major-general,
or officer in command of a division, shall commission the division staff,
and the brigadier-generals. The brigadier-general, or officer in command
of a brigade, shall commission his own staff, and all the field officers of his
brigade. Each colonel, or officer in command of a regiment or squadron,
shall commission the company and staff of the regiment or squadron under
his command.

In the Senate House, the nineteenth day of December, in the year of our Lord one thou-
sand eight hundred and thirty-three, and in the fifty-eighth year of the Sovereignty
and Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

VOL. VIII.—73.
AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE MILITARY ORGANIZATION OF THIS STATE," PASSED ON THE NINETEENTH DAY OF DECEMBER, EIGHTEEN HUNDRED AND THIRTY-THREE; 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 from and after the passing of this Act, the right of appeal from the decision of courts martial, shall be the same as established by law, previous to the passing of the Act entitled "An Act to provide for the military organization of this State," ratified on the nineteenth day of December, one thousand eight hundred and thirty-three.

II. That the commissioned officers of each company, upon the application of any defaulter for militia or patrol duty, to render in his excuse in writing, are hereby authorized and required to administer to such defaulter the necessary oath, and the person making the affidavit shall sign the same; and the officer administering the oath shall certify it, designating his rank in the company; and for this service he shall receive no compensation. And it shall be the duty of the captain or officer commanding the company, when he sends up the names of defaulters to courts martial, to send up also, such affidavit of excuse as have been rendered according to the provisions of this section.

III. That every officer of the militia hereafter to be elected or appointed, shall, before he enters upon the duties of his office, take and subscribe, before some person authorized by law to administer oaths, the following oath prescribed by the constitution, to wit:

"I do solemnly swear, (or affirm,) that I will be faithful, and true allegiance bear, to the State of South Carolina, so long as I continue a citizen thereof; and that I am duly qualified, according to the constitution of this State, to exercise the office to which I have been appointed; and that I will, to the best of my abilities, discharge the duties thereof; and preserve, protect and defend, the constitution of this State and of the United States. So help me God."

Which oath shall be endorsed and certified upon his commission, as is provided by the twelfth section of the Act aforesaid, in relation to the oath thereby prescribed. And if any person elected or appointed to any office in the militia of this State, shall accept the same, and shall neglect or refuse to take the oath aforesaid, within sixty days after his election or appointment, he shall, for such neglect or refusal, be subject to all the penalties provided by the Act aforesaid, entitled "An Act to provide for the military organization of this State," for refusal or neglect to take the oath therein required.

IV. That the elections or appointments of all officers made under the provisions of the Act aforesaid, are hereby declared to be valid, except where from the refusal or neglect of an officer to comply with the requisitions of the law, a new election or appointment has been made to the same office; provided, that every officer so elected or appointed, who has not taken the oath of office and been commissioned, shall, within three months after the passing of this Act, take the oath prescribed by the third section of this Act.

V. That every officer of the militia, except such as are exempt by law, shall, within three months after his election or appointment, uniform
OF SOUTH CAROLINA.

Acts relating to the Militia.

A.D. 1834.

himself according to law; and in case any officer shall appear on parade, or
at any court martial, of which he may be a member, without such uni-
form, after the time above specified, he shall be fined in a sum of not less
than five nor more than fifty dollars; to be imposed by courts martial au-
thorized to try officers of his grade.

VI. That in addition to the volunteer companies now allowed by law in
the several regiments, there may be raised in each regiment, two compa-
nies of riflemen or light infantry, as is provided by the Act aforesaid, en-
titled "An Act to provide for the military organization of this State;"
provided, that not more than two volunteer companies of riflemen or light
infantry shall be raised in each battalion.

VII. That the Governor is hereby authorized to require all the arms be-
longing to the State, not in the possession of some regularly organized
company of militia, to be collected; and such as are fit for use may be
re-issued to any volunteer company applying for the same; and those unfit
for use shall be returned to the arsenal, either in Columbia or Charleston,
and repaired or disposed of according to law.

VIII. That the citizens of James Island, Wadmalaw, and John's Island,
conjointly; of Edisto Island, and of Port Royal and Lady's Island, con-
jointly; of St. Helena Island, of Hilton Head, and Dawsusky Island, con-
jointly, are hereby authorized to form beat companies within their respec-
tive limits, without regard to numerical force; and shall be attached to
their respective regiments, and shall conform to the law in other par-
ticulars.

IX. That the major-general of the fifth division shall, within two
months from the adjournment of the Legislature, cause the ninth brigade
Division to be
made in ninth
brigade.
of said division to be divided into six regiments, as nearly equal in num-
bers as may be, in the following manner, to wit:—the district of York
shall be divided into two regiments, and the districts of Spartanburgh and
Union, into four regiments; and when the said brigade shall be so divided,
the regiments embracing a portion of the lower end of Spartanburgh and
the upper end of Union districts, situate on the Enoree river, shall be
attached to and form a part of the tenth brigade.

X. That four of the regiments composing the said brigade, shall retain
the rank now held by the four regiments in said brigade, to be determined
by lot; the rank of the fifth regiment of said brigade, and the regiment
attached to the tenth brigade, shall also be determined by lot; and they
shall be denominated accordingly.

XI. That to effect the above organization, the major-general shall have
power to appoint five or more commissioners in each district, a majority of
whom shall be a quorum to perform their duties, who shall proceed to divide
said brigade according to the provisions of this Act, and report the same to
the major-general within the time above specified, designating the bound-
daries and lines of each regiment; and if either of the said commissioners shall
willfully neglect or refuse to perform the duty hereby assigned, he shall,
upon indictment and conviction thereof, be fined not less than one hundred
dollars. Within fifteen days after the report of the commissioners is
received, the major-general shall issue an order, defining the boundaries
and rank of each regiment, and shall furnish the brigadier-general of each
brigade with a copy of such order; and also, the adjutant and inspector-
general of the State, with a copy of the same, to be recorded in his office.

XII. Each brigadier-general, upon receiving the order of the major-
general, defining the boundaries of the regiments attached to his brigade,
Acts relating to the Militia.

Brigadier Gen. shall forthwith cause each regiment to be divided into two battalions, and to cause regiments to be divided, &c. upon orders from Maj. General.

XII. That the regiment of militia in the district of Sumter, known as the twentieth regiment South Carolina Militia, be, and the same is hereby required to be, so divided as to form two regiments, as equal in strength as practicable.

XIV. The brigadier-general commanding the brigade in which the said twentieth regiment is included, shall forthwith cause the said regiment to be divided into two regiments; each of the two regiments into two battalions; and each of the said battalions into four beat companies, as nearly equal as may be, in respect to numbers and territory; to effect which, he shall appoint commissioners, five or more in number, receive their report, issue his order defining the boundaries and lines of the battalions and companies, and cause the same to be recorded, as is provided by the fourth and fifth sections of the Act aforesaid, entitled "An Act to provide for the military organization of this State;" and each commissioner appointed by the brigadier-general, shall, for wilful neglect or refusal to perform the duty assigned him, be subject to the penalty provided for like offence by the Act aforesaid; and the said commissioners shall complete the duties herein assigned them, within two months from the date of the order of the brigadier-general.

XV. Each officer in commission when the organization of the brigade is completed, as is provided by this Act, in any regiment, battalion or company, shall retain his rank and command, except when two or more officers of the same rank shall reside within the limits of the same command; in which case, an election shall be ordered by the proper authority, for such officer or officers; and if either of the persons so in commission shall be elected to the same office held by him before, he shall retain his commission, and take rank from the date thereof.

XVI. If by this organization the offices of colonel, lieutenant-colonel, major, captain, or other subaltern officers, in any regiment, battalion or company, shall be vacant, elections shall be forthwith ordered, as is now provided by law, to fill such vacancy or vacancies.

XVII. The same number and description of volunteer companies permitted by law to be raised in the regiments or battalions of infantry, may be organized and attached to each of the said regiments or battalions.

XVIII. That the proviso contained in the thirty-ninth section of the Act aforesaid, entitled "An Act to provide for the military organization of this State," limiting the fines to be imposed on non-commissioned officers or privates for non-attendance at a company musters, to twenty dollars, be, and the same is hereby, repealed; and in lieu of the fine heretofore imposed for non-attendance at company musters, the fine shall be two dollars, and twenty per cent. on the last general tax of the defaulter.
XIX. That the recruiting limits of volunteer companies shall not here- 
after be confined to the boundaries of the regiments to which they are at-
tached, respectively, but may extend to the boundaries of the brigades to 
which they belong, and not beyond them.

XX. The buttons worn on the uniform of the general, staff and field 
officers, shall be convex: and those worn by officers of the line, shall be 
flat, having, in all cases, the palmetto crest, the emblem of the State; but 
nothing herein contained shall apply to the officers of uniform companies.

XXI. That courts martial shall be hereafter held upon all defaulteres at 
the several parades now authorized by law, to mount and relieve guard, 
and in cases of alarm of fire in the parishes of Saint Philip and Saint Mi-
chael, according to the provisions of the Act entitled "An Act to provide 
for the military organization of this State," passed on the nineteenth day 
of December, eighteen hundred and thirty three, with the right of appeal 
as provided for in the first section of this Act.

XXII. That all Acts and parts of Acts contrary to the provisions of this 
Act, be, and the same are hereby, repealed.

In the Senate House, the seventeenth day of December, in the year of our Lord one 
thousand eight hundred and thirty-four, and in the fifty-ninth year of the Sovereign-
ity and Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

AN ACT FURTHER TO PROVIDE FOR THE MILITARY ORGANIZATION OF THE STATE

I. Be it enacted, by the Senate and House of Representatives, now 
mot and sitting in General Assembly, and by the authority of the same, 
That for the purpose of effecting the immediate organization of the regi-
ment situated on Broad River, in York District, in the ninth brigade South 
Carolina Militia, William C. Beatty, who has been duly elected and com-
missioned colonel of said regiment, be confirmed in his said commission, 
and that he shall take rank from the date thereof; and that the eligibili-
ty to hold office, specified in the eighth section of an Act entitled "An 
Act to provide for the military organization of this State," passed on the 
nineteenth day of December, one thousand eight hundred and thirty-three, 
shall be, and the same is hereby declared to be, inoperative in the said 
regiment for the space of twelve months from and after the passing of this 
Act, and no longer. And if it shall appear to the satisfaction of any of 
the brigadier-generals of this State, that there are no commissioned officers 
in any one of the regiments under his command, who are, by law, eligible 
to the offices of colonel, lieutenant-colonel, and major, in said regiments, 
by reason of the provisions of the said eighth section of the Act aforesaid, 
it shall be lawful for the said brigadier-general to commission to such offi-
ces aforesaid, any person who shall be duly elected to the same, notwith-
tanding the disqualification of such person by reason of the operation of
the said eighth section of the Act aforesaid; provided, however, that such person be not otherwise disqualified from holding office; and provided, that this provision continue of force only for the time above specified.

II. That the major-generals and brigadier-generals, respectively, shall have power to order courts martial for the trial of all commissioned and non-commissioned officers, musicians and privates, who may, at any time, disobey any orders issued by them, whether such orders be issued where the militia of this State be in actual service, or for ordinary musters, encampments or reviews; provided, this authority shall not be construed to invalidate the concurrent power of colonels to order regimental court martial, as now provided by law.

III. That hereafter, it shall not be necessary for the members of a court martial, convened for the trial of defaulters, for neglect of militia or patrol duty, to keep secret the sentence of the court; but upon the final adjournment of the court martial, the same shall be made public, for which purpose, the president of the court martial shall post up, at the place where the court was held, a notice, containing the names of all persons fined by said court; and it shall, moreover, be the duty of the president of the court martial aforesaid, forthwith to transmit the proceedings of the court to the officer ordering the same, who shall retain in his possession the said proceedings for the space of thirty days from the adjournment of the court martial, during which time, any person who may conceive himself aggrieved by the decision of the court, shall have the right of appeal to the officer ordering said court; provided, he shall accompany such appeal by an affidavit, that he could not attend the court by which he was tried, nor render his excuse in writing to the same, and that he does not appeal for the purpose of delay merely; and it shall be the duty of the officer ordering the said court, at the expiration of the said thirty days, to issue an execution against all persons fined by the court, except such whose cases may be submitted for re-consideration, (as is hereinafter provided,) directed to the sheriff of the district in which they reside, in manner and form following, that is to say:

Form of Execution.

"THE STATE OF SOUTH CAROLINA:

To all and singular the Sheriffs of said State:—Whereas, the persons named in the schedule or list hereunto annexed, have been duly sentenced by a court-martial, convened at ——, on the —— day of ——18——, to pay the sums to their names aforesaid, respectively: You, and each of you, are, therefore, hereby authorized and required to levy and sell of the goods and chattels of each person therein named, sufficient to pay the fine and costs which have been adjudged against him, and pay over the fines aforesaid to the proper officer; and you are further authorized and required, in case any person named in the schedule or list aforesaid shall refuse to pay the fine and costs adjudged against him, or to shew property sufficient to pay the same, to take the body of the delinquent, and lodge him in the jail of your district, there to remain until discharged by due course of law. Given under my hand and seal, this —— day of ——, 18——. A B, (L. s.) Colonel of —— regiment, Brigadier-General of —— brigade, etc., (as the case may be.)"

Form of Schedule.

"A B, two dollars, and 20 per cent. on his general tax for 18——.
C D, three dollars, and fifty (50) per cent. on his general tax for 18——.
E F, one hundred dollars."
OF SOUTH CAROLINA.

Acts relating to the Militia.

A. D. 1835.

I certify the above schedule to be a true copy of the fines imposed on the persons therein named, respectively, by a court-martial convened under my orders, at — — — — — — — — — — day of — — — — — — — — — 18 — — — — — — — — — —. (Signed.) A B, (with the rank attached.)"

Which said execution shall be lodged in the office of the sheriff aforesaid, within ten days after the expiration of the thirty days aforesaid, or as soon thereafter as practicable; and the sheriff, for every fine paid to him previous to levy, shall be entitled to receive from the delinquent the sum of fifty cents; and for every fine collected by the sheriff, after levy of the said execution, he shall be entitled to receive from the delinquent the sum of one dollar, and the usual fees for advertising.

IV. That in no case wherein courts-martial have proceeded according to law, and fined defaulters for neglect of militia or patrol duty, shall the officer ordering the same have power to remit such fines; but if he conceives that the court has mistaken the law, or erred in judgment, in any case, whether by imposing a fine or excusing a defaulter, he may re-assemble the court to re-consider such case, and may assign his reasons to the court, which shall forthwith proceed to re-consider, and their decision shall be final and conclusive; and the officer ordering said court shall forthwith carry such decision into effect.

V. That in case any delinquent shall neglect or refuse to pay the fine imposed upon him, as aforesaid, and the cost accruing, or shall fail to point out to the sheriff aforesaid sufficient property to pay the same, it shall be the duty of the sheriff, by virtue of the execution aforesaid, to arrest the body of such delinquent, and commit him to close confinement in the common jail of his district, there to remain until such fine and cost be paid; provided, the person so committed shall, at the end of a certain time, to be computed at the rate of one day for every dollar he may be adjudged to pay, as aforesaid, be released, upon swearing, before some justice of the peace or quorum, that he is unable to pay the sum for which he stands committed; and provided, also, that in no case shall any person so committed be confined in prison for a longer period than ten days, if at the end of such time he shall take the oath aforesaid.

VI. That each member of a court martial, convened for the trial of defaulters, for neglect of militia or patrol duty, shall hereafter, in lieu of the oath now prescribed, take the following oath, to wit:

"I do swear that I will well and truly try and determine the cases which shall be brought before me, according to the law and the evidence which shall be adduced, and that I will not divulge the vote or opinion of any particular member of the court martial, unless required to give evidence thereof in a court of justice, in due course of law. So help me God."

VII. That hereafter courts martial for the trial of general and field officers, shall consist of not less than five nor more than thirteen officers; that upon a court martial to try a major-general, a major-general and not less than two brigadier-generals, shall sit, and the other members of the court shall be field officers of and above the rank of major; that a brigadier-general shall be tried by one or more brigadier-generals, and the other members of the court shall be field officers, not under the rank of major; that a colonel shall be tried by one or more colonels, and the other members of the court shall be officers not under the rank of captain; that a lieutenant-colonel and major, respectively, shall be tried by one or more lieutenant-colonels or majors, as the case may be, and the other members of the court shall be officers not under the rank of captain.

VIII. That in all cases of contested elections for brigadier-generals, the
same shall be tried by a board of officers to consist of a major-general and four other officers, not under the rank of field officers, whose decision shall be final and conclusive; and in all cases of contested election for major-generals, the same shall be tried by a board to consist of one major-general, one brigadier general, and three colonels, whose decision shall be final and conclusive; the former board to be convened by the major-general, the latter by the commander-in-chief.

IX. That commissioned officers who have been, or may hereafter be, appointed, according to the provisions of the existing law, and who are not required to uniform themselves, shall, notwithstanding, be subject to serve upon courts martial, and shall not be required to appear in uniform.

X. That when courts martial shall be convened for the trial of any officer within its jurisdiction, if any of the officers required by the order convening the court, to sit on the same as members, shall not appear, their places shall be filled from among the supernumerary officers ordered to attend the said court.

XI. That whenever an officer has been cashiered and disqualified from holding office, by the sentence of a court-martial, which sentence has been approved and carried into effect, and such officer shall be voted for and receive the highest vote at an election for militia officers, before the expiration of his term of disqualification, the officer authorized to commission to said office shall disregard such vote, and commission the person having the highest vote at such election, who, agreeable to law, may be eligible to said office.

XII. That whenever the commandants of regiments or battalions shall assemble their commands for drill or review, they shall be kept on duty at least three hours, and the commandants of companies shall, in like case, drill their commands at least two hours, excluding the necessary intervals of rest.

XIII. That for the purpose of enabling colonels or majors to attend the company drills within their command, as required by law, they shall have power, respectively, to order such drills as they shall attend, at such times as they may deem proper. Provided, such order be issued to the commanding officer of such company, at or previous to the preceding company muster.

XIV. That the colonel of each regiment is hereby authorized and required to appoint and commission a regimental judge advocate, with the rank of lieutenant, who shall be attached to his staff, and who shall act as recorder to all courts martial which shall be ordered by the colonel or commanding officer of his regiment.

XV. That it shall not be lawful for any officer commanding a company, battalion, or regiment, when his command shall be assembled for drill, inspection or review, to receive a substitute in the place of any person required by law to do militia duty, under a penalty of not less than five nor more than fifty dollars, to be imposed by a court martial.

XVI. That the captain or commanding officer of each company shall have power to appoint a clerk of the company, who shall be exempt from drill at company, battalion, or regimental musters, and whose duty it shall be, under the superintendence of the captain or commanding officer of the company, to take a census of the company when required, to make out and keep a regular roster of those who are liable to perform patrol duty, and to furnish orders and lists for such duty. And in consequence of the sergeants of companies being herein required to attend the brigade encampments of
OFFICE OF SOUTH CAROLINA.

Acts relating to the Militia. A.D. 1835.

officers, they shall be exempt from the duty of warning the men to attend
musters and courts-martial, and such duty shall hereafter be performed by
the corporals of each company, under the penalty of twenty dollars.

XVII. That the officer or other person whose duty it may be to summon
defaulter for neglect of militia or patrol duty, to attend court-martial, may
return of de-
make his return upon oath, in writing, to the court; and any officer of the
faulters to be
division, brigade, regiment, battalion, or company, under whose authority
he shall be acting, is hereby authorized to administer to such officer or per-
son the usual oath, certified as is now prescribed by law.

XVIII. That it shall be lawful for all commissioned officers, when sum-
moned to attend a court-martial for neglect of militia or patrol duty, to
Excuses to be
send their excuses, in writing, to the court, rendered upon oath, and certi-
ified un-
ified by any officer or other person authorized by law to administer oaths.

and all such excuses shall be received and acted on by the court-martial,
unless, in the opinion of the court-martial, the personal attendance of such
defaulter shall be necessary to a proper adjudication of the matter.

XIX. That it shall be lawful for any person entitled to vote for field offi-
cers of any regiment or battalion in this State, to give his ballot at any
Limits where
election poll which shall be held agreeable to law, within the limits of such persons may
regiment or battalion; except in the parishes of St. Philip and St. Michael, vote.
where such voter shall be required to vote at the election poll of the com-
pany to which he belongs.

XX. That the officers commanding divisions, brigades, regiments, bat-
talions and companies, shall, respectively, have power to order out such
Fatigue-duty.
persons as are by law liable to fatigue duty, to perform such duty as fa-
tigue-men as shall be deemed necessary for military purposes; provided,
they shall not be required to be on such duty for a greater number of days
in each year than the officers of this State are required to be on militia
duty.

XXI. That when a brigadier-general shall receive and commission the
officers of any company of artillery permitted to be raised within the lim-
its of his command, except such as may be attached to a battalion of ar-
ing artillery
illery, he shall have power to designate the regiment and battalion to
which the said company shall be attached; provided, there shall in no
case be more than one company attached to a regiment.

XXII. That the quarter-master general shall, from and after the passing
of this Act, receive an salary of five hundred dollars.

XXIII. That in all cases where the dividing line between regiments in
Where officers
any brigade in this State shall pass through the lands on which any officer may lawfully
holding a commission in either regiment shall reside, it shall be lawful for
such officer to reside on either side of said line, without a forfeiture of his
commission.

XXIV. That whenever, from any cause, any beat company in any dis-
tribut or parish in this State shall be without commissioned officers for the
Magistrate's
term of three months, it shall be the duty of the magistrates of the said
duty where
beat, on the information of any of the inhabitants thereof, to issue patrol
warrants to any competent persons to execute the patrol duties of said beat;
and the said magistrate shall cause returns to be made to him, and impose
the same fines and penalties for non-execution thereof as are now imposed
by law.

XXV. That the division quarter-masters, respectively, shall, when re-
quired, take charge of the tents which may be furnished by the State, for
Quarter-mas-
the use of their divisions; and shall, when required, cause the said tents to
VOL. VIII.—74.
be carried to the brigade encampments of officers within their divisions; and at the close of said encampments shall cause the said tents to be returned and deposited under their care; the expenses of transportation, and such other expenses as may be necessary to procure a suitable place of deposit for said tents, to be paid by the State; and the said quarter-masters shall return their accounts to the Governor, who is hereby authorized to pay the same out of the contingent fund.

XXVI. That the encampments of officers, required by the twenty-seventh section of an Act entitled "An Act to provide for the military organization of this State," passed on the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-three, shall continue for six days; and, in addition to the officers therein required to attend said encampments, the sergeants of each company, and the non-commissioned regimental staff officers, are hereby required to attend said encampments, for the purpose of receiving military instruction, and shall be equipped with a musket and bayonet, cartouch box, and twenty-four rounds of blank cartridges; and for non-attendance at the said brigade encampments, each of the aforesaid officers shall be liable to be fined in the sum of fifteen dollars; and in lieu of the fines now imposed by law on company officers for non-attendance of brigade encampments, they shall each be subject, for such neglect of duty, to pay a fine of thirty dollars.

XXVII. That it shall be the duty of the captain or commanding officer of each company, under the penalty of fifty dollars, to be imposed by courts-martial, to keep constantly in office in his company the full number of non-commissioned officers required by law; and any person appointed a non-commissioned officer, who shall refuse to serve, shall be liable to a penalty of thirty dollars, to be imposed by a court martial.

XXVIII. That any person who shall disturb the camp, or violate the regulations thereof, of any portion of the militia of this State, who shall be encamped in obedience to requirements of law, or voluntarily, shall, for such offence, be liable to a penalty not exceeding fifty dollars, to be imposed by any court-martial ordered by the commandant of the camp to try such offender, in addition to being confined under guard, at the discretion of the commanding officer, not exceeding twelve hours. And whenever any portion of the militia shall be voluntarily encamped for the purpose of military instruction, they shall be subject to the same rules and government, whilst encamped, as are established for the government of encampments ordered by law.

XXIX. That when the Commander-in-chief or the major-general of a division, within his command, shall attend the brigade encampments prescribed by law, he shall superintend and regulate the duties of the encampment, in such manner as he shall deem proper and conformable to military usage.

XXX. That the Governor, on the requisition of any brigadier-general, is hereby authorized to cause to be issued, from any of the arsenals of this State, such portion of the public arms as may be necessary and suitable, (in addition to those in possession of the volunteer companies within the brigade,) to supply the officers required to attend brigade encampments; and the officers of volunteer companies, in each brigade, having under their charge public arms, are hereby required to furnish the same, upon requisition of the said brigadier-general of the brigade; which arms the said brigadier-general shall cause to be returned to the said officers in good order, as soon as may be after the close of the encampment, and shall cause any damage done to the same to be repaired at the public expense;
of South Carolina.

Acts relating to the Militia.

and the Governor is hereby authorized and required to furnish for each encampment such quantity of powder as he may deem necessary and proper, and likewise to furnish a band of military music, each at the public expense.

XXXI. That as soon as may be practicable, the Governor is hereby required to purchase and distribute for the use of the general and field officers of this State, sixty copies each of M'Comb on courts-martial, and the regulations for the army of the United States.

XXXII. That the Governor shall cause to be published, in pamphlet form, such number of copies of this Act as will supply each commissioned officer with one copy, and shall cause the same to be distributed as soon as practicable; and he shall also cause to be published, for the use of the infantry officers, a selection from Scott's infantry tactics, the column of attack, square against cavalry, and such other evolutions as he may deem necessary to perfect the drill book for infantry; and likewise cause to be published and distributed the sword exercise for cavalry.

XXXIII. That so much of the Purysburg beat company, attached to the twelfth regiment South Carolina militia, as lies east of New river, be, and beat company, the same is hereby, attached to the Oakley beat company in the same regiment.

XXXIV. That the colonel of the fifteenth regiment South Carolina militia, be authorized to commission the major elect of the upper battalion in that regiment, in virtue of the election heretofore held, to take date from said election.

XXXV. All officers who have held, or shall hold, commissions in the militia of this State, for the term of ten years consecutively, shall be there-after exempt from the performance of ordinary militia duty.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five, and in the sixtieth year of the Sovereignty and Independence of the United States of America.

H. Deas, President of the Senate.

Patrick Noble, Speaker of the House of Representatives.

AN ACT TO ALTER AND AMEND THE FIFTEENTH SECTION OF AN ACT No. 2656.

entitled "An Act to Provide for the More Effectual Performance of Patrol Duty," passed on the fourteenth day of December, in the year of our Lord one thousand eight hundred and nineteen.

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 fourteenth section of an Act entitled "An Act to provide for the more effectual performance of patrol duty," passed on the fourteenth day of December, in the year of our Lord one thousand eight hundred and nineteen, be, and the same is hereby, altered and amended so as to read as
follows, to wit: every owner of any settled plantation shall employ and keep on or in the immediate vicinity of such plantation, some white man, capable of performing patrol duty, under the penalty of fifty cents per head per month for each and every working slave which may be on such plantation, to be recovered by indictment, one half to the informer, the other half to the use of the State. Provided, always, that [nothing] herein contained shall be construed to affect any person or persons who resides on his, her or their plantation, for the space of six months in the year, or who shall employ less than fifteen working slaves on such plantation.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five, and in the sixteenth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.

PATRICK NOBLE, Speaker of the House of Representatives.

No. 2660. AN ACT TO CONSOLIDATE THE FIRST COMPANY OF THE CHARLESTON ANCIENT BATTALION OF ARTILLERY, AND THE JEFFERSON ARTILLERY, INTO ONE COMPANY, AND TO INCORPORATE THE SAME; 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 the first company of the Charleston Ancient Battalion of Artillery, and the Jefferson Artillery, two companies of the battalion of artillery attached to the fourth brigade of militia of this State, be, and the same are hereby, consolidated into one company, by the name and title of "The Charleston Ancient Artillery;" and that such persons as have, by agreement between the said two companies, been appointed to offices in the consolidated company, be commissioned by the commander-in-chief of this State accordingly; such of them as at present hold offices in either of the said companies, to take rank from the dates of their present commissions, respectively.

II. And be it further enacted, That those persons who now are, or hereafter may become, members of the said consolidated corps, be, and the same are hereby, created and declared a body politic and corporate, during the pleasure of the State, by the name and style of "The Charleston Ancient Artillery;" and that the said corporation shall be capable in law, to have succession of officers and members, to be chosen and admitted according to the rules and regulations made or to be made for its government and direction; to make all lawful by-laws; to have a common seal, and to alter the same; and, by its said name, to sue and be sued, implead and be impleaded, answer and be answered, in any court of law or equity in this State.

III. And be it further enacted, That the companies composing the battalion of artillery in the city of Charleston, be, and the same are hereby, exempt
from mounting and relieving fire-guard, and from attendance, by companies, in cases of alarm of fire in the said city; and that in lieu thereof, it shall be the duty of the major, or other officer in command of the battalion, once in every three months, to detail an officer and a sufficient number of privates to man one piece, to attend at the arsenal at each alarm of fire, for the three months next succeeding; which officer and privates shall be subject to the same fines for default, and be tried by courts martial in the same manner, as now provided by law for defaults in the performance of fire-guard duty.

IV. And be it further enacted, That each corps of artillery throughout the State, shall be allowed the sum of twenty-five dollars per annum, for each piece of artillery fully manned and regularly exercised by the said corps, respectively, for the purpose of defraying the expenses of the same; to be drawn from the treasury by the order of the commanding officer of each corps, countersigned by the commanding officer of the regiment or battalion to which the said corps may be attached: provided, the sum so to be drawn shall in no case exceed one hundred dollars.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five, and in the sixtieth year of the Sovereignty and Independence of the United States of America.

H. DEAS, President of the Senate.
PATRICK NOBLE, Speaker of the House of Representatives.

AN ACT FURTHER TO PROVIDE FOR THE MILITARY ORGANIZATION OF this STATE.

I. Be it enacted, by the Honorable the Senate and House of Representa-
tives, now met and sitting in General Assembly, and by the authority of the same, That all persons residing on St. Helena Island, be, and they are hereby, authorized to organize a corps of mounted riflemen, to be attached to the twelfth regiment, to be called "The Saint Helena Mounted Riflemen," and subject to all the duties to which they have heretofore been liable as a beat company; and that the said company hereby authorized to be formed, shall attend the reviews of the said regiment, either on foot or horse, as the colonel shall direct; that the said company shall parade and muster once every two months; and shall perform patrol duty as now required by law.

II. That the persons composing the Charleston Fire Company of Axi-
men, and the city Constables of Charleston, provided the latter do not ex-
ceed twenty-four, be, and they are hereby, exempted from the perform-
ance of ordinary militia duty.

III. All officers who have held or shall hold commissions in the militia of this State, for the term of seven years consecutively, shall be, thereaf-
ter, exempt from the performance of ordinary militia duty.

IV. That the system of instruction and regulations, prepared and ar-
ranged under the superintendence of Major General McComb, and esta-
blished for the government of the militia and volunteers of the United States, be observed in the instruction and exercise of the militia of this
A.D. 1836.

Books of instruction.

State; and that all Acts and parts of Acts inconsistent with this Act, be, and the same are hereby, repealed. And that the Governor be, and he is hereby, authorized to purchase a sufficient number of copies of said book of instruction and exercise, and distribute one copy thereof to each officer, who shall, on his resignation or removal from office, deliver the same to his successor, or to the colonel of the regiment to which such officer belongs; and in case of the death of any officer, his legal representative shall deliver over the same to such successor or colonel of the regiment as aforesaid, under the penalty of four dollars, which shall be recoverable before any justice of the peace or quorum of this State, on information and proof of the said offence; which sum, when collected, shall be paid to the paymaster of the regiment in which the default was made, and shall be applied to replace the book or books, so withheld, lost or destroyed; and the sum of twenty-five hundred dollars, if so much be necessary, be, and the same is hereby, appropriated to purchase twenty-five hundred copies of said books of instruction and exercises.

V. And be it further enacted, That it shall hereafter be the duty of the adjutant and inspector general, and he is hereby required, in addition to his duties heretofore prescribed by law, to attend, once a year, the master of each regiment in the State, and the drill of the officers of each the day previous; and whenever he shall deem it necessary to the correct instruction in military tactics of the officers or the regiment, he may act as instructor; provided, there shall be no superior officer present who may think proper to assume the direction of the drill; and he shall, with the consent of the commander-in-chief, have power, and he is hereby authorized, to order out for drill the said regiments, at such times as will best enable him to perform the duties hereby assigned.

VI. He shall keep a military Bureau, and shall keep a record of the number and rank of each division, brigade and regiment, in the State; procure and record, annually, a return of the strength, arms and equipments of the militia; the names, rank and date of the commissions of all the general, staff and field officers; record all military orders received or issued by him; and, generally, all matters which relate to the militia, and which, in his opinion, may be necessary to enable him to exhibit the true strength, character and condition, of the military force and power of the State.

VII. He shall, once a year, visit and inspect the arsenals and magazines in the State, and report to the commander-in-chief, to be by him submitted to the Legislature; and record in his office their condition, the number and condition of the arms, equipments and public stores in each; the number and description of public arms and equipments distributed to the militia each year, and the disposition and conditions of such distribution; the strength of the guards at each, the duties performed by them, their general condition and efficiency to discharge the duties required of them. And to enable him to perform this duty, the quarter-master-general and other officers having charge of those departments, shall, when required, make to him full reports of the different matters committed to their charge.

VIII. It shall further be the duty of the adjutant-general, and he is hereby required, to deposite in the Executive office at Columbia, in a Bureau kept for the purpose, a true record of all matters relating to his office, as is hereinbefore enjoined.

IX. That hereafter, a regiment of cavalry may consist of eight troops
OF SOUTH CAROLINA.

Acts relating to the Militia.

of horse; and that a squadron may consist of four troops of horse; and
the lieutenant colonel, major, or officer commanding a squadron of cavalry,
may, and is hereby authorized to, order courts martial for the trial of all
defaulters at troop or squadron musters, in the same way, as far as practi-
cable, as is now done by the colonels of regiments of cavalry.

X. That the annual salary of the Arsenal keeper in Charleston shall be,
and is hereby, increased to the sum of one thousand dollars.

XI. That a small magazine shall be erected in the citadel in Charleston,
and the sum of twelve hundred dollars, if so much be necessary, shall be,
and is hereby, appropriated for that purpose.

XII. That the arsenal, magazine and guard houses, situated within the
corporate limits of the town of Camden, be, and the same are hereby,
transferred to and vested in the Town Council of Camden, to be used for
corporate purposes.

XIII. And be it further enacted, That such persons residing in the town
of Columbia, not exceeding thirty in number, as shall organize themselves
into a Fire Engine Company, and train, exercise and do duty as such,
whenever called on by the town council, shall be, and they are hereby, ex-
empted from the performance of ordinary militia duty, so long as they
continue members of said company, and faithfully discharge the duties
hereby enjoined; provided, that no person or persons hereby intended to
be exempted from militia duty, shall be so excused, until the officer com-
manding the regiment in which they reside, shall be furnished by the town
council with a statement, certifying the names of the persons enrolled in
said company, its organization and readiness to perform the duties hereby
required.

XIV. That the ineligibility to hold office, specified in the eighth section
of an Act entitled "An Act to provide for the military organization of this
State," passed the nineteenth day of December, one thousand eight hun-
dred and thirty-three, shall be, and the same is hereby declared to be, ino-
perative in the two regiments of infantry in Greenville district, for the
space of twelve months from and after the passing of this Act, and no
longer.

XV. That in all cases of appeal heretofore allowed by law for default of
militia or patrol duty, the officer ordering the court shall hear the case, and
his decision shall be final and conclusive, and he shall issue executions as
is in other cases provided by law.

In the Senate House, the twenty-first day of December, in the year of our Lord one thou-
sand eight hundred and thirty-six, and in the sixty-first year of the Sovereignty
and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.

D. L. WARDLAW, Speaker of the House of Representatives.
AN ACT FURTHER TO PROVIDE FOR THE MILITARY ORGANIZATION OF THIS STATE; AND FOR OTHER PURPOSES.

I. Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and after the passing of this Act, it shall be the duty of the colonels or officers commanding regiments to order out their regiments, by battalion, for drill, exercise and inspection, once in each year; the commissioned and non-commissioned officers to assemble the day previous for drill; and courts martial upon defaulters for such muster, shall be ordered and holden as is now provided by law.

II. And be it further enacted, That whenever the number of volunteer corps of light infantry or riflemen, now existing in any regiment of infantry in this State, shall be reduced to two in number, that it shall not be lawful to permit the raising of more than two of such corps in each regiment, one of which, if practicable, shall be raised in and attached to each battalion, and shall consist of sixty-four rank and file, with the compliment of commissioned and non-commissioned officers, now or hereafter to be required by law, in full uniform.

III. And be it further enacted, That the artillery corps now allowed by law, shall consist of sixty-four rank and file, with the compliment of commissioned and non commissioned officers, now or hereafter to be required by law, in full uniform; and all such corps that are now in existence which shall not, within twelve months from the passing of this Act, be organized as above specified, shall be dissolved.

IV. And be it further enacted, That it shall be the duty of the colonel or officer commanding the regiment, to cause the volunteer light corps above specified, to be inspected once in each year, and if, at any such inspection, it shall appear that the number of rank and file of any corps in complete uniform, is below the number required by law, be shall notify such corps of the fact; and provided, that it shall not recruit its numbers to the compliment required for its organization, within twelve months from the date of the notice, it shall be dissolved.

V. And be it further enacted, That the artillery corps attached to the regiments of infantry, may be armed with muskets and bayonets, or field pieces, (to be furnished by the State,) at the discretion of the commander-in-chief.

VI. And be it further enacted, That the non-commissioned staff of each regiment, and the sergeants of companies, shall each be furnished with a drill book similar to that used by the company officers, and upon the same conditions; and that the sergeants hereafter appointed, shall be exempt from road duty, during the year in which they are required to attend the brigade encampments, except in the parishes of St. Philip and St. Michael, and in lieu thereof, any person who shall serve as a sergeant in said parishes for ten years consecutively, shall, thereafter, be exempt from ordinary militia duty.

VII. And be it further enacted, That hereafter, corporals shall serve for one year, and be subjected to a fine of thirty dollars for refusing to accept the appointment and discharge the duties thereof.

VIII. And be it further enacted, That hereafter, for non-attendance of brigade encampments authorized by law, the following fines shall be imposed—a major-general, one hundred and fifty dollars; brigadier-general, one hundred dollars; colonels, lieutenant-colonels, and majors, each,
seventy-five dollars; captains and subaltern officers, each, fifty dollars; and similar fines shall be imposed upon all staff officers, according to their respective grades; and upon the non-commissioned regimental staff officers at encampments, and sergeants, thirty dollars; and upon sergeants for refusing to accept their appointments, each, thirty dollars; and upon company officers, who shall be elected or appointed as now provided by law, for refusing to accept and perform the duties of their office, each fifty dollars.

IX. Be it enacted, That any person or persons who now are, or hereafter may be, exempt from the performance of militia duty, shall attach himself or themselves to any volunteer corps of militia, and have accepted, or shall accept any office, whether held by commission or warrant, be it or they, shall be subject to the same fines and forfeitures, respectively, that officers of their rank now are or shall be liable to by law.

X. And be it further enacted, That any captain or commanding officer of a company, or leader of a patrol, who shall neglect to perform the duty of patrol duty assigned him by the laws regulating the performance of patrol duty, shall be tried by courts martial, in the same manner as the officers of the militia are, and subjected to the same fine as now provided by law.

XI. And be it further enacted, That all penalties incurred for the neglect of militia or patrol duty, may be imposed by courts martial, within twelve months from the time of making default, and not thereafter; but upon judgment being had, the party shall be liable to execution and collection as in civil cases; provided, that nothing herein contained shall release the collecting officers from the performance of their duty as now required by law.

XII. And be it further enacted, That the colonels or commanding officers of regiments, shall order courts martial for the trial of defaulters of courts martial, militia or patrol duty, to sit at each battalion muster-ground, or at such other place or places, within the limits of his regiment, as he may deem expedient; and it shall be the duty of the officers aforesaid, to issue an order to the commanding officers of companies, notifying them of the times and places at which the court or courts shall be convened for the trial of their respective defaulters; and (if practicable,) all persons who have made default previous thereto, shall be reported to and tried by such court or courts, as now provided by law; provided, any person [who] shall be fined by default, and conceive himself aggrieved by the sentence of the court, and shall make affidavit that he could not attend the court by which he was tried, or render his excuse in writing to the same, or that it was out of his power to sue out an appeal before the issuing of execution, and that he does not appeal for the purpose of delay, the colonel or officer in command of the regiment, shall have power to hear and determine the case; and if he shall decide in favor of the party, he shall notify the sheriff in writing to that effect, upon which the sheriff shall enter satisfaction in the case, stating the manner in which it was settled; and provided, the colonels or commanding officers of regiments shall wilfully fail or neglect to perform any of the duties herein specified, they shall be liable to a fine of twenty-five dollars, to be recovered by courts martial.

XIII. And be it further enacted, That boat companies shall have the privilege of passing by-laws for their government to uniform themselves, and impose such penalties for a violation of their laws, as may be agreed upon by the company; provided, that no member of a company shall be compelled to uniform, or be subjected to any penalty imposed by the by-laws, unless he shall have assented to and subscribed the same; and
whenever any beat company shall be uniformed as above provided, the commissioned officers thereof shall be permitted to adopt and wear the same.

XIV. And be it further enacted, That from and after the passing of this Act, no volunteer corps of cavalry, artillery, light infantry or riflemen, shall be inspected or received, and the officers thereof commissioned, until the said corps shall have the compliment of men rank and file, and officers in full uniform, required for its organization; and any officer permitted by law to authorize the raising of such corps, shall, for a violation of this provision, be liable to a fine of twenty-five dollars, to be recovered by courts martial.

XV. And be it further enacted, That the Beaufort District Troop of Horse shall be exempted from attendance at regimental reviews and parades, as soon as it shall conform to the organization of cavalry corps to be adopted by the provisions of this Act; provided, it shall hold itself in readiness to move at a moment's notice to any part of the district, where the public safety may require its service, and be liable to such inspection and drill on its company parade ground, as is now required by law.

XVI. And be it further enacted, That hereafter, the salary of the adjutant and inspector-general shall be twenty-five hundred dollars.

XVII. And be it further enacted, That hereafter, no officer of the militia of this State shall have authority, except when in actual service, to grant a furlough or leave of absence to relieve the party from the performance of militia duty required by law; but all defaulters of such duty shall be tried by courts martial as the law directs; provided, that nothing herein contained shall be construed to prevent the commander-in-chief, or senior officer on duty, when the troops shall have assembled for drill, exercise, inspection or review, to grant leave of absence from that special duty, upon good and lawful cause being shewn.

XVIII. And be it further enacted, That the two beat companies now existing in Christ Church Parish, shall be united and form one beat company, and the commissions of the officers of said companies are hereby vacated. And it shall be the duty of the colonel of the 19th regiment to order an election for a captain, first and second lieutenants and ensign, to command said company, within two months from the passing of this Act, and the persons having the greatest number of votes for each commission, shall be commissioned as the officers to command the said company; and hereafter the muster-ground of said company shall be at or near the thirteen mile-post on the State road.

XIX. And be it further enacted, That to equalize the battalions and beat companies of the 30th regiment in the seventh brigade of the militia of this State, the brigadier general of the said brigade is hereby authorized to cause the said regiment to be re-divided into two battalions and eight beat companies, according to the principles prescribed in the fourteenth, fifteenth and sixteenth sections of an Act, passed the seventeenth day of December, 1834, entitled "An Act to amend An Act entitled An Act to provide for the military organization of this State, passed the nineteenth day of December, 1833, and for other purposes," and the same penalties shall attach for neglect of duty and forfeitures of commissions in the said regiment as is provided by the Act aforesaid.

XX. And be it further enacted, That the regiments of cavalry in this State, now raised or hereafter to be raised, shall take and have the number,
OF SOUTH CAROLINA.

Acts relating to the Militia. A.D. 1837.

Arrangement of cavalry regiments.

of the brigade of infantry within which such regiment of cavalry is raised, that is to say:—the regiment of cavalry now attached to the first brigade, shall be the first regiment; the regiment of cavalry now attached to the second brigade, shall be the second regiment; the regiment of cavalry now attached to the third brigade, shall be the third regiment; the regiment of cavalry now attached to the fifth brigade, shall be the fifth regiment; the regiment of cavalry now attached to the sixth brigade, shall be the sixth regiment; the regiment of cavalry now attached to the ninth brigade, shall be the ninth regiment; the regiment of cavalry now attached to the tenth brigade, shall be the tenth regiment; and that whenever a sufficient number of troops shall have been raised in the fourth brigade, to constitute, according to law, a regiment of cavalry, such regiment shall be the fourth regiment; whenever a sufficient number of troops shall have been raised in the seventh brigade, to constitute a regiment according to law, such regiment shall be the seventh regiment; and whenever a sufficient number of troops shall have been raised in the eighth brigade, to constitute a regiment according to law, such regiment shall be the eighth regiment.

XXI. And be it further enacted, That the number, designation and rank of the cavalry regiments aforesaid, shall be and remain permanent; and whenever either of the regiments aforesaid shall be dissolved, and a new regiment raised in its stead, such new regiment shall take and have the number, designation and rank of the regiment so dissolved.

XXII. And be it further enacted, That the regiments of cavalry in this State, be, and they are hereby, arranged and constituted into brigades of cavalry, in the manner following, that is to say:—the first and second regiments, shall constitute the first brigade; the fifth and sixth regiments, shall constitute the third brigade; the ninth and tenth regiments, shall constitute the fifth brigade; and whenever the fourth regiment shall have been organized according to law, the third and fourth regiments shall constitute the second brigade; and whenever the seventh and eighth regiments shall have been organized, according to law, the said seventh and eighth regiments shall constitute the fourth brigade.

XXIII. That the third regiment of cavalry, and the troops now organized in the fourth, seventh and eighth infantry brigades, remain attached to said infantry brigade, as now provided by law, until fully organized, as required by the twentieth section of this Act.

XXIV. And be it further enacted, That it shall be the duty of the major-generals, commanding the first, third and fifth divisions of the militia of this State, within three months after the passing of this Act, to issue their orders to the colonels of the cavalry regiments, within their respective divisions, to advertise and hold an election for a brigadier-general of cavalry, to command the brigade of cavalry within their respective divisions; and whenever either the second and fourth brigades of cavalry shall have been organized, as required by the twenty second section of this Act, the major-general commanding the division in which such brigade may be organized, shall, forthwith, order an election for a brigadier-general to command such brigade.

XXV. And be it further enacted, That all elections of brigadier-generals of cavalry shall be ordered, advertised, held and conducted, and the brigadier-generals elected receive their commissions, in the same manner as now provided for the electing and commissioning of brigadier-generals of infantry.
XXVI. And be it further enacted, That the same ineligibility to the office of brigadier-general of cavalry, and the same qualification in the voters for such office, shall be required, as now provided by law for the office of brigadier-general of infantry; provided, that no officer of the infantry or artillery shall be eligible to the office or entitled to a vote for brigadier-general of cavalry; and no officer of cavalry in any organized brigade of cavalry, shall be eligible to the office or entitled to a vote for brigadier-general of infantry.

XXVII. And be it further enacted, That hereafter, when either of the regiments composing a brigade of cavalry shall be reduced below the number of troops required by law to constitute a regiment, and shall not recruit to such number within twelve months after notice to the commanding officer of such regiment, from the major-general of the division in which such regiment was raised, or from the commander-in-chief, then, and in that case, such brigade shall be dissolved, the commission of the brigadier-general of such brigade of cavalry vacated, and the regiment, squadron or troops, still in existence within the limits of such brigades, be attached to the infantry brigades, as now provided by law.

XXVIII. That a troop of cavalry shall hereafter consist of thirty-six men rank and file, four sergeants, one captain, two lieutenants and one cornet; and if any troop now raised shall not, within twelve months after the passing of this Act, contain the number of rank and file and the sergeants and officers herein required, such troop shall be dissolved by the major-general of the division to which such troop is attached; and if, at any subsequent inspection, any troop of cavalry now raised or hereafter to be raised, shall not contain twenty-eight rank and file, and the sergeants and officers required by law, and shall not recruit the same within six months after notice to fill up its ranks, given to the commander of such troop, then such troop shall be dissolved.

XXIX. And be it further enacted, That the cavalry shall continue to encamp with the brigades of infantry, as now required by law; and it shall be the duty of the brigadier-generals of cavalry to attend the encampments of the cavalry of their respective brigades, and superintend and instruct them in the drill, exercise, and manoeuvres of cavalry; provided, that no brigadier-general of cavalry shall assume or exercise any command or authority over the infantry or artillery of such encampment.

XXX. And be it further enacted, That colonels of cavalry shall, after the passing of this Act, drill each troop in their respective regiments, once in every two years; and that lieutenant-colonels and majors of cavalry, shall also drill each troop in their respective squadrons, once in every twelve months.

XXXI. And be it further enacted, That if any collision or dispute shall arise between the cavalry and infantry arms of service, within any division of this State in which shall be organized a brigade of cavalry, it shall be the duty of the major-general of such division to hear and determine the cause, and his decision shall be conclusive; and provided, any such collision or dispute shall occur in a brigade of infantry, in which the cavalry shall not be organized into a brigade, the same shall be heard and determined by the brigadier-general of such brigade, and his decision shall be conclusive; reserving to the parties the right of appeal, in the former case, to the commander-in-chief, and in the latter case, to the major-general of the division.
AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE PERFORMANCE OF PATROL DUTY ON CHARLESTON NECK;" AND FOR OTHER PURPOSES.

I. Be it enacted by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the eleventh section of the Act entitled "An Act to regulate the performance of Patrol Duty on Charleston Neck," be, and is hereby, repealed.

II. Be it further enacted, That it shall not be lawful for any owner or occupier of any retail shop or commercial establishment within the limits of Charleston Neck, or any store, shop or place, within the limits aforesaid, in the city of Charleston, to keep open the said stores, shops or places, or by trading, trafficking or bartering therein, with negroes or persons of color, at any time on the Sabbath day, or on any other day, after the hours of nine o'clock, P. M., from the twentieth day of September to the twentieth day of March, and ten o'clock, P. M., from the twentieth day of March to the twentieth day of September, in each and every year; and in case any owner or occupant of any such store, shop or place, shall transgress or violate this Act, by keeping open the said stores, shops or places, or by trading, trafficking or bartering therein, with any negroes or persons of color, at any time on the Sabbath day, or on any other day, after the hours of nine o'clock, P. M., from the twentieth day of September to the twentieth day of March, and ten o'clock, P. M., from the twentieth day of March to the twentieth day of September, in each and every year, he, she or they, shall forfeit and pay the sum of one hundred dollars, to be recovered in any court having competent jurisdiction; to be paid to the commissioners of Cross Roads of Charleston Neck, for the use of said roads.

III. And be it further enacted, That it shall not be lawful for the owner or keeper of any retail shop or commercial establishment within the limits of Charleston Neck, or retail shops or commercial establishments on Charleston Neck, to keep open the said stores, shops or places, or by trading, trafficking or bartering therein, with negroes or persons of color, at any time on the Sabbath day, or on any other day, after the hours of nine o'clock, P. M., from the twentieth day of September to the twentieth day of March, and ten o'clock, P. M., from the twentieth day of March to the twentieth day of September, in each and every year, he, she or they, shall forfeit and pay the sum of one hundred dollars, to be recovered in any court having competent jurisdiction; to be paid to the commissioners of Cross Roads of Charleston Neck, for the use of said roads.
than fifty, nor more than two hundred dollars, according to the discretion of the presiding judge; to be recovered in any court having competent jurisdiction; to be paid to the commissioners of Cross Roads, for the use of said roads.

IV. And whereas, the going at large of hogs on Charleston Neck, is a great inconvenience to the citizens thereof: Be it therefore enacted, That the clerk of the board of commissioners of Cross Roads for Charleston Neck, or his deputy or deputies, shall, on and after the first day of February next, be authorized and required to seize or kill any hog or hogs going at large any where on that part of Charleston Neck which lies between Cooper and Ashley Rivers, and extending from Boundary to Line street; and that every hog or hogs so taken or killed, shall be forfeited by law; and the said clerk of the said board of commissioners of Cross Roads, or his deputy or deputies, shall take and keep the said hog or hogs, or the same sell and dispose of, applying the proceeds thereof to his own or their use, benefit and behoof, as a perquisite of his or their office, without question or claim from any person or persons whatever; provided, this law shall not be construed to extend to any hog or hogs driven through the streets within the limits aforesaid, for market or any such purpose; and it shall be the duty of the said clerk to give one month’s notice in one or more of the gazettes of the city of Charleston, and of this law, previous to his proceeding to execute the same.

In the Senate House, the twentieth day of December, in the year of our Lord one thousand eight hundred and thirty-seven, and in the sixty-second year of the Sovereignty and Independence of the United States of America.

PATRICK NOBLE, President of the Senate.

D. L. WARDLAW, Speaker of the House of Representatives.
Index.

ABBEVILLE,
1. Incorporated ...........................................393

AIKEN,
1. Council vested with authority over the highways ...............449
2. Who may vote at elections ..................................458

ALIENS,
1. Aliens and transient persons, bona fide French citizens excepted, bound to perform militia duty ..........493

AMERICAN AND GERMAN TRADING AND INSURANCE COMPANY,
1. Incorporated ...........................................431

ANDERSON,
1. Incorporation renewed .....................................449
2. Sheriff to execute process ..................................449
3. Monies from licenses ........................................457

BANKS.
1. Bank of South Carolina incorporated ........................1
2. State Bank incorporated .....................................1
3. To continue incorporated until January, 1833 .................1
4. And be invested with certain powers ........................2
5. Each corporation to elect 13 directors .......................2
6. Directors to appoint officers .................................2
7. Fundamental articles for the constitutions thereof ..........2
8. Who eligible as director .....................................3
9. Not to owe more than three times the amount of their capital beyond their deposits .....................................3
10. Directors, when liable ......................................3
11. Nature of their transactions defined ........................3
12. Stockholders to be liable, in case of failures, to twice the amount of their subscriptions ........................3
13. Bills, &c., assignable and obligatory ........................3
14. Dividends of profits to be made ............................4
15. Penalty for buying or selling goods ........................4
16. Condition on which the South Carolina Bank shall be incorporated, by way of bonus ..................................4
17. State to subscribe to State Bank ............................4
18. Six per cent. stock subscribed, not to be sold ..............5
19. The interest on it shall belong to the State .................5
20. Comptroller may redeem the same ..........................5
INDEX.

BANKS, (continued.)

21. In case of his death, Governor to commission a fit person. ....... 5
22. Three directors nominated by the Legislature. .................... 5
23. Comptroller to be furnished with statements. .................... 5
24. When the corporation shall be dissolved. ......................... 5
25. Conditions on which the State Bank shall be incorporated. .... 6
26. The Act of 1801 repealed . ........................................ 6
27. State Bank incorporated. ............................................ 6
28. Fifteen directors to be appointed. ................................ 7
29. How vacancies are to be filled. .................................... 7
30. Directors entered up under protest, disqualified for serving as such. 8
31. Fundamental articles ................................................. 8
32. Amount of capital stock. ........................................... 8
33. Directors to appoint officers, &c. .................................. 8
34. To receive money on deposit, &c. ................................... 8
35. Bills and notes discounted, to have but sixty days to run. .... 8
36. Manner of voting for directors. ...................................... 8
37. Manner of voting may be altered. ................................... 8
38. Shares to be held three months, to entitle the holder to vote. .. 8
39. Who may vote by proxy. .............................................. 9
40. Oath to be taken by persons offering to vote. ..................... 9
41. Persons subscribing for stock in the name of minors, to be considered as the holders of the same. ............................ 9
42. List of stockholders to be made out before an election. ......... 9
43. Who are not eligible as directors. .................................. 9
44. Three fourths of the directors may be re-elected. ................ 9
45. Six directors may transact business. ................................ 9
46. Directors to keep entries of their proceedings. .................. 9
47. Compensation to the President. .................................... 9
48. Cashier to give bond with security. ............................... 10
49. Oath of President and Cashier. .................................... 10
50. Amount of debts which the bank may owe. .......................... 10
51. Corporation may hold lands and tenements. ....................... 10
52. Stock to be assignable ............................................... 10
53. Meeting of the stockholders may be called. ....................... 10
54. When the accounts are to be balanced and a dividend declared. 10
55. Corporation not to purchase or hold public debt. ................ 11
56. Bills obligatory and of credit, assignable by endorsement. .... 11
57. Corporation not to deal or trade in buying or selling goods. ... 11
58. No director, &c. to loan out money at an illegal rate of interest. 11
59. Corporation not to pay taxes. ....................................... 12
60. State to subscribe three hundred thousand dollars. ............... 12
61. In case of death or absence of the Comptroller, his place to be supplied. ......................... 12
62. Legislature to appoint three directors annually. ................. 12
63. Comptroller to be furnished with statements. .................... 13
64. Corporation to discount the warrants of the Comptroller for money in substitution of the paper medium. ............... 13
65. Bills or notes of the corporation receivable at the treasury offices, and by the tax collectors. ................................. 13
66. Public money to be deposited in bank ................................ 13
67. No bank to issue bills or notes of a smaller denomination than five dollars. .................... 14
68. In case of failure, stockholders held liable to twice amount of their shares. .............. 14
69. No loan to be made to any foreign Prince. .......................... 14
70. Corporation to be dissolved after January 1, 1823. ............... 14
71. Corporation not to give credit to Banks in other States. .......... 16
72. Union Bank incorporated. ............................................ 16
73. Said company may hold real and personal property. .............. 15
74. Thirteen Directors to be chosen annually. ........................ 15
75. Directors to appoint a president and other officers. .............. 15
76. Number of votes allowed to stockholders. ........................ 16
INDEX.

BANKS, (continued.)
77. What number of Directors in office, eligible the succeeding year. 16
78. Said bank to receive money on deposit. 16
79. Discounts to be made on bills and notes, having not more than ninety days
    to run. 16
80. Twenty thousand dollars to be paid to the State by way of bonus. 16
81. No Director to continue to act as such, having his name entered up
    under protest. 16
82. How to proceed in case of the failure of said bank. 16
83. Stockholders liable for twice the amount of capital. 16
84. Dividends to be made. 17
85. Property to be held by the directors for the stockholders, at the dissolution
    of the corporation. 17
86. Notes, how receivable. 17
87. Officers exempted from militia duty, and from serving as jurors. 17
88. Duration of this Act. 17
89. Commissioners appointed, and Planter's and Mechanics's Bank incorpora
    ted. 18
90. Said company may hold property, &c. 18
91. Elections, when to be held. 19
92. Directors to appoint officers. 19
93. Fundamental articles of the constitution of the said company. 19
94. How the said corporation shall trade. 20
95. How to proceed in case of the failure of the bank. 20
96. Stockholders liable for twice the amount of the capital. 20
97. Notes, &c., how receivable. 20
98. Dividends. 21
99. Penalties for trading in articles contrary to the provisions of this Act. 21
100. Shares subscribed, how to be apportioned. 21
101. Eight hundred shares to be given to the State. 21
102. In case of the failure of the said bank, the State not to be liable. 21
103. Capital divided into forty thousand shares. 21
104. Offices of discount and deposit may be established in other parts of the State. 22
105. Branches. 22
106. Said corporation to be dissolved, January 1, 1836. 22
107. Said bank exempted from tax. 23
108. No director of any other bank can be a director of this. 23
109. Oath to be administered to stockholders. 23
110. Stockholders may call meetings. 23
111. Bills or notes receivable at treasury. 23
112. Officers exempted from militia duty. 23
113. Union Bank, and Planter's and Mechanics's Bank, may discount inland bills
    of exchange. 23
114. Bank established in behalf of the State. 24
115. Capital of said bank. 24
116. Money to be deposited therein. 24
117. Stock to be deposited in said bank. 24
118. Power of the president and directors. 24
119. May discount bills of exchange, accepted and payable in this State, and notes
    with two or more good names, at six per cent interest. 24
120. Loans may be made on real and personal property, secured by mortgage and
    power of attorney to confess judgment; not to exceed one third of the value, at
    seven per cent interest. 25
121. Loans, how to be called in. 25
122. Debts of the corporation limited. 25
123. Directors, when liable. 25
124. President and directors to be appointed. 25
125. Terms of service and salary of President. 26
126. Vacancies, how filled. 26
127. Who not eligible as president or director. 26

VOL. VIII.—76.
INDEX.

BANKS, (continued.)

128. Five directors to constitute a quorum ........................................... 25
129. Books to be kept and proceedings entered ....................................... 26
130. Officers to give security ................................................................... 26
131. Oath ......................................................................................... 26
132. Name and style of the corporation .................................................... 26
133. May hold real and personal property ............................................... 26
134. Notes to be issued ....................................................................... 27
135. Value of property mortgaged, how to be ascertained ......................... 27
136. Applications for money on loan, how to be made .............................. 27
137. Form of mortgage ........................................................................ 27
138. Mortgages considered on record from date ...................................... 27
139. The principal bank at Charleston, and the president and directors, shall establish a branch at Columbia, and appoint directors and officers of such branch, and fix their salaries, and prescribe their duties, and allot their capital .......... 27
140. Money loaned on mortgage, to be apportioned among the districts ...... 28
141. Bills, how assignable .................................................................... 28
142. No director, &c. to loan out money at an illegal rate of interest ......... 29
143. The Legislature to be furnished with a statement of the transactions of the Bank ................................................................. 29
144. Duty and power of the Comptroller .................................................. 29
145. Revenue of this State ...................................................................... 29
146. Unexpended revenue, to become capital ........................................... 29
147. Corporation to apply to the United States for transferable stock ...... 29
148. Stock in other banks may be sold .................................................... 29
149. Six per cent stock to be issued on the credit of the State, not exceeding three hundred thousand dollars ................................................. 29
150. Three per cent stock, how to be redeemed, and annual report to be made ............................................................... 30
151. Bills or notes, where receivable ....................................................... 30
152. Public monies to be deposited in the bank ......................................... 30
153. Lot in Columbia granted to the corporation ....................................... 30
154. Sureties, how liable ...................................................................... 30
155. Commissioners to be appointed in each district ................................ 30
156. Directors authorized to borrow ......................................................... 31
157. Mortgaged property may be sold ..................................................... 31
158. Money from the United States to be deposited in the bank ............... 31
159. Comptroller to transfer all money received the preceding year and remaining unexpended ........................................................... 31
160. Public officers to deposit money in the said bank ............................... 32
161. No other bank to issue bills under five dollars ................................ 32
162. Directors may be expelled ............................................................... 32
163. President and directors to be elected annually .................................. 33
164. Comptroller to be furnished with statements of the amount of capital stock of the bank, and may inspect the books, and report annually to the Legislature, to be considered by a secret committee ........................................... 33
165. Comptroller not to be a director ....................................................... 33
166. Loans to be made at Columbia, on mortgage, as in Charleston ........ 33
167. Compensation to assessors ............................................................. 33
168. Officers exempted from militia duty ................................................ 33
169. Bank of the State of South Carolina may issue bills of less denomination than one dollar, to be signed by a deputy cashier, &c. .................. 33
170. Deputy cashier to be elected to sign small bills, &c. .......................... 33
171. No body politic or corporate to issue bills of credit, or circulating mediums, under penalty of ten dollars; those given for contracts excepted .......... 33
172. Rights of previous charters reserved ................................................. 34
173. City Council allowed twelve months to call in their small bills .......... 34
174. Bank of South Carolina, allowed to discount all inland bills of exchange, at the ordinary rates ......................................................... 34
175. The law forbidding the State bank to give credit to any bank in the sister States, repealed .............................................................. 34
176. Connection between the State and the State Bank, dissolved .......... 35
177. The Bank of the State to require of the Treasurer of the Lower Division to demand payment of the bonds due the Loan Office ......................... 36
<table>
<thead>
<tr>
<th>INDEX</th>
</tr>
</thead>
<tbody>
<tr>
<td>BANKS, (continued.)</td>
</tr>
<tr>
<td>179. Three months notice to be given, before foreclosure</td>
</tr>
<tr>
<td>179. Not more than one third per annum, to be called in</td>
</tr>
<tr>
<td>180. May establish a branch at Georgetown</td>
</tr>
<tr>
<td>181. The clerks of court, commissioner or master, and sheriff of Charleston, Columbia, &amp;c. to make a statement, once a month, of all monies they have received the month preceding</td>
</tr>
<tr>
<td>182. The Comptroller may, at any time, have access to the bank books, except the personal ledger</td>
</tr>
<tr>
<td>183. Any bank in this State may loan for twelve months, on negotiable paper, and give credit to any bank in any State</td>
</tr>
<tr>
<td>184. Any bank may invest part of its capital in the stock of this State, or of the United States, if not prohibited</td>
</tr>
<tr>
<td>185. Directors of the Union Bank, made re-eligible</td>
</tr>
<tr>
<td>186. The President of the Parent Bank, and of each Branch, to direct the Solicitors to proceed against any officer neglecting to perform certain duties</td>
</tr>
<tr>
<td>187. Presidents and cashiers of the Branch Banks of the State, to sign all bills of a lower denomination than five dollars</td>
</tr>
<tr>
<td>188. Officers of the Bank of the State and its branches, exempted from ordinary militia duty</td>
</tr>
<tr>
<td>189. Branch Bank of the State may be established at Camden</td>
</tr>
<tr>
<td>190. No bank liable to pay bills cut in half, unless security be given for the other half</td>
</tr>
<tr>
<td>191. Protest of any Notary since dead, or living out of the district, sufficient evidence of notice</td>
</tr>
<tr>
<td>192. State Bank and Bank of South Carolina, re-chartered</td>
</tr>
<tr>
<td>193. Privileges and liabilities as under former charter</td>
</tr>
<tr>
<td>194. A bonus, each, of $20,000</td>
</tr>
<tr>
<td>195. Commissioners Dorchester Free School may pay over to the Bank of the State, all funds of said school</td>
</tr>
<tr>
<td>196. How applied</td>
</tr>
<tr>
<td>197. Cashier of these banks, or a competent person, to attend trials for forgery</td>
</tr>
<tr>
<td>198. Bank of the State may establish a branch at Cheraw</td>
</tr>
<tr>
<td>199. Hamburgh Bank incorporated and commissioners appointed</td>
</tr>
<tr>
<td>200. Subscription to be opened</td>
</tr>
<tr>
<td>201. Capital</td>
</tr>
<tr>
<td>202. Duration of the charter, until 1841</td>
</tr>
<tr>
<td>203. Election of president and directors</td>
</tr>
<tr>
<td>204. Officers to be appointed</td>
</tr>
<tr>
<td>205. Constitutional rules</td>
</tr>
<tr>
<td>206. Manner of voting regulated</td>
</tr>
<tr>
<td>207. Who may be directors</td>
</tr>
<tr>
<td>208. Lands, &amp;c. how to be held</td>
</tr>
<tr>
<td>209. Debts not to exceed three times the amount of capital</td>
</tr>
<tr>
<td>210. Debts of borrowers, limited</td>
</tr>
<tr>
<td>211. No officer to carry on trade</td>
</tr>
<tr>
<td>212. Who may not be a director</td>
</tr>
<tr>
<td>213. Corporation not to purchase public debt</td>
</tr>
<tr>
<td>214. Stockholders, how liable in case the bank should fail</td>
</tr>
<tr>
<td>215. Bills issued, obligatory on said corporation</td>
</tr>
<tr>
<td>216. Dividends</td>
</tr>
<tr>
<td>217. Penalty for dealing or trading</td>
</tr>
<tr>
<td>218. Number of shares</td>
</tr>
<tr>
<td>219. Bound to pay specie, and exempted from tax</td>
</tr>
<tr>
<td>220. When to commence business</td>
</tr>
<tr>
<td>221. To be dissolved after January 1, 1837</td>
</tr>
<tr>
<td>222. Bonus to be paid, of $10,000</td>
</tr>
<tr>
<td>223. Installments to be paid in specie</td>
</tr>
<tr>
<td>224. Bank of Cheraw incorporated</td>
</tr>
<tr>
<td>225. Subscriptions to be opened</td>
</tr>
</tbody>
</table>
INDEX.

BANKS, (continued.)

236. Duration of Charter .......................... 45
237. Directors to be chosen ........................... 46
238. Officers appointed .............................. 46
239. Fundamental articles ............................ 46
240. Debts of the corporation limited .......... 46
241. Who not to be a director ..................... 47
242. Not permitted to purchase public debt .... 47
243. Stockholders bound for twice the amount of their shares ........................ 47
244. Notes binding, though not under seal .......... 47
245. Dividends to be made .......................... 48
246. Capital divided into 3,000 shares ............ 48
247. Half to be paid in specie ..................... 48
248. Corporation bound to pay specie .............. 48
249. When to be dissolved ........................... 48
250. Bonus of $4,000 to be paid into the treasury ........................ 48
251. There shall be appointed, at the first session of every new Legislature, by a joint resolution of both branches of the Legislature, a committee of inspection for the principal Bank of the State of South Carolina, in Charleston, and a committee for each of the branches of the said Bank. The committees to consist, respectively, of 5 persons each ........................ 48
252. To examine with the comptroller, and report ................................ 49
253. Majority may act without comptroller ........ 49
254. Powers ........................................ 49
255. Directors of the State Bank re-eligible .......... 49
256. An Act to admit and incorporate private stockholders in the Bank of the State of South Carolina ................................ 50
257. Private stockholders admitted ................ 50
258. Funds of the Bank to be received as stock ........ 50
259. Commissioners to be appointed .............. 50
260. Capital may be increased .................... 50
261. Individuals admitted ............................ 50
262. Losses to be divided ............................ 50
263. Books to be opened ............................. 50
264. $1,600,000 to be subscribed .................. 51
265. Directors to be elected .......................... 51
266. Officers to be elected .......................... 51
267. Sinking fund to be vested in State stock ........ 51
268. State dividends, how to be applied .......... 51
269. Branch banks to be established ............... 51
270. Individuals to possess corporate rights ........ 51
271. Manner of voting ................................ 51
272. Who eligible as directors ..................... 51
273. New branches may be established .............. 51
274. Legislature to have the concerns of the Bank examined ........ 51
275. No other bank to be chartered ............... 52
276. Books to be paid ............................... 52
277. Stockholders not liable to taxation .......... 52
278. Bills, where to be payable .................... 53
279. Interest account to be opened .................. 53
280. Another Act to admit and incorporate private stockholders in the Bank of the State of South Carolina .................. 53
281. Private stockholders admitted ................ 53
282. Funds received as stock ........................ 53
283. Commissioners appointed ...................... 53
284. Capital may be increased ..................... 54
285. Individuals admitted ............................ 54
286. Losses to be divided ............................ 54
287. Amount of private stock may be extended .... 54
288. Directors to be appointed ...................... 54
289. Books to be opened ............................. 54
290. Books may be again opened ..................... 54
INDEX.

BANKS, (continued.)

331. Directors elected by the stockholders ........................................ 55
332. May appoint officers ................................................................... 55
333. Sinking fund may be vested in stock ........................................... 55
334. State dividends, how to be applied ............................................. 55
335. Other branches to be established ............................................... 55
336. Duration of individual privileges, till 1850. ................................. 55
337. Manner of voting ...................................................................... 55
338. Who may be directors ................................................................ 56
339. President and Directors may locate branches ............................... 56
340. Legislature shall have the bank examined ................................... 56
341. Bonds to be paid ...................................................................... 56
342. Exempt from tax ...................................................................... 56
343. Bills and notes, where payable .................................................. 56
344. Interest account to be opened ................................................... 56
345. Former Act of 1826, repealed .................................................... 56
346. The Act to admit and incorporate private stockholders in the Bank of the State of South Carolina, repealed ............. 57
347. The charters of the Planters' and Mechanics' Bank, and of the Union Bank, renewed for twenty-one years .............................. 57
348. To pay a bonus of twenty-five thousand dollars each .................. 57
349. In cases for counterfeiting or stealing their notes, they are to furnish a witness to the Solicitor ............................................. 57
350. Bank of the State allowed to establish a branch at Hamburg ......... 58
351. Commercial Bank of Columbia, incorporated ................................ 58
352. Commissioners appointed to open books of subscriptions, &c. .... 58
353. Powers of the Corporation ......................................................... 59
354. Disposition of shares ................................................................ 60
355. Number of votes to which each stockholder is entitled ............... 60
356. Times of holding elections ........................................................ 60
357. Who may be directors ............................................................... 61
358. Organization of the board of directors ....................................... 61
359. Power of directors .................................................................... 61
360. Officers exempted from militia duty .......................................... 61
361. No officer allowed to carry on trade ......................................... 61
362. No officer or director to receive compensation for a discount ..... 61
363. Meetings of stockholders may be called .................................... 62
364. Amount of property the bank may hold .................................... 62
365. Duties of the bank ................................................................... 62
366. Bonus ..................................................................................... 62
367. Exempt from taxes ................................................................... 62
368. Bank Stock, assignable and transferrable .................................... 62
369. Bills or notes of the bank, binding as private notes .................... 62
370. Debts not to exceed three times the amount of stock .................. 62
371. Restrictions on banking operations ............................................. 63
372. Violation, how punished .......................................................... 63
373. Bills, receivable by tax collectors, &c. ....................................... 63
374. Except under protest ............................................................... 63
375. Dividends to be made ............................................................. 63
376. Accountability of stockholders ............................................... 63
377. Capital may be increased to eight hundred thousand dollars ...... 63
378. Terms of dissolution ............................................................... 63
379. New directors of the Bank of the State, to exercise their office as soon as the Legislature adjourns ............................ 64
380. Oath to be taken by the directors of the bank ............................ 64
381. Oath by the officers ............................................................... 64
382. Duty of the President of branches .......................................... 65
383. Debt of each officer to be laid before the Legislature annually .... 65
384. Office of deputy cashier, abolished; and how change-bills to be signed .............................................................. 65
385. Assistant clerk to be appointed ................................................ 65
386. Stock books to be transferred from treasury to the bank .......... 65
INDEX.

BANKS. (continued.)

337. Officers not to purchase State stock........................................ 65
338. Certain stock of the State Bank to be sold, and other purchased.......... 65
339. May establish a branch in Cheraw........................................ 65
340. May appoint an agent in New York, to furnish exchange................. 65
341. Bank of South Carolina, re-chartered for 21 years.......................... 65
342. Privileges, &c.......................................................... 66
343. Bonus to be paid........................................................ 66
344. Bank to furnish witnesses on trial for counterfeiting and stealing its bills..... 66
345. Capital extended to $1,000,000........................................... 66
346. Bank of the State re-chartered, and extended to 1851.................... 67
347. Bills under one dollar not to be issued.................................. 67
348. Branch at Georgetown discontinued, and an agency established........... 67
349. Charter of the State Bank renewed for 21 years............................ 67
350. Bonus................................................................. 67
351. Liabilities of stockholders................................................ 69
352. Officers to attend as witnesses on trials for counterfeiting or stealing notes..... 68
353. Merchant's Bank at Cheraw, incorporated.................................. 68
354. Commissioners appointed.................................................. 68
355. Subscription for stock to be opened...................................... 69
356. Name of the Bank....................................................... 69
357. Directors, how chosen................................................... 69
358. To continue till 1855................................................. 69
359. Powers vested in the corporation......................................... 70
360. Shares, how apportioned, &c.......................................... 70
361. Votes, how apportioned.................................................. 70
362. Who shall not be directors............................................... 71
363. Formation of a board for the transaction of business.................... 71
364. Powers vested in the directors......................................... 71
365. Directors not to charge for certain services................................ 71
366. Meetings, how called................................................... 71
367. What property the bank may hold....................................... 71
368. Certain requisites to be complied with before entering into business.... 71
369. Bills, how payable.................................................... 72
370. Debts not to exceed three times the amount of capital.................... 72
371. Restrictions in trading, except in certain cases.......................... 72
372. Exempt from taxes...................................................... 72
373. Bills to be taken in payment for debts due to the State, so long as they pay.. 72
374. Duty of the comptroller................................................ 73
375. Dividends, how made................................................... 73
376. Stockholders, how liable in case of failure................................ 73
377. Capital may be increased............................................... 73
378. In case of dissolution, the assets to be divided.......................... 73
379. The Bank of Charleston incorporated.................................... 74
380. Commissioners appointed................................................ 74
381. To continue until 1st June, 1856...................................... 74
382. Powers of the corporation.............................................. 74
383. No bill less than $5.................................................... 75
384. Subscription, how to be paid........................................... 75
385. Directors not to be elected until second installment is paid............ 75
386. Privilege to increase amount of capital.................................. 75
387. Number of votes to which each stockholder is entitled.................... 75
388. Directors to be elected................................................ 75
389. Who may be directors................................................... 75
390. Organization of the board of directors.................................. 76
391. Power of directors....................................................... 76
392. Officers exempt from ordinary militia duty................................ 76
393. No officer to carry on certain kinds of business.......................... 76
INDEX.

404. Notes receivable, unless under protest. 78
405. Dividends to be made. 78
406. Accountability of stockholders. 78
407. Duties of directors. 78
408. Times for receiving subscriptions. 79
409. No loan on pledge of stock until 12 months after the whole capital is paid in. 79
410. Bank of Camden incorporated. 79
411. Commissioners appointed. 79
412. Subscriptions, and amount. 79
413. Term of charter. 79
414. To continue until 1st January, 1856. 79
415. Number of shares allowed to be held. 80
416. When books may be opened again. 80
417. Election of directors. 80
418. Oaths administered. 80
419. Powers vested in the corporation. 81
420. Shares, how apportioned, &c. 81
421. Votes, how apportioned. 81
422. Who shall not be directors. 82
423. Formation of a board for the transaction of business. 82
424. Powers vested in the directors. 82
425. Directors not to charge for certain services. 82
426. Meetings, how held. 82
427. What property the bank may hold. 82
428. Certain requisites to be complied with before entering into business. 83
429. Bonus of $2,000. 83
430. Exempt from taxes. 83
431. Bills, how payable. 83
432. Debts not to exceed three times the amount of capital. 83
433. Restrictions in trading, except in certain cases. 83
434. Bills to be taken in payment for debts due to the State. 84
435. Dividends, how made. 84
436. Stockholders, how liable in case of failure. 84
437. Capital may be increased. 84
438. In case of dissolution, the assets to be divided. 84
439. Bank of Hamburg incorporated. 85
440. Commissioners appointed. 85
441. Subscriptions, and amount. 85
442. Charter to continue until 1st January, 1856. 85
443. Powers of the corporation. 85
444. Subscriptions, how to be paid. 86
445. Number of votes to which each stockholder is entitled. 86
446. Election of directors and president. 86
447. Oaths administered. 87
448. Who may be directors. 87
449. Who shall constitute a board. 87
450. Clerks, &c., how appointed. 87
INDEX.

BANKS, (continued.)
451. Officers exempted from militia duty. ........................................ 37
452. No officer to carry on certain business .................................. 37
453. No director or officer to receive compensation for procuring a loan. 38
454. Meetings of stockholders may be called .................................. 38
455. Amount of property the bank may hold .................................... 38
456. When the bank may commence business ................................... 38
457. Bonus of $7,500 ................................................................. 38
458. Exempt from taxes ................................................................ 38
459. Bank stock assignable and transferable ................................... 38
460. Bills or notes of the bank binding as private notes ................... 38
461. Debt not to exceed three times the amount of stock ................. 39
462. Corporation not to purchase any public debt, except stock of the State, or United States .......................................................... 39
463. Notes receivable, unless under protest ..................................... 39
464. Dividends to be made ............................................................. 39
465. Accountability of stockholders ............................................... 39
466. May increase capital ............................................................. 39
467. Profits to be divided on dissolution ......................................... 39
468. Books kept open .................................................................... 39
469. Directors and officers shall be citizens ..................................... 39
470. State Bank authorized to increase its capital, not exceeding $1,000,000 40
471. Bank of Georgetown incorporated ............................................ 40
472. Commissioners appointed ....................................................... 40
473. To continue until 1st January, 1857 ......................................... 40
474. Powers of the corporation ....................................................... 40
475. Apportionment of shares ......................................................... 40
476. Regulation of votes ................................................................ 40
477. Directors and President .......................................................... 40
478. Oaths .................................................................................. 40
479. Qualification of directors ......................................................... 40
480. What shall constitute a board .................................................. 40
481. Powers ................................................................................ 40
482. Exemption from militia duty, &c ............................................. 40
483. Certain trades prohibited directors and officers ......................... 40
484. No director or officer to receive compensation for any loan ......... 40
485. Meetings may be called .......................................................... 40
486. What property the corporation may hold .................................. 40
487. When bank may commence business ...................................... 40
488. Bonus of $5,000, and exempt from taxes ................................... 40
489. Stock transferable or assignable ............................................. 40
490. Notes binding ....................................................................... 40
491. Debts corporation may owe .................................................... 40
492. What the corporation may purchase ....................................... 40
493. Bills receivable for taxes, &c .................................................. 40
494. Dividends ............................................................................ 40
495. Stockholders liable in case of failure ...................................... 40
496. Increase of capital ................................................................. 40
497. Books kept open .................................................................... 40
498. South Western Rail Road Bank incorporated ............................ 40
499. Stockholders ......................................................................... 40
500. Where books shall be opened .................................................. 40
501. Reduction of subscription ....................................................... 40
502. Installments ......................................................................... 40
503. Votes by person or proxy ....................................................... 40
504. Election of directors .............................................................. 40
505. Where directors shall reside .................................................... 40
506. Of president and other officers ............................................... 40
507. Second instalment .................................................................. 40
INDEX.

BANKS. (continued.)

508. Capital .................................................. 96
509. Forfeiture of shares .......................... 96
510. Liabilities ............................................. 96
511. Annual report ......................................... 96
512. Location .................................................. 99
513. Denomination of notes less than $5, prohibited ........ 99
514. To pay 12 per cent if it does not redeem its notes in specie . . 99
515. Loan of money on pledge of stock ................. 99
516. Branches shall have boards ...................... 99
517. Powers of the corporation ....................... 99
518. Amount bank may owe ........................ 99
519. Of dividends .......................................... 100
520. What shall disqualify an officer .................. 100
521. How meetings of stockholders may be held ........ 100
522. What property may be held ...................... 100
523. Connexion of the stocks of the Bank and Rail Road Company .... 100
524. Notes binding .......................................... 101
525. How many to constitute the board of directors .... 101
526. Their powers .......................................... 101
527. Officers exempted from militia duty .......... 101
528. Exemption from taxation .......................... 101
529. Notes to be received for taxes, as long as redeemed with specie . 101
530. Condition of existence, and what to be done by the Rail Road Company .... 102
531. Condition excluding Kentucky ................. 102
532. How this charter may be revoked, or become null and void ..... 102
533. Charter of the Bank of Hamburg, altered, as to the election of directors .... 102
534. Seven directors .................................... 103
535. Quorum ................................................. 103
536. Bank of the State, to issue change-bills of 50 and 25 cents ..... 103
537. All bills under $2, may be signed by a clerk ........ 103
538. Laws forbadng small bills, and regulating the signing of one and two dollar bills, repealed ................. 103
539. This Act to continue in force until December 20, 1838 .... 103
540. State subscribes for 10,000 shares in the South Western Rail Road Bank .... 104
541. How to be subscribed ................................ 104
542. Comptroller's duty .................................. 104
543. Bank of the State to advance the fund if they deem it expedient, or Comptroller to issue stock at 5 per cent .... 104
544. State dividend to remain in the bank, subject to the order of the Comptroller .......... 104
545. State promises ...................................... 104
546. Bonds of Bank of Charleston, in part of subscription .......... 104
547. South Western Rail Road Bank, authorized to establish branches and agencies. 105
548. Directors in the Bank of South Carolina, and State Bank, re eligible .... 105

BANK OF THE STATE. See Banks.

1. Corporate powers and privileges. 94, 31, 33, 35, 36, 37, 38, 39, 40, 48, 50, 53, 59, 64
2. Rechartered .............................................. 67, 103, 104
3. Branch at Columbia .................................... 27, 38
4. Branch at Georgetown .............................. 35, 39
5. Branch at Camden .................................... 39
6. Officers of the branches, exempt from ordinary militia duty and serving on juries .......... 587

BARNWELL.

1. Town Council to grant licenses for taverns and retailers ........ 870
2. Rechartered .............................................. 446

BLACKVILLE.

1. Incorporated .............................................. 459

VOL. VIII.—77.
INDEX.

BEAUFORT.
1. Boundaries .............................................. 252
2. Powers of Intendant and Wardens .......................... 252
3. Elections, when to be held ............................. 258
4. Recorder to hold an Inferior City Court ............ 275
5. All cases to be tried by a jury ......................... 275
6. Jurisdiction of the court ............................... 275
7. Regulations of the court ................................ 276
8. Taxes to be assessed on slaves ......................... 276
9. Council to be commissioners of pilotage .............. 276
10. Council authorized to open a certain street ......... 322
11. To regulate patrol .................................. 330
12. Reincorporated ........................................ 373

BRIGADE ENCAMPMENTS.
1. How regulated ........................................ 549, 550

CAMBRIDGE COLLEGE.
1. The Act authorizing certain persons to sell the lands and buildings of, repealed. 334

CAMDEN.
1. Powers of the Town Council, as commissioners of public roads ........ 251
2. As to retailers of spirituous liquors .................. 251
3. As to assessing taxes .................................. 251
4. Who may vote .......................................... 252
5. Intendant and wardens, how elected .................... 341
6. Power of council over patrol .......................... 370

CAMDEN, (BANK OF.) See Banks.
1. Corporate powers and privileges ........................ 79

CAMDEN FIRE ENGINE COMPANY,
1. Exempted from ordinary militia duty ................. 368

CANALS.
1. Winyaw and Wando Canal Company, incorporated ....... 370

CHERAW, (TOWN OF.)
1. Incorporated ........................................... 313
2. Intendant and wardens to be elected ................... 313, 314
3. Powers .................................................. 314
4. Intendant and wardens, justices of the peace ......... 315
5. May levy taxes ........................................ 315
6. Power of the council to levy taxes .................... 327
7. Town council deprived of the power to tax .......... 327
8. Fire Engine Company of, exempted from ordinary militia duty .... 368
9. May impose a tax ..................................... 449
10. Town council may levy tax on real estate, and may sell public square .... 449

CHERAW BANK. See Banks.
1. Corporate powers and privileges ........................ 45

CHARLESTON.
1. Act for laying out new streets in the north-west part of Charleston, repealed. 131
2. City council may license theatre ....................... 294
3. Regulation of the militia in St. Philip and St. Michael ...... 565, 576, 577

CHARLESTON FIRE INSURANCE COMPANY.
1. Their powers ......................................... 259, 260
2. In case of failure, stockholders liable to twice the amount of the capital .... 269
3. To continue 14 years .................................. 261
4. Estate not to escheat .................................. 261
5. Corporation not to lend papers endorsed by them .......... 361

CHARLESTON AND LIVERPOOL PACKETS,
1. Line incorporated ...................................... 418

CHARLESTON, (BANK OF.) See Banks.
1. Corporate powers and privileges ....................... 74

CHARLESTON COLLEGE.
1. Quorum of the trustees ............................... 367
INDEX. 611

CHARLESTON NECK.
1. Regulation of patrol duty thereon ......................................... 545
2. No shop for retailing spirits, or grocery, to be kept open after certain hours of night .................................................. 548
3. Commissioners of Cross Roads to appoint a collector of militia fines ............... 466

COLUMBIA.
1. Proceeds of certain lots in, given to the Protestant Episcopal Church, the Presbyterian, Baptist and Methodist congregations, in Columbia .......... 265
2. Old burying grounds in Columbia given to the Presbyterian and Episcopal churches, on their paying one half their value to the Baptist and Methodist churches .......................................................... 269
3. Wardens, how elected .............................................................. 321
4. Town council to regulate sales at auction .................................. 365
5. Power of taxing enlarged ......................................................... 365
6. Property of the State exempt from taxes .................................... 365
7. Duration of the Act ................................................................. 365

COLUMBIA, (COMMERCIAL BANK OF.) See Banks.
1. Corporate powers and privileges .................................................. 58

COMMISSIONERS OF FREE SCHOOLS FOR PENDLETON.
1. Persons nominated, and duties ................................................. 558, 559
2. Appropriations to be divided between the commissioners of Anderson and Pickens ........................................................................ 559

COMMISSIONERS OF ROADS FOR PICKENS DISTRICT,
1. Appointed for regiments in Anderson and Pickens ............................ 558

COMMISSIONERS OF CROSS ROADS,
1. On Charleston Neck, to appoint collector of militia fines .................. 566

CORPORATIONS.

A.
1. Abbeville School Association ..................................................... 448, 450
2. Abee Yatomim Ube Ebyonim, or society for relief of orphans and indigent children .......................................................... 916, 257
3. Agricultural and Police Society of Saint Andrew’s Parish .................. 285
4. Agricultural Society of Saint John’s Colleton .................................. 282
5. Agricultural Society of South Carolina ......................................... 987
6. Agricultural Wine and Silk Company ............................................ 346
7. Alexandria College, Pinckney District ......................................... 267
8. All Saints Light Dragoons ......................................................... 367
9. American and German Trading and Insurance Company ................... 491
10. American Friendly Association ................................................... 396
11. American Literary Company ..................................................... 450
12. American Revolution Society .................................................... 380
13. Antioch Baptist Church of Darlington ......................................... 399
14. Antioch Methodist Church of Chesterfield .................................... 373
15. Antipode Baptist Church, Georgetown ......................................... 315, 367, 253
16. Associate Church, Little River Congregation ................................... 345
17. Associate Reformed Society of Ebenezer, in Fairfield ...................... 336
18. Association of Mechanics and Manufacturers of Cheraw ...................... 322
19. Association of Second Presbyterian Church in Charleston ................. 392
20. Atlantic Steam Packet company .................................................. 385

B.
1. Baptist Bethel Church .................................................................. 223
2. Baptist Church of Flat Rock ....................................................... 448
3. Baptist Church at Mechanicsville ............................................... 283
4. Baptist Church at Turkey Creek .................................................. 139
5. Baptist Church at Welch-Neck .................................................... 127
6. Baptist Church between South Edisto and Savannah River ................. 134
7. Baptist Church of Ebenezer, Jeffries’s Creek .................................. 184
INDEX.

CORPORATIONS, (continued.)
8. Baptist Church in Charleston................. 119
9. Baptist Church of Anioch.......................... 234
10. Baptist Church of Beaufort..................... 293
11. Baptist Church of Christ, in Georgetown, South Carolina. 353
12. Baptist Church of Christ, at Healing Springs........... 283
13. Baptist Church of Christ, of Darlington.............. 278
14. Baptist Church of Christ, on Gland's Creek............ 215
15. Baptist Church of Christ, on Little Stephens's Creek. 215
16. Baptist Church of Bethel, Clarendon county.......... 289
17. Baptist Church of Camden........................ 271
18. Baptist Church of Edisto........................ 286
19. Baptist Church of Little River, Abbeville district........ 449
20. Baptist Church of Siloam.......................... 456
21. Baptist Church of Sumterville.................. 385
22. Baptist Church on Cheraw Hill.................. 137
23. Baptist Church on High-hills of Santee............. 196
24. Baptist Church on Horne's Creek, Edgefield........ 156
25. Baptist Fellowship Church...................... 364
26. Barnwell Baptist Church of Christ................ 294
27. Barnwell Female Academy........................ 295, 448
28. Barnwell Rail Road Company..................... 423
29. Beach Branch Baptist Church..................... 336
30. Beaufort Agricultural Society.................. 349
31. Beaufort Artillery Society...................... 313
32. Beaufort College................................ 199
33. Beaufort Female Benevolent Society.............. 274, 373
34. Beaufort Library Society....................... 244, 315, 455
35. Beaufort Male Benevolent Society............... 455
36. Beaufort Society................................ 135
37. Beaufort Volunteer Guards....................... 327
38. Beaver Dam Baptist Church...................... 266
39. Benevolent Society in Charleston.............. 205
40. Benevolent Society of Presbyterian Church in Charleston. 330
41. Benneville Baptist Church....................... 376
42. Berebetes Circulating Library Society............ 286
43. Bethany Church.................................. 250
44. Bethel Academy.................................. 325, 326
45. Bethel Baptist Church in Edgefield................ 346
46. Bethel Church, Winnsborough...................... 399
47. Bethel Circulating Library Society.............. 287
48. Bethesna Baptist Church of Kershaw.............. 378
49. Bethlehem Baptist Church of Edgefield............. 365
50. Bivingville Cotton Manufacturing Company......... 456, 463
51. Black Swamp Academy............................. 259
52. Black Swamp Baptist Church of Saint Peter's...... 278
53. Blackville Academy............................... 363
54. Rolling Springs Academical Society.............. 399
55. Botanic Society of South Carolina................. 398
56. Braxton's Bridge Company........................ 430
57. Broad-mouth Baptist Church...................... 457
58. Buckhead Bridge Company......................... 357, 366
59. Buck Spring Academy of Saint George Dorchester... 344
60. Buck Spring Library Society..................... 356
61. Buck Swamp Baptist Church....................... 369
62. Buffaloe Baptist Church......................... 329

C.
1. Calhoun House of Saint Peter's.................... 328
2. Calvinistic church of French Protestants........... 129
3. Cambridge Association............................. 333, 374
INDEX.  613

CORPORATIONS, (continued.)
4. Cambridge Baptist Church …… 234
5. Cambridge Library Society …… 290
6. Camden Bridge company …… 339, 340, 347
7. Camden Independent Fire Engine company 366, 369
8. Camden Jockey Club …… 450
9. Camden Library Society …… 323
10. Camden Mechanic Society …… 366
11. Camden Orphan Society …… 143
12. Camden Protestant Episcopal Church 349
13. Camp-creek Methodist church of Lancaster 381
14. Carpenters’s Society of Charleston 348
15. Catholic Society …… 115
16. Catholic Society of South Carolina 225
17. Cedar Shoal Baptist church 364
18. Cedar Spring congregation 325
19. Charitable Society of Cadet Riflemen 450
20. Charitable Society of Charleston Riflemen 304
21. Charitable Society of Irish Volunteers, Charleston 235
22. Cedar Springs Male and Female Academies 336
23. Charleston and Columbia Steam Boat company 390
24. Charleston and Liverpool Line Packet Company 418
25. Charleston and Philadelphia Steam Packet company 429, 437
27. Charleston Apprentices’s Library Society 335
28. Charleston Assemblies 297
29. Charleston Benevolent Society 352
30. Charleston Bible Society 349
31. Charleston Catholic Book Society 325
32. Charleston chamber of commerce 330
33. Charleston College 367, 450
34. Charleston Cotton Seed Oil Manufacturing company 404
35. Charleston Fire and Marine Insurance company 322, 303, 367
36. Charleston Fire company 305
37. Charleston Fire Engine company 349
38. Charleston Fire company of Azemen 260, 353
39. Charleston Fire Insurance company 359
40. Charleston Firemen’s Benevolent Association 376
41. Charleston Friendly Society of Grocers 318
42. Charleston, Georgetown, and All Saints Rail Road company 472
43. Charleston Hotel company 436
44. Charleston Insurance and Trust company 432
45. Charleston Insurance company 196
46. Charleston Library Society 107
47. Charleston Marine Society 240, 295
48. Charleston Mechanic Society 300, 317, 396
49. Charleston Medical Society of Exhalation 345
50. Charleston Neck Society 257
51. Charleston New Theatre company 459
52. Charleston Port Society, for promoting Gospel among Seamen 288
53. Charleston Protestant Episcopal Domestic Female Missionary Society 967
54. Charleston Theatre 288
55. Charleston Typographical Society 451
56. Charleston Vigilant Fire Engine company 399
57. Charleston Water company 256, 242, 346
58. Chatham Library Society 364
59. Cheraw Academical Society 390
60. Cheraw Literary Society 358
61. Cheraw Presbyterian Society of Cheraw 369
62. Cheraw Steam Boat company 322, 437
### INDEX

CORPORATIONS, (continued.)

<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>63</td>
<td>Chesterfield Academy</td>
<td>358</td>
</tr>
<tr>
<td>64</td>
<td>Chesterfield Academy Society</td>
<td>396</td>
</tr>
<tr>
<td>65</td>
<td>Chesterfield Baptist church</td>
<td>448</td>
</tr>
<tr>
<td>66</td>
<td>Christ Church, Wilton</td>
<td>448</td>
</tr>
<tr>
<td>67</td>
<td>Church of Christ at Echaw</td>
<td>139</td>
</tr>
<tr>
<td>68</td>
<td>Church of the Holy Trinity in Saint Luke's</td>
<td>398</td>
</tr>
<tr>
<td>69</td>
<td>Cincinnati and Charleston Rail Road company</td>
<td>406, 409, 431, 484</td>
</tr>
<tr>
<td>70</td>
<td>Cincinnati Society of South Carolina</td>
<td>334</td>
</tr>
<tr>
<td>71</td>
<td>City Council of Charleston and commissioners of Cross Roads</td>
<td>333</td>
</tr>
<tr>
<td>72</td>
<td>Claremont Society at Statesborough</td>
<td>154</td>
</tr>
<tr>
<td>73</td>
<td>Claremont Library Society</td>
<td>270</td>
</tr>
<tr>
<td>74</td>
<td>Clarendon Troop of Cavalry</td>
<td>392</td>
</tr>
<tr>
<td>75</td>
<td>Clariowific Society</td>
<td>319, 347</td>
</tr>
<tr>
<td>76</td>
<td>Clark and Erskine Seminary</td>
<td>457</td>
</tr>
<tr>
<td>77</td>
<td>Clerks' Association of Charleston</td>
<td>349</td>
</tr>
<tr>
<td>78</td>
<td>Cokesbury Manual Labor School of the South Carolina Conference of the</td>
<td>398</td>
</tr>
<tr>
<td></td>
<td>Methodist Episcopal Church</td>
<td></td>
</tr>
<tr>
<td>79</td>
<td>Cokesbury School at Cokesbury, Abbeville District</td>
<td>407, 450</td>
</tr>
<tr>
<td>80</td>
<td>Columbia Academy</td>
<td>192</td>
</tr>
<tr>
<td>81</td>
<td>Columbia Baptist church</td>
<td>423</td>
</tr>
<tr>
<td>82</td>
<td>Columbia Bridge company</td>
<td>306</td>
</tr>
<tr>
<td>83</td>
<td>Columbia Hebrew Benevolent Society</td>
<td>393</td>
</tr>
<tr>
<td>84</td>
<td>Columbia Independent Fire Engine company</td>
<td>455</td>
</tr>
<tr>
<td>85</td>
<td>Columbia Library Society</td>
<td>333, 443</td>
</tr>
<tr>
<td>86</td>
<td>Columbia Rail Road company</td>
<td>393</td>
</tr>
<tr>
<td>87</td>
<td>Company for opening a Canal from Black River to Chapel Bridge</td>
<td>209</td>
</tr>
<tr>
<td>88</td>
<td>Concord Presbyterian church</td>
<td>304</td>
</tr>
<tr>
<td>89</td>
<td>Congaree and Santee Steam Boat company</td>
<td>300, 436</td>
</tr>
<tr>
<td>90</td>
<td>Congregational Church, Christ Church Parish</td>
<td>443</td>
</tr>
<tr>
<td>91</td>
<td>Congregational Church of Wappensaw</td>
<td>328</td>
</tr>
<tr>
<td>92</td>
<td>Coosawhatchee Baptist church</td>
<td>375</td>
</tr>
<tr>
<td>93</td>
<td>Coosawhatchee Baptist Church Society</td>
<td>249</td>
</tr>
<tr>
<td>94</td>
<td>Coronaca Circulating Library Society</td>
<td>971</td>
</tr>
</tbody>
</table>

### D.

<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Darlington Academy</td>
<td>339</td>
</tr>
<tr>
<td>2</td>
<td>Darlington Presbyterian Church</td>
<td>398</td>
</tr>
<tr>
<td>3</td>
<td>De La Howe's will and trustees</td>
<td>347, 348</td>
</tr>
<tr>
<td>4</td>
<td>Diamond Hill Library Society</td>
<td>250</td>
</tr>
<tr>
<td>5</td>
<td>Dorsett and Waphola's Rail Road Company</td>
<td>330</td>
</tr>
<tr>
<td>6</td>
<td>Durand creek Rail Road Company</td>
<td>395</td>
</tr>
</tbody>
</table>

### E.

<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Ebenezer Academy</td>
<td>390</td>
</tr>
<tr>
<td>2</td>
<td>Ebenezer Lutheran church of Columbia</td>
<td>366</td>
</tr>
<tr>
<td>3</td>
<td>Echaw church in St. James's parish, Santee</td>
<td>183</td>
</tr>
<tr>
<td>4</td>
<td>Edgefield Academy</td>
<td>386</td>
</tr>
<tr>
<td>5</td>
<td>Edgefield and Hamburg turnpike company</td>
<td>368</td>
</tr>
<tr>
<td>6</td>
<td>Edgefield Farmer's Society</td>
<td>346</td>
</tr>
<tr>
<td>7</td>
<td>Edgefield Female Academy</td>
<td>393</td>
</tr>
<tr>
<td>8</td>
<td>Edgefield Rail Road Company</td>
<td>396, 408</td>
</tr>
<tr>
<td>9</td>
<td>Edgefield village female academy</td>
<td>392</td>
</tr>
<tr>
<td>10</td>
<td>Edgehill academy of Sumter district</td>
<td>398</td>
</tr>
<tr>
<td>11</td>
<td>Edisto Island Academical Association</td>
<td>366</td>
</tr>
<tr>
<td>12</td>
<td>Edisto Island Auxiliary Association</td>
<td>331</td>
</tr>
<tr>
<td>13</td>
<td>Edisto Island Ferry Company</td>
<td>345</td>
</tr>
<tr>
<td>14</td>
<td>Edisto Baptist Church of Darlington</td>
<td>367</td>
</tr>
<tr>
<td>15</td>
<td>Elizabeth Baptist Church of Chesterfield</td>
<td>349</td>
</tr>
<tr>
<td>16</td>
<td>Emerald Isle Benevolent Society of Charleston</td>
<td>379</td>
</tr>
</tbody>
</table>
INDEX.

CORPORATIONS, (continued.)
17. Episcopal Church of All Saints .............................................. 218
18. Episcopal church of Christ Church, Greenville .................. 366
19. Episcopal church of Christ Church Parish ...................... 140
20. Episcopal church of Claremont ......................................... 145
21. Episcopal church, Columbia .................................................. 368
22. Episcopal church of Edisto Island ........................................ 178, 329
23. Episcopal church, Grace Church ........................................... 310
24. Episcopal church of Lower St. Marks .................................... 304
25. Episcopal church of Prince George, Winyaw ...................... 145, 287, 315
26. Episcopal church of St. Bartholomew .................................. 137
27. Episcopal church of St. George, Dorchester ...................... 149
28. Episcopal church of St. Helena ........................................... 137
29. Episcopal church of St. Helena Island .............................. 145, 284
30. Episcopal church of St. James Goose Creek .................... 145, 268
31. Episcopal church of St. John's ........................................... 137
32. Episcopal church of St. John's College ............................ 145, 268
33. Episcopal church of St. Luke's ........................................... 145
34. Episcopal church of St. Matthew's ..................................... 145
35. Episcopal church of St. Michael, Charleston .................... 130, 168
36. Episcopal church of St. Paul's .......................................... 299
37. Episcopal church of St. Paul's, Pendleton ....................... 338
38. Episcopal church of St. Paul's, Ratchiffborough ................ 272, 365
39. Episcopal church of St. Philip, Charleston ...................... 130, 168
40. Episcopal church of St. Stephen ......................................... 145
41. Exa Fire Engine Company ................................................... 366
42. Euphradian Society .......................................................... 319, 341

F.
1. Fairfield Broad River Academy ........................................... 236
2. Fairview Academy of Greenville ......................................... 278
3. Farmers' Society of Barnwell .............................................. 344
4. Fellowship Society ............................................................ 112, 255, 365
5. Female Benevolent Society, Society Hill ............................ 283
6. Fire Company of Charleston Neck ...................................... 295
7. First Baptist Church of Columbia ....................................... 366
8. First Cheraw Fire Engine Company ................................. 366, 368
9. First Presbyterian church in Columbia ............................. 365, 337
10. First Universalist church of Charleston .......................... 450
11. Fishing Creek Circulating Library Society ....................... 274
12. Forensic Club ................................................................. 344
13. Fork Shoal Library Society .............................................. 368
14. Franklin Debating Club ................................................... 349
15. Franklin Library Society of Charleston ......................... 267, 353
16. Franklin Library Society of Fairfield ............................ 268
17. Franklin School House Society ........................................... 319
18. Frederica church on Cattell's Creek ............................... 144
19. Free Mason's Hall Company ............................................... 24, 351
20. Free School of St. George Dorchester............................ 151, 329
21. French Fusiler Charitable Society .................................... 399
22. French Protestant church in Charleston .......................... 351
23. French Volunteers ............................................................ 399
24. Friendly Cambridge Society in Ninety-Six district .......... 143
25. Friendly Library Society of Pendleton ............................ 283
26. Friendship Baptist church of Christ in Spartanburg ........ 284
27. Friendship Methodist church ............................................ 364

G.
1. Gapway Antipodo Baptist Church ....................................... 250
2. General Committee for Charleston Baptist Association Fund ...... 175
3. General Trustees of the Roman Catholic Church of South Carolina .... 333
INDEX.

CORPORATIONS (continued.)

4. General Mining Company of South Carolina  439
5. Georgetown Fire Company  906
6. Georgetown Ladies's Benevolent Society  394
7. Georgetown Library Society  310
8. Georgetown Rifle Guards  349
9. German Calvinistic Church of St. John  144
10. German Friendly Society  173
11. German Fusileer Society  740, 306, 393
12. German Lutheran Church of Bethel  144
13. German Lutheran Church of Bethlehem  144
14. German Lutheran Church of Mount Zion  144
15. German Lutheran Church of St. George  144
16. German Lutheran Church of St. Jacob  144
17. German Lutheran Church of St. Martin  144
18. German Lutheran Church of St. Matthew  144
19. German Lutheran Church of St. Peter  144
20. German Lutheran Church of Salem  144
31. German Lutheran Congregations of St. John  186
22. German Protestant Church, dedicated to Queen Charlotte, on Slippery Creek  144
23. German Protestant Church of Appin Forum  144
24. German Protestant Church of Betheny  144
25. German Protestant Church of St. George  144
26. Gilgal Baptist Church of Edgefield district  341
27. Glen's Springs Company  427
28. Goose Creek Baptist Church  329
29. Governor's Guards  468
30. Grace Church, Camden  309
31. Grahamville School Academy  369
32. Grand Encampment of Knights Templars, and the Appendant Orders of the State of South Carolina  350
33. Grand Lodge of South Carolina  378
34. Grand Lodge of Society of Free and Accepted Masons  171, 184
35. Grand Lodge of Ancient Free Masons of South Carolina  301, 365, 373
36. Grand Lodge of State of South Carolina, Ancient York Masons  170
37. Grand Royal Arch Chapter of South Carolina  297
38. Great Pee Dee Church in Marlborough district  361
39. Greenville Academy  313
40. Greenville Academies  448
41. Greenville Baptist Church  381
42. Greenville Jockey Club  458
43. Greenwood Association  450

H.

1. Hamburg Library Society  376
2. Hardy's Meeting  290
3. Hay's Station Monument Association  339
4. Head of Enoree Baptist Society  204
5. Hebrew Benevolent Society of Charleston  369
6. Hiernian Society  333, 396
7. Hillville Cotton and Woollen Manufacturing Company  427
8. Home Mission Board of the Moravian Baptist Association  391
9. Hopewell Presbyterian Congregation  398
10. Horeb Congregation, Fairfield  378
11. Horticultural Society of Charleston  369

I.

1. Independent Calvinistic Church of Charleston  194
2. Independent Congregational Church of Charleston  119
3. Independent Church of Beaufort  223
4. Independent Church in Christ Church Parish  194
INDEX.

CORPORATIONS, (continued.)
5. Presbyterian Church in Prince William’s Parish ........................................ 127
6. Indian Land Library Society ................................................................. 385
7. Inspector General of Thirty-third Degree ............................................. 332
8. Insurance Company of Columbia, South Carolina .................................... 389

J.
1. Jackson Grove Methodist Church of Greenville ....................................... 372
2. Jackson Guards ....................................................................................... 375
3. Jefferson Monticello Society .................................................................... 214, 253
4. Jewish Congregation of Charleston, called Beth Elohim, or House of God ........ 163
5. John’s Island Presbyterian Congregation ................................................ 127
6. John’s Island Society ............................................................................... 121, 324
7. John’s Island Society, of Saint John’s Colleton ....................................... 811

K.
1. King’s Mountain Iron Company ............................................................ 437

L.
1. Ladies’s Benevolent Society ................................................................. 270, 273
2. Ladies’s Society Charity School ............................................................. 396
3. Lake Swamp Baptist Church .................................................................... 364
4. Laurens Library Society .......................................................................... 270
5. Laurens Masonic Society ........................................................................ 298
6. Laurensville Male and Female Academy ................................................. 359
7. Lexington Library Society ........................................................................ 330
8. Library Society of Edisto Island .............................................................. 339
9. Library Society of James Island ............................................................. 456
10. Library Society of Society Hill ............................................................... 320
11. Liberty Spring Church of Laurens .......................................................... 315
12. Lime Stone Spring Company .................................................................. 451
13. Literary and Philosophical Society of South Carolina ............................. 270
14. Lodebar Academy .................................................................................. 322
15. Long Cane Associate Reformed Congregation ....................................... 367
16. Louisa, Cincinnati, and Charleston Rail Road Company ....................... 406, 409, 421, 494
17. Lutheran Congregation of St. Peter ....................................................... 186
18. Lutheran Church of German Protestants ................................................. 196
19. Lutheran Synod ..................................................................................... 346

M.
1. Marion Academy ...................................................................................... 300, 368
2. Marion Academy Society ........................................................................ 363, 367
3. Marion Philomathic Society ..................................................................... 914
4. Marlborough Academy ............................................................................ 214
5. Master Tailor’s Society .......................................................................... 129, 247
6. May River Baptist Church of Saint Luke’s ............................................. 395
7. Mechanic Society of Beaufort ................................................................. 364
8. Mechanic’s Society of Hamburg ............................................................. 336
9. Medical College of South Carolina ......................................................... 371, 379
10. Medical Society of South Carolina ......................................................... 183, 332, 393
11. Merchant’s Steam Boat Company .......................................................... 437
12. Methodist Benevolent Society of Charleston ......................................... 369
13. Methodist Benevolent Society of the Methodist Episcopal Church in Charleston .......................................................... 392
14. Methodist Charitable Society .................................................................. 268
15. Methodist Church of Christ Church Parish ............................................. 305
16. Methodist Church of Georgetown ........................................................ 293
17. Methodist Church of Monticello ............................................................ 304
18. Methodist Episcopal Church at Charleston ............................................ 130
19. Methodist Episcopal Church at Sardis .................................................... 366
20. Methodist Episcopal Church at Smyrna, in Abbeville District ............... 381

VOL. VIII.—78.
INDEX.

CORPORATIONS, (continued.)

21. Methodist Episcopal Church of York District ........................................ 393
22. Methodist Episcopal Society of Bratton's Neck ................................... 369
23. Methodist Female Friendly Association ............................................. 396
24. Methodist Protestant Church in Charleston ......................................... 398
25. Metropolitan Rail Road Company ...................................................... 464
26. Milford Baptist Church of Greenville District ..................................... 376
27. Minerva Society .................................................................................. 315, 393
28. Monticello Academy ............................................................................ 298
29. Monticello Planter's Society of Fairfield ............................................ 456
30. Mount Ariel Academy Society ......................................................... 398
31. Mount Bethel Academy ........................................................................ 348
32. Mount Bethel Church ........................................................................... 470
33. Mount Carmel Female Academy .......................................................... 456
34. Mount Clio Academy ........................................................................... 284, 285
35. Mount Olivet Presbyterian Church ..................................................... 366
36. Mount Pleasant Baptist Church ........................................................... 269
37. Mount Pleasant Academy ................................................................... 324, 289
38. Mount Zion Congregation at Wrensborough ........................................ 139
39. Mount Zion Society ............................................................................ 114
40. Mount Zion Baptist Church, Spartanburg ............................................ 457
41. Mount Zion Congregation ................................................................... 250
42. Mutual Insurance Company in Spartanburg .......................................... 195

N.

1. Neal's Creek Baptist Church .................................................................. 378
2. Nebbitt Iron Manufacturing Company ............................................... 451, 453
3. Newberry Academy ................................................................................ 250, 388
4. Newberry Baptist Church ....................................................................... 378
5. Newberry Library Society ...................................................................... 315
6. Newberry Literary Society ..................................................................... 344
7. New England Society ............................................................................ 317
8. New Hope Baptist Church ...................................................................... 364
9. New Prospect Baptist Church ................................................................ 457
10. Ninety-nine Islands Bridge Company ................................................. 437

O.

1. Orangeburgh Academic Society ............................................................ 383
2. Orangeburgh Medical Society ............................................................... 392

P.

1. Palmetto Society .................................................................................... 347
2. Pendleton Academy ............................................................................... 345
3. Pendleton Academy ............................................................................... 345
4. Pendleton Circulating Library ............................................................... 361, 371
5. Pendleton Farmers' Society ................................................................... 323
6. Pendleton Female Academy ................................................................... 598
8. Pendleton Manufacturing Company ..................................................... 463
9. Pee Dee Steam Boat company ............................................................... 405
10. Phoenix Fire Engine Company of Charleston ....................................... 349
11. Philharmonic Society of South Carolina ............................................ 257
12. Philological and Classical Seminary of Charleston ............................... 329
13. Pineville Academy ............................................................................... 325, 326
14. Pineville Library Society ...................................................................... 351
15. Pipe Creek Baptist Church of Saint Peters ......................................... 373
16. Pipe Creek Church of Regular Baptists .............................................. 139
17. Planters' and Merchants' Steam Boat Company of Cheraw ............... 436
18. Platt Springs Academy .......................................................................... 366, 367
19. Pleasant Grove Baptist Church, Greenville ......................................... 457
20. Pleasant Hill Methodist Episcopal Church of Chesterfield District .... 369
21. Poor Ministers' Fund Society ................................................................. 457
INDEX.

CORPORATIONS, (continued.)
21. Poplar Springs Baptist Church of Laurens District.................. 369
22. Port Republic Bridge company........................................... 198
23. Presbyterian Church at Aimwell........................................ 164
24. Presbyterian Church of Beaufort...................................... 587
25. Presbyterian Church of Caintroy................................. 119
26. Presbyterian Church of Charleston............................... 196
27. Presbyterian Church of Concord, Sumter District.............. 456
28. Presbyterian Church on Edisto Island............................ 126, 177
29. Presbyterian Church on Fishing Creek.......................... 194
30. Presbyterian Church of Hopewell.................................. 164
31. Presbyterian Church of Ninety-Six Island....................... 144
32. Presbyterian Church of Leesville.................................. 127
33. Presbyterian Church of Lebanon.................................... 154
34. Presbyterian Church of Rocky River...................... 317
35. Presbyterian Church of Saint John's Island and Wadmalaw........ 450
36. Presbyterian Church of Salem....................................... 119
37. Presbyterian Church of Sumterville, Sumter District........... 456
38. Presbyterian Church at Wilcox..................................... 196, 136
39. Presbyterian Church of Bethel...................................... 119
40. Presbyterian Church of Bethsaida.................................. 316
41. Presbyterian Congregation of Greenville.......................... 199
42. Presbyterian Congregation of Hopewell........................... 359
43. Presbyterian Congregation of Hopewell, in Long Cane Settlement... 144
44. Presbyterian Congregation of Purdyburgh......................... 155
45. Presbyterian Congregation of Winnabough......................... 189
46. Presbyterian Mount Zion Church of Salem.......................... 350
47. Presbyterian or Congregational Church on Bullock's Creek...... 136
48. Presbyterian Upper Long Cane Congregation..................... 139
49. Primitive Methodist of Ebenezer Church, Georgetown............ 178
50. Primitive Methodists of Trinity Church, Charleston............. 178
51. Protestant Episcopal Church at Society Hill.................... 381
52. Protestant Episcopal Society for the advancement of Christianity in South Carolina............................. 341
53. Protestant Episcopal Society of Saint Philip's Church in Charleston........................................... 378
54. Provident Savings Institution of Charleston.................... 383

R.
1. Ramsey Library and Debating Society............................... 396
2. Red Bank Church......................................................... 215
3. Red Oak Grove Baptist Church, Edgefield........................... 457
4. Reformed Society of Israelites...................................... 344
5. Regular Baptist Church of Fairfield................................ 297
6. Republican Circulating Library Society of Barnwell................ 296
7. Richland Presbyterian Church in Pickens.......................... 448
8. Richland Steam Boat Company....................................... 397
9. Richland Silk Company.................................................. 459
10. Richland Volunteer Rifle Company.................................. 378
11. Rocky River Fund Society.......................................... 385
12. Rocky Spring Methodist Church..................................... 448
13. Roman Catholic Cathedral Church of Saint Finnbarr............. 230, 456
14. Roman Catholic Church of Charleston........................... 161, 456
15. Roman Catholic Church of Columbia.................................. 338, 336, 363, 369
16. Roman Catholic Church of Georgetown................................ 299
17. Roman Catholic Church of South Carolina........................ 456

S.
1. Saint Andrew's Lutheran Church of Lexington District........... 456
2. Saint Andrew's Society of Charleston............................. 338, 336, 363, 369
3. Saint Cecilia Society.................................................. 194
4. Saint David's Society................................................... 118, 192
INDEX.

CORPORATIONS (continued.)

5. Saint George Society of Charleston ................................................................. 333
6. Saint Helena Society ......................................................................................... 335
7. Saint James Church of James Island, Saint Andrew’s Parish ..................... 372
8. Saint Matthew’s Academy ................................................................................. 376
9. Saint Patrick Benevolent Society, Charleston ............................................. 394, 439
10. Saint Paul’s Agricultural Society of Colleton ............................................... 372
11. Saint Peter’s Church of Charleston ................................................................. 381
12. Saint Stephen’s Lutheran Church at Lexington Court House .................. 369
13. Salem Baptist Church of Marlborough ......................................................... 376
14. Salem Church, Sparrow Swamp ..................................................................... 385
15. Salem Church, Sumter District ...................................................................... 373
16. Salem Presbyterian Church in Fairfield ....................................................... 265
17. Salem Society ................................................................................................. 117
18. Saltcutter Independent Presbyterian Church ................................................ 348
19. Saluda Manufacturing Company ..................................................................... 394
20. Sampit Seventy-six Sharp Shooters ............................................................... 364
21. Savannah and Charleston Steam Packet Company ....................................... 340
22. Savannah Revolutionary and Polemic Society ............................................. 350
23. Savannah River Baptist Association .............................................................. 388, 376
24. Second Independent or Congregational Church in Charleston .................. 294
25. Second Presbyterian Church of Charleston ............................................... 352
26. Seventy-six Association ................................................................................. 321
27. Sheldon Church .............................................................................................. 390
28. Sion Church of Winnisborough ..................................................................... 358
29. Sisters of Charity ............................................................................................ 349
30. Societe Francaise ............................................................................................ 381, 369
31. Society Academy, Edgefield ......................................................................... 317
32. Society for promoting education of children, and establishing schools in Beaufort District ................................................................. 174
33. Society for raising and securing a fund for the relief of widows and children of deceased Presbyterian Ministers .............................................. 158
34. Society for the relief of elderly and disabled ministers, and widows and orphans of the clergy of the Independent or Congregational Church, in the State of South Carolina ................................................................. 158, 383
35. Society for relief of widows and orphans of the clergy of the Protestant Episcopal Church, in the State of South Carolina ................................................................. 188
36. South Carolina Academy of Fine Arts ......................................................... 323, 327, 450
37. South Carolina Agricultural Society .............................................................. 299
38. South Carolina Association ............................................................................ 364
39. South Carolina Bar Association ..................................................................... 350
40. South Carolina Canal and Rail Road Company .......................................... 354, 355, 380, 384, 494
41. South Carolina Homespun Company ............................................................ 345
42. South Carolina Insurance Company .............................................................. 377, 385
43. South Carolina Iron Manufacturing Company .......................................... 376, 437
44. South Carolina Jockey Club ......................................................................... 349
45. South Carolina Manufacturing company ...................................................... 350, 352
46. South Carolina Marine Society ....................................................................... 350
47. South Carolina Society ................................................................................... 351
48. Steam Boat Company .................................................................................... 300
49. Steam Navigation Company ......................................................................... 307
50. South Carolina Sugar Refining Company .................................................... 376
51. Southern Steam Packet Company .................................................................. 461
52. Spartanburg Philanthropic Society ............................................................... 199
53. Spiraingtown Baptist Church ......................................................................... 323
54. Springville Academy ....................................................................................... 331
55. State Convention of Baptist Denomination in South Carolina .................... 344
56. Statesburgh Bridge Company ........................................................................ 454
57. Stony Creek Independent Presbyterian church .......................................... 390
58. Sumter and Darlington Rail Road Company ................................................. 440
INDEX.

Corporations, (continued.)

59. Sumter Guards.............................................................. 375
60. Sumterville Academic Society........................................ 456
61. Sumterville Baptist Church........................................... 316
62. Sumterville Library Society........................................... 398
63. Swift Creek Baptist Church of Darlington....................... 376

T.

1. Tabernacle Academy..................................................... 325
2. Theological Seminary of the Evangelical Lutheran Church of South Carolina................................. 376, 398
3. Theological Seminary of the Synod of South Carolina and Georgia................................................. 376
4. Third Presbyterian Church, Charleston.............................. 336
5. Totness Academic Association........................................ 381
6. Treadaway Baptist church............................................. 352
7. Trinitarian Universalist and Library Society.................... 366
8. Trustees of estate of Dr. John De La Howe....................... 348
9. Turkey Creek Baptist Church of Abbeville District............. 398
10. Typographical Society of Charleston............................... 325

U.

1. Union Bible Society of Beaufort District.......................... 346
2. Union Harmonic Society............................................... 399
3. Union Insurance company............................................. 246, 306, 454
4. Union Insurance and Trust Company of South Carolina........ 430
5. Union Library Society................................................ 399
6. Union Light Infantry Charitable Society......................... 399
7. United Agricultural Society of South Carolina.................. 348
8. United Blues................................................................... 349
9. United Fraternity........................................................ 396
10. United Independent Congregational church of Dorchester and Beach Hill.............................. 190
11. Unity Lodge, No. 55.................................................... 350
12. Uranian Society of Columbia.......................................... 270
13. Upper Baptist church on Dunkin's creek.......................... 188
14. Upper Long Cane Society, Abbeville District.................. 327

V.

1. Vaucluse Manufacturing company..................................... 381
2. Verennes Academy of Anderson....................................... 372
3. Vigilant Fire company in Charleston................................ 181
4. Vigilant Fire Engine company, Charleston......................... 313, 369, 448

W.

1. Walterborough Academy................................................. 367, 399, 393
2. Washington Library Society............................................ 352
3. Washington Light Infantry............................................. 395
4. Washington Society of Charleston.................................... 450
5. Washington Society of Darlington................................... 341
6. Washington Volunteers................................................ 398
7. Waterer and Santee Steam Boat company........................... 300
8. Welch Neck Baptist Association...................................... 376
9. Whig Association........................................................ 420
10. Williamsburgh Academy............................................... 198
11. Williamsburgh Library Society...................................... 379
12. Winnsborough Library Society........................................ 341
13. Winnsaw and Wando Canal company................................. 337
14. Winnsaw Farming Society............................................. 337
15. Winnsaw Indigo Society............................................... 110, 199, 346, 347
16. Winnsaw Lodge.......................................................... 300
17. Woodville Academy..................................................... 390
INDEX.

CORPORATIONS. (continued.)

Y.
1. Yorkville Female Academy ........................................... 365, 367
2. York Mining company .................................................. 361
3. All bodies corporate may sue their members for all arrears or other debts owing them, as they may sue any other person ............................................. 376

DARLINGTON
1. Town council to grant licenses ....................................... 449
2. Council vested with authority over the highways...................... 449

DE LA HOWE.
1. Trustees to his will appointed ....................................... 347
2. Funds to be delivered to them ........................................ 347
3. Treasurer to be elected, annual returns to be made, and the trustees incorporated .................................................. 348

DISORDERLY HOUSES.
1. Pastry may enter, and apprehend and correct all slaves found there .................. 538

DOWNES, WHITE AND BROTHERS,
1. Authorised to draw a lottery .......................................... 451, 459

EARLY, E.
1. Exclusive right to run a line of stages ................................ 381

ESCHEATS.
1. Escheated property of St. George Dorchester, to amount of $10,000, vested in the trustees of the Buck Spring Academy ..................... 344
2. Of Pendleton, vested in the trustees of Pendleton Academy .......... 345
3. Escheated property in Lexington district, vested in the Platt Spring Academy .......... 347
4. In Marion, to the Marion Academy Society .......................... 348
5. Property of John Ector, vested in the Library Society of Edisto 373
6. In Edgefield, vested in the Edgefield Female Academy ............... 393
7. In St. Bartholomew, vested in Walterborough Academy .................. 393
8. Escheated property in Abbeville, given to certain societies .......... 450

FRENCH CITIZENS.
1. Not bound to do militia duty ......................................... 493

GEORGETOWN, (BANK OF.) See Banks.
1. Corporate powers and privileges ...................................... 91

GLEBE.
1. An Act for laying out part of the parish of St. Philip, Charleston, in lots, repealed .......................................................... 131

GOVERNOR.
1. May order out militia, in case of invasion, or apprehension thereof, and under what circumstances and restrictions ........................................ 488, 489, 495

GREENVILLE.
1. Commissioners of ..................................................... 338, 339
2. Town council to receive monies for licenses .......................... 349

HAMBURG, BANK. See Banks.
1. Corporate powers and privileges ...................................... 40

HAMBURG, (BANK OF.) See Banks.
1. Corporate powers and privileges ...................................... 85, 102

IMPRESSION.
1. When arms, &c., may be impressed for the public use ................. 495
2. How impressed .................................................................. 496

INSURANCE COMPANIES.
1. Charleston Fire and Marine insurance Company authorised to reduce their capital ................................................................. 367
2. South Carolina Insurance Company, charter renewed .................. 369
3. The Insurance Company of Columbia ................................... 369
4. American and German Trading and Insurance Company .............. 491
5. Charleston Insurance and Trust Company .................................. 493
6. Union Insurance Company .................................................. 494
INDEX. 623

INSURANCE COMPANIES, (continued.) 7. Union Insurance and Trust Company...........................................480

INSURRECTION. 1. In case of, duty of the commanding officer of any regiment, battalion or company..................................................488, 493, 495

INVASION. 1. In case of, or threatened, how militia to be ordered out........488, 493, 495 2. How militia may be called out in cases of invasion........488, 493, 495, 518, 568

JUSTICES OF PEACE AND QUORUM. 1. Number for Anderson and Pickens......................................................559

LANCASTER. 1. Corporation renewed.................................................................373

LANG, WM. AND OTHERS. 1. Authorized to construct a Rail Road from Camden to the Boat Landing.............374

LOTTERY. 1. One authorised by the Son church, Winnebrough..................................................258 2. One authorised by the Mount Pleasant Academy..................................................259 3. Lottery of Williamsburg Academy.................................................................189 4. Lodge No. 68 authorized to draw one.............................................................285 5. Also, Mount Clio Academy.................................................................285 6. Also, Episcopal Church of Prince George Winyaw...........................................287 7. Also, Monticello Academy.................................................................298 8. Also, Laurens Masonic Society..............................................................298 9. To build meeting house in Conwayborough..................................................306 10. Yorkville Female Academy authorized to draw one........................................307 11. Savannah River Baptist Association authorized to draw one........................................307 12. Also, South Carolina Academy of Fine Arts................................................308 13. Also, Dartington Academy.................................................................310 14. Grand Lodge of Ancient Free Masons, South Carolina, authorized to draw one315 15. Three years further term allowed for so doing............................................373 16. Roman Catholic Church.................................................................365, 368 17. Laurens Cotton and Wool Factory authorized to draw one..........................451, 459

M'LEAN, JOHN 1. Authorized to construct a Rail Road in Columbia.............................................373


MASTER AND APPRENTICE. 1. Master to furnish apprentice, bound to perform militia duty, with arms and 2. accoutrements.............................................................................................................489

MERCHANTS'S BANK OF CHERAW. See Banks. 1. Corporate powers and privileges.........................................................68

MILITIA. 1. The State divided into two divisions, under a major-general for each........485 2. Divisions marked out.........................................................................................485 3. Five brigades in the first and four brigades in the second, and brigades designated.............................................................................................................485 4. Governor, by proclamation, to give public information of the organization, when effected.............................................................................................................485 5. Commissions of officers not re-elected and confirmed, vacated..................485 6. Every person re-elected and confirmed, to take rank from the date of his prior commission.............................................................................................................485
INDEX.

MILITIA, (continued.)
7. Major, brigadier and adjutant-generals, to be elected by the Legislature ...... 485
8. Rank of adjutant general ................................................................................. 485
9. Brigades to be divided into regiments, battalions and companies ............... 486
10. Regimental musters ....................................................................................... 486
11. Who liable to do duty ..................................................................................... 486
12. Notice ............................................................................................................. 486
13. Lieutenant-colonels and majors .................................................................... 486
14. Captain, lieutenant and ensign ...................................................................... 486
15. Elections, how conducted .............................................................................. 486
16. Uniform artillery, cavalry or infantry ............................................................ 486
17. Contested elections ......................................................................................... 486
18. How to proceed where the brigadier-general resides out of the State .......... 486
19. Case of sickness or inability to attend .......................................................... 486
20. All officers to reside within their commands ............................................... 487
21. Aid-de-camps, how appointed, and rank ....................................................... 487
22. Brigade-inspector .......................................................................................... 487
23. Regimental staff ............................................................................................ 487
24. All officers to be commissioned by the Governor, who may appoint all others... 487
25. To rise by seniority ......................................................................................... 487
26. Pay of brigade inspector ................................................................................ 487
27. Companies, their rendezvous, &c ................................................................. 487
28. Musters of battalions, companies, &c ........................................................... 487
29. Who to be enrolled ......................................................................................... 487
30. Governor may order out any proportion of Militia, in case of alarm, and continue as long as he may think necessary ........................................................................ 487
31. May, in consequence of an application from the executive of the United States, on an invasion, or an apprehension of an invasion, of any State, at his discretion, order any number of the militia, not exceeding one third part thereof, to each State; provided, they be not compelled to continue on duty out of this State more than two months at any one time .................................................. 488
32. Pay and rations, rules and regulations, the same as of the United States troops ......................................................................................................................... 488
33. Provided, a person can only be court martialed by officers of this State, and to be in the power of the Governor or Commander-in-chief of this State, to mitigate, suspend or pardon, such person ..................................................................................... 488
34. Duty of every major or brigadier-general, colonel or commanding officer of a regiment, in case of invasion ........................................................................ 488
35. In case of insurrection, the duty of the commander of the regiment or battalion within whose limits it may happen ........................................................................ 488
36. A person wounded in actual service, in opposing any invasion or insurrection, to be provided for at the public expense ................................................................. 488
37. Pay of Militia, when called out by the Executive of this State ....................... 488
38. Brigade Inspector to make returns to the Brigadier General ................. 488
39. Brigadier, when to make returns to Major General ...................................... 489
40. When Major General to make them to the Commander-in-chief .............. 489
41. White apprentice or man servant to be furnished by the master with arms and accoutrements ................................................................................................. 489
42. Must compel him to attend musters, &c. or pay the fines ......................... 489
43. Unless the apprentice, &c. wilfully neglect ................................................... 489
44. Penalty for such his neglect ........................................................................... 489
45. No civil process to be executed on any person attending musters, nor in going or coming, within 24 hours after discharge ........................................................................ 489
46. The troop horses of trooper, arms and accoutrements, exempt from seizure ......................................................................................................................... 489
47. Horse to be entered and registered with the captain ..................................... 489
48. Forfeiture for so assisting or distraining ....................................................... 489
49. Fines on different persons and officers for not attending musters ........... 490
50. Fines on non-commissioned officers and privates for disobedience of orders, neglect of duty, &c. ................................................................. 490
INDEX.

51. How collected .......................................................... 490
52. If committed for fines, may swear out in five days, if unable to pay .......... 490
53. Military uniform prescribed ........................................ 491
54. Appropriation of fines ............................................... 491
55. Arms and accoutrements ............................................. 491
56. Courts martial for different purposes ................................ 491
57. Oath ................................................................. 491
58. How courts-martial ordered ........................................ 492
59. Court of enquiry, who may order, and for what ........................ 492
60. Who exempt from militia duty ........................................ 492
61. What alien or transient persons liable to do militia duty ................... 493
62. French citizens, not naturalized, exempt ................................ 493
63. Militia may be called out in time of invasion, and by whom ............... 493
64. Arms, how to be made, and proceedings thereon .......................... 494
65. Penalty for neglecting to give information of the approach of an enemy .... 494
66. Officers to assemble any number of their corps, and call for aid to suppress, 494
   subdue or apprehend an enemy, or slaves assembled or lurking in suspected 
   places, or absent from their owners ................................ 494
67. Penalty for neglecting or refusing to obey in such case .................... 494
68. In times of invasion or insurrection, part of the militia to remain at home on 
   guard ......................................................................... 495
69. Their duty to patrol, &c ................................................ 495
70. Penalty for neglect of such duties ...................................... 495
71. Manner of ascertaining or drafting those who shall leave their parishes and 
   divisions .................................................................. 495
72. Substitutes may be employed ............................................. 495
73. When arms, ammunition, provisions, horses, wagons, carts, boats, canoes, and 
   whatever wanted, may be impressed .................................... 495
74. How done ..................................................................... 495
75. An account to be kept .................................................... 495
76. Free persons of color and friendly Indians excepted; to serve as fatigue-men 
   or pioneers .................................................................. 496
77. Members of uniform companies ............................................ 496
78. Companies in Charleston may be summoned to mount guard in Charleston. 496
79. Officers to be furnished with a copy of this Act, the Act of Congress, Baron 
   Steuben's military discipline, and the articles of war ......................... 497
80. All former militia laws repealed, except what relates to the Charleston batta-
   lion of artiller y ............................................................ 497
81. An additional Act to organize the militia .................................. 498
82. Rank of divisions and brigades to be ascertained by lot ....................... 498
83. Rank of regimental officers to be ascertained in the same way ............... 499
84. Ensigns, how to be elected .............................................. 499
85. Sergeants refusing to do duty, to be fined .................................. 499
86. Governor, major generals and brigadiers, may appoint one or two extra side, 
   with the same rank as in the line ........................................ 499
87. Officers may mark out parade limits and exclude others ..................... 499
88. No road or street to be stopped ......................................... 499
89. Fines, how to be recovered .............................................. 499
90. Oath of officers ........................................................... 501
91. An additional Act ........................................................... 501
92. Field officers to give relief where regiments, &c, are injured by division .... 501
93. In case of contested elections, party may appeal to the Major General, who 
   shall summon a board of general and field officers to hear the appeal, whose 
   decision shall be final ..................................................... 502
94. Further time allowed officers to take the oath ................................ 502
95. Salary of adjutant general ................................................ 503
96. Persons employed on the Santee Canal, exempt from militia duty, except in 
   cases of alarm ............................................................. 502

VOL. VIII.—79.
MILITIA, (continued.)

97. So much of the Act as relates to the Adjutant General, to continue only for three years ................................................................. 508
98. Still further time given to officers to take the oath, as prescribed............... 509
99. To be taken before a justice, and certified on the back of the commission.... 509
100. If not taken in time, commission vacated ........................................... 509
101. Grade preserved to some, taking it within a certain time...................... 509
102. Cavalry arranged in squadrons and regiments ...................................... 509
103. No regiment to consist of more than six troops, nor less than four, nor each troop of more than 64, rank and file ...................................... 504
104. Brigadiers to fill up regiments of horse, and distribute them into squadrons. 504
105. Each squadron to have a major, and each regiment a colonel .................. 504
106. Who to be commissioned as colonels or majors, &c .................................... 504
107. The rank of the officers, how ascertained .............................................. 504
108. Adjutant-general to make out a list of officers, and transmit it to the Secretary of State's office in Charleston ........................................ 504
109. Persons formerly enrolled in any troop or company of cavalry, to remain in that troop .................................................. 504
110. Horses to be appraised when called into actual service, by two freemen of the county where the horseman resides, together with the brigade inspector, on oath, immediately before going into service, and enter the appraisement in a book, kept for the purpose ........................................ 504
111. Indemnification for loss ................................................................. 504, 505
112. Cavalry shall meet in troop six times a year, at such places as the commanders of troops may direct .............................................. 505
113. Uniform and discipline ........................................................................ 505
114. Certain artillery companies to form a regiment .................................. 505
115. How to be officered ............................................................................. 505
116. The Artillery in other parts of the State, to be attached to the battalions in which they reside, and rise according to dates of commission .......................... 505
117. Officers of cavalry and artillery, how to rank and rise.......................... 505
118. Subject to the same rules and orders as the infantry; provided, the Ancient battalion of artillery in Charleston be not affected in their rights .................................................. 505
119. Artillery in Gen. Winn's brigade .......................................................... 505
120. Officers in Georgetown ........................................................................ 505
121. Warrant for fines, to issue first against the goods and chattels, and if return be made that no goods can be found, then a warrant may issue to take the body .................................................. 506
122. Mode of selling under the warrant ......................................................... 506
123. Governor to issue blank commissions to the Lieutenant-colonels of the respective regiments; who may, from time to time, in case of vacancies, fill up and issue them .................. 506
124. Militia of Charleston and Georgetown, exempt from turning out in company parades, unless once in every two months ........................................... 506
125. The commanding officers may exempt their men, throughout the State, from turning out in July, August and September; provided, they turn out not less than six times in the year .................................................. 506
126. The law altered ..................................................................................... 506
127. Officers liable to be cashiered for disobeying the lawful orders of their superior ................................................................. 506
128. The sentence first to be approved of .................................................... 506
129. What number of men shall form a company ........................................ 507
130. Persons enrolled in a volunteer company to give six months notice of their intention to leave it .................................................. 507
131. Captains who neglect to muster, to forfeit their commissions .................. 507
132. Persons may be appointed to collect fines ............................................. 507
133. Fire-Masters, or persons enrolled under them, exempt from militia duty .... 507
134. Mode of conducting elections ................................................................ 507
135. Militia Officers may enquire into the liability of persons to do Militia duty ... 507
INDEX.

MILITIA, (continued.)

136. Certain number of carbineers may be attached to each squadron of horse...508
137. Where an officer is vacant, and the men neglect or refuse to fill the vacancy
   for three months, the commander of the regiment may fill the vacancy....508
138. Commanding officer may attach pioneers to each artillery company....508
139. Fines in the ancient battalion of artillery in Charleston, how applied....508
140. Trumpeter or musician, being a person of color, not to wear offensive
   weapons...508
141. The law altered as to the artillery and cavalry....509
142. The Federalist artillery company....509
143. Further time allowed for certain officers to take the oath....510
144. Seniority, how to be determined....510
145. A uniform system of evolutions to be adopted for the cavalry....511
146. Infantry officers, under rank of brigadier, to assemble, once at least in two
   years, to be exercised....512
147. Duty of brigadiers....512
148. Duty of adjutant-general and brigade-major....512
149. Governor to order these musters....512
150. Penalty on neglect of duty....512
151. Fines, how applied....512
152. Officers to attend regimental musters....512
153. Fines for non-attendance....512
154. Fines for not performing patrol duty, or furnishing a substitute....513
155. All officers to perform patrol duty, under the captain of the beat....513
156. Officers of cavalry, artillery and volunteers, all included....513
157. All laws repugnant to this, repealed....513
158. The proportion of the militia ordered to be organized and ready to act at a
   moment's warning, except from ordinary militia duty, during their organization....513
159. Regulations as to the militia so detached....513
160. Officers to rise by election....514
161. Mode of election....514
162. Regiments of cavalry and artillery to be formed into brigades, and one brigade
   to each division....514
163. Sanction of Congress to be obtained to the organization of the cavalry and
   artillery....514
164. Fines in uniform companies, how to be collected....514
165. Persons changing their residence, must enroll their names where they settle
   and liable to fine for default....514
166. Vacancies in various offices, how filled....515
167. The law dividing the cavalry and artillery into brigades, repealed; and colo-
   nels and majors of cavalry and artillery eligible to the office of brigadier, or ge-
   neral of division....515
168. How elections to be held....515
169. Hoyt's system adopted for cavalry....515
170. Fines for patrol and militia duty, how collected....516
171. Officers to purchase lands for parade ground in Charleston....516
172. Colonels or commanders of regiments to order, at least once a year, all com-
   missioned and non-commissioned officers to assemble, equipped, one day before
   regimental or battalion parade, to be exercised, in lieu of duty prescribed by
   Act of 1905. (See page 513.)....517
173. Fines for neglect of such duty....517
174. Fine for not riding patrol, or not furnishing a substitute....517
175. Sum appropriated for late quota of militia....517
176. Further sum appropriated, if quota is called out....517
177. Appropriations for securing artillery carriages....517
178. Officers and privates of the City Guard of Charleston, exempt from militia
   duty....518
179. Not to consist of more than one hundred men....518
180. Commander-in-chief may order out any portion of militia of the State, in
INDEX.

MILITIA, (continued.)

case of alarm, to march to any part thereof, to continue not more than three
months at one time, until relieved. ........................................... 518

181. May, on the application of the Governor of any of the United States, or
invasion or insurrection, or apprehended invasion of such State, at his discre-
ion, order any number of militia, not exceeding one third part thereof, to such
State: Provided that the militia which shall be so ordered out of the State,
shall not be obliged to continue on duty out of this State, more than two months
at any one time. .............................................................. 518

182. Volunteers and substitutes to be accepted............................... 518

183. No civil officer to execute any process, on any pretense, unless for treason,
 felony or breach of the peace, on any person called out into service and em-
bodied by the Executive, in pursuance of this Act, or within thirty days after
being discharged, under penalty of $20. ................................ 519

184. And service to be void. .................................................. 519

185. All suits pending to be continued..................................... 519

186. Their estates to be exempt from levy, distress or sale................ 519

187. Pay of militia............................................................... 519

188. When to commence......................................................... 519

189. Militia when out to be subject to the same rules and regulations as the United
States troops, which shall be declared at the head of each detachment, as soon
as assembled............................................................... 519

190. Fine for not turning out in such cases................................. 519

191. Court, how to be composed............................................. 519

192. May also be imprisoned.................................................. 519

193. Can't be punished until called upon to show cause................... 519

194. How non commissioned officers and privates shall be summoned to turn out... 520

195. Militia fines, how to be collected.................................... 520

196. The Sheriff's duty......................................................... 520

197. To be paid to the pay master.......................................... 520

198. How all fines, except in St. Philip & St. Michael, shall be collected........ 520

199. Form of the warrant...................................................... 520

200. In case no goods, warrant may be issued against the body........... 521

201. Camden Rifle and Artillery Companies................................ 521

202. Pioneers, musicians, &c., how paid and governed.................... 521

203. Commander in chief may from time to time remove the public arms for cer-
tain purposes............................................................... 521

204. Must cause the Arsenals to be examined.............................. 522

205. Power over Arsenal keepers............................................ 522

206. Governor may aid in erecting temporary works for common defence........ 523

207. Adjutant General to receive additional pay for additional duties........ 523

208. All laws repugnant to this Act repealed................................ 523

209. Further time allowed certain officers to take the oath................ 523

210. The State divided into five Divisions and ten Brigades................ 523

211. Their rank, how ascertained.......................................... 523

212. Rank of the Brigades and Regiments................................ 523

213. Fairfield and Chester to form an additional Brigade................. 524

214. Rank and number........................................................ 524

215. Cavalry in those two districts to form one Regiment or Squadron... 524

216. The three additional Major Generals to be elected by the Legislature.. 524

217. Their rank................................................................. 524

218. The Brigadier of the new Brigade also to be chosen by the Legislature... 524

219. How he shall divide his Brigade..................................... 524

220. Commissions in the Regiments not to be effected..................... 524

221. Act to raise a Brigade of Infantry.................................. 524

222. How composed........................................................... 524

223. What officers............................................................ 524

224. Field officers to be elected by the Legislature....................... 525

225. When to be called into service and how................................ 525

226. Company officers, how appointed.................................... 525
INDEX

MILITIA, (continued.)
227. Rank of the Companies.................................................. 525
228. Persons furnishing substitutes exempt from draft.............. 525
229. Deficiency of troops, how made up................................. 525
230. Engagement for the service to be signed, and the responsibility, pay and duties. 526
231. Rank of officers determined by lot................................. 526
232. Officers, how to rise.................................................... 526
233. Pay and clothing of officers and men............................... 526
234. Rank of the officers to be the same as those of the United States... 527
235. To be court martialed by officers of the Brigade.............. 527
236. A field officer by the militia officers of the State.............. 527
237. Uniform of the Brigades............................................... 527
238. The Brigade to be offered to the United States (during the war of 1814) and on what conditions.................. 527
239. Governor to transmit this Act to the Secretary of war of the U. States... 527
240. As to their clothing and munitions of war........................ 527
241. To order commissary to make purchases........................... 527
242. Governor to draw orders on the treasury, &c........................ 527
243. Accounts, how to be rendered........................................ 527
244. Boats on the sea coast to be attached to military posts........ 527
245. Half a million appropriated......................................... 527
246. Act to organize the staff............................................. 528
247. The Adjutant General’s department................................ 528
248. Quarter master general’s department............................... 528
249. Inspector General’s.................................................... 528
250. Advocate General........................................................ 528
251. Brigade or deputy judge advocate general....................... 528
252. Rank of their officers.................................................. 528
253. Commissary general of purchases, and commissary general of issues.... 528
254. Paymaster general...................................................... 528
255. One physician and surgeon general................................. 528
256. Apothecary general..................................................... 528
257. Brigade Chaplain......................................................... 528
258. Governor entitled to ten aides, to rank as lieutenant colonels; major generals to three, to rank as Majors; and Brigadiers to two, to rank as Captains... 528
259. Adjutant general to be inspector general; and persons now holding these offices confirmed........ 528
260. Governor to fill all vacancies except that of aides to the generals........... 528
261. Governor to have the duties of the officers defined and prescribed........... 528
262. Certain officers not to be affected by this arrangement................ 528
263. Uniform of the militia officers hereafter to be, in every respect, like that now established in the same grade of the United States service......... 529
264. Officers now in commission, allowed time to change their uniform........ 529
265. Volunteer companies not affected by this law.................... 529
266. Incompetent officers to be cashiered, if they do not resign........... 529
267. Court martial, how to be ordered for the purpose................ 529
268. Additional oath in all cases of courts martial.................... 529
269. Courts martial on non-commissioned officers and privates............. 529
270. How appeals from such courts martial to be made................ 529
271. Officer cashiered to be disqualified for a certain period........ 529
272. No officer resigning to be re eligible until some other has filled the same place........ 529
273. Penalty on officers not attending equipped according to law........ 530
274. How collected and appropriated...................................... 530
275. Penalty on an officer for not enforcing the militia law........... 530
276. Officers to assemble the day previous to regimental reviews........ 530
277. Penalty for non-attendance.......................................... 530
278. Cavalry and artillery officers attached to regiments, to attend also at brigade encampments, as infantry officers........... 530
279. Misconduct in an officer.............................................. 530
INDEX.

MILITIA. (continued.)

280. Persons molesting such meetings may be put under guard, and kept at the discretion of the commanding officer, during the encampment ........................................ 539
281. United States manoeuvres and exercises to be observed ........................................ 531
282. Copy to be furnished every officer ........................................................................ 531
283. Book, upon vacation of the office, to be surrendered over to the successor, under penalty .................................................. 531
284. Commanders of regiments may permit companies of volunteers to be raised, and under what circumstances ........................................ 531
285. Commanders of Brigades may permit companies of cavalry and artillery, under what circumstances ........................................ 531
286. Provided no best company be reduced below thirty men ........................................ 531
287. When calls are made for the services of volunteer companies, they shall go by companies, under their own officers ........................................ 531
288. Provided also, no greater proportion of cavalry, artillery, riflemen or infantry, shall be raised, than is now allowed by law ........................................ 531
289. Rank of officers in this State, to be the same as in the United States, in regiments, companies, &c ........................................ 531
290. Ensigns .................................................................................................................. 531
291. Charleston Ancient Battalion of Artillery, invested of exclusive privileges and placed on equality with the other officers ........................................ 531
292. Charleston, how guarded in cases of alarm of fire ........................................ 532
293. Certain public arms to be sold ............................................................................... 533
294. Brigade Quarter Master to visit and inspect arsenals, once a year, within his limits, and report to the Quarter Master-general ........................................ 533
295. Compensation to Arsenal keeper .......................................................................... 533
296. To give bond ........................................................................................................ 533
297. Officers, hereafter, to rise by seniority .................................................................. 533
298. All repugnant laws, repealed .................................................................................. 533
299. All vacancies in the militia, to be filled by election ............................................... 533
300. Elections, how ordered in different cases .................................................................. 533
301. Elections, how made .................................................................................................. 533
302. How ordered, and who to vote .................................................................................. 533
303. In volunteer corps of artillery, cavalry, or light infantry, how conducted in case of vacancies ........................................ 534
304. Colonel's Election .................................................................................................. 534
305. Major's .................................................................................................................... 534
306. Captains and Lieutenants, &c ................................................................................... 534
307. In time of actual service, vacancies to be filled by seniority ........................................ 535
308. Notice, in case of election of a Major or Brigadier-general ........................................ 535
309. Not necessary for a Field Officer to preside hereafter, at a battalion court martial or court of enquiry; but may consist of a Captain presiding, and four other commissioned officers of the battalion, one, at least, of the rank of Captain ........................................ 535
310. Butlers to be appointed, who shall furnish a suitable field to exercise in .............. 535
311. The number of places for holding elections for colonels and majors, increased, and elections, where and how to be conducted ........................................ 535, 536
312. Oath of managers .................................................................................................... 536
313. One manager from each poll necessary to count the votes ........................................ 536
314. Battalion of Artillery in Winn's brigade, dissolved ............................................... 536
315. Managers of elections, exempt from tolls ................................................................ 536
316. Certain companies of Captains Sims and Farr, to be subdivided .............................. 536
317. Former commissions reserved ................................................................................ 536
318. Robert Hamilton's company to be subdivided ......................................................... 536
319. Former commissions reserved ................................................................................ 536
320. Act of 1808, (page 512,) requiring all infantry officers under the rank of Brigadier, to assemble once in two years, to be practiced and instructed for not less than six days, repealed ........................................ 537
321. All Acts repugnant to this Act, repealed ............................................................... 537
INDEX.

MILITIA. (continued.)

322. The officers of the several Branches of the Bank of the State, exempted from ordinary militia duty, and from serving on juries..............................537
323. Captains of militia companies to divide their beats into patrol districts, which may be altered by a majority of the officers of the company...................538
324. Penalty, if the Captain neglects this duty........................................538
325. Captain to cause a roll to be made out for each patrol district, including the names of all free white men above eighteen, residing therein; persons above forty-five, owning no slaves, being exempt.................................538
326. The commander of each beat company, at every regular muster, shall prick off from the roll of each patrol, at his discretion, a number of persons, who shall perform patrol duty until the next petty muster..............................538
327. Penalty for neglect of any of these duties.........................................538
328. To turn out, at least, once a fortnight.............................................538
329. Duty of patrol..............................................................................538
330. Penalty for any body to beat or abuse a slave...................................538
331. Patrol may enter disorderly houses or house, or vessel or boat, suspected of harboring, trafficking, or dealing with negroes, whether occupied by white or colored persons, and to apprehend and correct all slaves found there..................538
332. Must give information of all white persons so found, and detain in their possession such produce or articles for trafficking so found, if the detention be authorized by three freeholders, or by one justice of the peace, until the same shall be recovered by law.................................................................538
333. Slave not to use or carry fire arms, unless with a ticket or license from his master, or is with some white person, or employed to hunt, kill game, or mischievous birds or beasts, within the limits of his master’s plantation, or shall be a watchman over the fields and plantation........................................539
334. Gun so found, may be seized............................................................539
335. Proceedings in such cases.....................................................................539
336. Captain of patrol vested with power to keep his men in good order........539
337. Penalty for disobeying his orders.......................................................539
338. If the captain of patrol act improperly, he may be reported by any of his men to the commander of the beat, and may be tried by a court martial and fined.........................539
Substitute may be sent.................................................................539
339. Penalty for not performing patrol duty..........................................540
340. Captain of patrol to make return to Captain of the best, on oath, at regular times, under penalty.................................................................540
341. Any person may correct, moderately, any slave found out of his master’s plantation without a ticket, or with a ticket, if he has a gun or offensive weapon, unless on lawful business, or in company with some white person, not less than ten years of age.................................................................540
342. To disperse and punish all unlawful assemblies of slaves or persons of color, whether the assembly consists of all or any of such persons.................................................................540
343. But no church or place of public worship, wherein shall be assembled the members of any religious society, a majority of whom shall be white persons, at any time before nine o’clock in the evening, shall be disturbed, unless a warrant shall previously be obtained from a magistrate for the purpose.................................................................540
344. Provided, no patrol or other person, shall strike, or correct, or beat, in any manner, any slave in any incorporated town, when absent from his residence, between day-break and nine o’clock in the evening, unless engaged in some unlawful purpose.................................................................540
345. Lawful for any person to break open doors, gates or windows, to disperse any such unlawful assemblies.................................................................540
346. Every owner of any settled plantation, to employ some white man on the place capable of performing patrol duty, under penalty of fifty cents for every working slave.................................................................540
347. How to be recovered.................................................................540
348. This law not to affect any persons residing on their plantation seven months in the year, or who employ less than ten working slaves on such place..................541
349. Any one sued for carrying this Act into force, allowed, on failure, treble costs.541
350. Secretary of State to distribute this Act to commandants of regiments, to be distributed by them to all commissioned officers of his regiment................................................. 541

351. The commander of each company to read the Act, at least once in six months, to his company........................................................................................................ 541

352. All laws repugnant, repealed................................................................. 541

353. The power of corporate towns over patrol, reserved................................................. 541

354. Artillery companies to have the same number of officers as in the United States service, i.e., one captain, first, second and third lieutenants.................. 541

355. Elections for third lieutenants of artillery.................................................. 541

356. The law requiring the encampment of cavalry and artillery offiers, repealed................................................. 548

357. The three regiments of militia in Pendleton, divided into four regiments........ 548

358. Each regiment to have not less than eight companies................................. 548

359. Commissioners to divide the regiments...................................................... 548

360. In case of their neglect, how it shall be done.................................................. 548

361. As soon as made, report to be made to the Brigadier commanding, who shall order elections for such field officers as may be wanted; the present officers to command the regiment they fall into................................................. 548

362. The new regiment, the 42nd, to belong to the first brigade of the first division................................................. 543

363. Another regiment to be raised in Barnwell.................................................. 543

364. Commissioners......................................................................................... 543

365. If they refuse, how to be done................................................................. 543

366. Report to be made and elections ordered, as in Pendleton......................... 543

367. To be ranked 43d regiment, &c., attached to the 3d brigade of the 3d division................................................. 544

368. But one best company in Christ Church and Saint James, and the two companies in each of the above two parishes, consolidated into one................................................. 544

369. Muster ground and place of election for the company in Saint James............. 544

370. Muster ground and place of election for Christ Church.................................. 544

371. Time of their elections.............................................................................. 544

372. Commissioners to alter the lines.............................................................. 544

373. Company on Charleston Neck to be divided into four companies, two to be attached to the 16th and two to the 17th regiment................................................. 545

374. Governor to cause an inspection of the muskets made by Adam Carruth; if approved, to be received in payment of a debt due by the sureties of Carruth, the number and price limited................................................. 545

375. Governor to have sold to any of the militia, any arms of the State, in any public arsenal, at cost, and to lay out the proceeds in other arms................................................. 545

376. Officers of militia companies on Charleston Neck, to cause their companies to be divided into patrols................................................. 546

377. Penalty for neglect of this duty................................................................. 546

378. Rolls for each patrol to be made out, including all free white males over eighteen and under sixty, residents, except ministers of the Gospel................................................. 546

379. All females above ten years of age, and owning ten slaves, liable................................................. 546

380. Captains of patrol to be appointed in writing, who shall serve for two months................................................. 546

381. Penalty for refusing................................................................................. 546

382. No person to serve as such, more than once in twelve months................................................. 546

383. Duty of leader to call out his patrol, at least, twice a month................................................. 546

384. Duty and powers of such patrol.............................................................. 546

385. Penalty on patrol who misbehave.......................................................... 546

386. Leaders of patrol, punishable for misconduct............................................ 547

387. Fine for not performing patrol duty on Charleston Neck........................... 547

388. What return captains of patrol on Charleston Neck must make..................... 547

389. Persons of color, found within the limits, to be treated as slaves, and liable to the same punishment; unless their free papers are produced, or other good evidence of their freedom................................................. 548

390. But free negroes and persons of color, to have a pass from their guardians after certain hours................................................. 548

391. No grocery store or retail shop on Charleston Neck, to keep open for traffic, on Sundays, or on other days, after nine o’clock, P. M., from 30th September to
INDEX.

MILITIA, (continued.)

20th March, and after 10 o'clock from 20th March to 20th September ............ 548
392. Penalty for breach of this law .......................................................... 548
393. Patrol on the Neck to provide themselves, and keep always in readiness, one
gun or pistol, with at least six cartridges, or a cutlass, under penalty .... 548
394. Fines to be paid to the commissioners of Cross Roads ......................... 548
395. The commanding officer of the militia companies of Charleston Neck, shall
appoint a Secretary, to prepare and lay before the courts a record of the pro-
cedings, to be open to the inspection of the public .................................. 548
396. Secretary to be exempt from patrol duty ........................................... 548
397. The leader of each patrol, to appoint one to summon the others, and to be ex-
empt himself ............................................................................................. 549
398. It shall be the duty of commanding officers of companies, and of all magis-
trates on the Neck, to give information to the Captain of patrol, of all unlawful
assemblies of negroes or persons of color, which may come within their know-
ledge, who, thereupon, shall turn out their patrols and perform their duties ... 549
399. Penalty for neglect of such their duty .................................................... 549
400. Persons sued for enforcing the Act, to have treble costs, if plaintiff fails ... 549
401. All commissioned officers under brigadier, to assemble in some central place,
within their brigades, in full uniform, and equip with musket, bayonet, cart-ouch-
box, and 44 cartridges, at least once in two years, and there keep on duty, and
in the practice of the manual exercises, not more than 6 days, nor less than 3, as
the Major general of each division may think proper .................................. 549
402. The several brigadiers to attend the officers so assembled, and to lead, train,
discipline, and manoeuvre them, according to the system of Scott, or other adopt-
ed by Congress ................................................................. 550
403. The Adjutant-general and Brigade majors, within their respective brigades, to
attend, as on reviews .............................................................................. 550
404. Major-generals also, to attend within their divisions .............................. 550
405. Such musters shall be ordered by the Governor, as he thinks proper ...... 550
406. Penalty on the officers neglecting to attend such musters ...................... 550
407. How tried ............................................................................................ 550
408. If any company shall neglect, for three months, to elect officers to command
it, the colonel or other commander, shall divide the company and attach it to
the nearest beats, to do duty until they elect officers ................................. 550
409. The first clause of the Act of 1823, (page 549,) requiring the officers of each
brigade to assemble in brigade encampments, repealed ......................... 551
410. Beaufort Volunteer Artillery, exempt from attending regimental reviews;
provided, they muster on days of review at their usual muster ground .... 551
411. Their number, not to exceed 84 men .................................................... 551
412. The fifth section of the Act of 1825, (page 554,) repealed ................... 551
413. All that part of the Charleston Neck company, on the east side of King street
to the Cross Roads, and thence on the east side of the main road to the Quarter
House, to constitute one company; and that on the west of the said line, to con-
stitute another; both to continue attached to the 16th regiment ............... 551
414. The commissioned officers of the Charleston Neck company, to select in
which of the companies they will continue to hold their commissions, and the
colonel to order elections for the other ..................................................... 551
415. The line altered and defined between the 34th and 35th regiments ........... 555
416. The lower battalion of the 7th, or Glasscock's regiment, to be divided into five
companies instead of four; commissioners appointed and elections ordered ... 555
417. The recruiting limits of the Winnaborough Light Infantry Volunteer Com-
pany, enlarged ................................................................. 555
418. Whenever any vacancy shall take place in the commission of Lieutenant-colon-
el of cavalry or artillery, the major then in commission in the same regiment,
to be commissioned Lieutenant-colonel ................................................. 555
419. All fines against commissioned officers, to be collected by the sheriff of the
judicial district ..................................................................................... 555
420. Compensation to the sheriff .................................................................. 555
421. In Saint Philip and Saint Michael, fines shall be collected as heretofore .... 555
INDEX

MILITIA, (continued.)

420. The collector there, to receive the same compensation as the sheriff elsewhere. 533
423. The officer ordering court martial, to furnish the sheriff with executions for
fines within 15 days after fine imposed .................................................. 553
434. How the sheriff shall proceed ........................................................... 553
433. That collectors to furnish any officer, at his request, with amount of the last
general tax of any defaulter ................................................................. 553
436. Right of appeal reserved to every officer ......................................... 553
427. Sheriff to return the execution executed, to the paymaster of the regiment,
within three months from the judgment .................................................. 554
439. Penalty on default ........................................................................... 554
439. Sheriff to pay over all monies collected in ten days ............................. 554
430. Penalty on default ........................................................................... 554
431. A member of the magazine guard at Laurel Island, and at Georgetown, may
be arrested and confined for insubordination or disobedience of orders ...... 554
432. Beat Company, No. 7, of 15th regiment, divided ............................... 554
433. Commissioners, and other regulations ................................................. 554
434. The beat companies of Georgetown, consolidated .............................. 555
435. The place for company muster in Saint James Santee, changed .............. 555
437. The dividing line between the 26th and 27th regiments, established, and a
new beat company laid off round Summerville ....................................... 556
437. The military divisions of Pendleton, made to conform to the Judicial Dis-
tricies ................................................................................................. 557
439. Dividing lines, and commissioners to establish them .......................... 557
439. Commissioners of Roads ................................................................. 557
440. And Free Schools ............................................................................. 557
441. Vacancies of commissioners, how filled ............................................. 559
442. A squadron of cavalry formed in the 8th brigade ................................. 559
443. The Charleston Horse Guards, be be raised and equipped as the Governor
shall approve ....................................................................................... 560
444. Rules and regulations concerning the same ....................................... 560
445. The recruiting limits of the Fairfield Grenadier Company, defined ......... 560
446. A new beat company established in the 7th regiment, and lines established,
and to form part of the upper battalion of the 7th regiment .................... 561
447. Officers to be elected ........................................................................ 561
448. Where the dividing line between any regiments, passes through any town or
village, any person holding a commission in either regiment, may reside any
where within the limits of the said town or village ................................. 561
449. Act intended to resist the Force Bill .................................................. 562
450. If the Government of the United States, or any officer thereof, attempts to
coerce South Carolina, by a force naval or military, into submission to Acts of
Congress, declared and ordained to be null and void, in Convention of the peo-
lple of the State, 24th November, 1832, or to resist the enforcement of its ordi-
nance, or laws passed in pursuance, or in case of any armed or forcible resis-
tance thereto, the Governor is authorized to call into service the whole military
force of the State, or as much thereof as he may, from time to time, deem ne-
necessary ............................................................................................ 563
451. In case of any overt act of coercion, or an intimidation on the part of the Gov-
ernment of the United States, or any officer thereof, to commit such an act,
manifested by an unusual assemblage of naval or military forces, in or near this
State, or the occurrence of any circumstances indicating the probability that
an armed force is about to be employed against this State, or in resistance to its
laws, the Governor is authorized to call into the service of this State, from time
to time, such portion of the militia as may be required to meet the emergency 563
452. Infantry and rifle companies, what number to consist of ...................... 563
453. Regiment of infantry, what to consist of ........................................... 563
454. Volunteer companies to be raised .................................................... 563
455. Volunteers exempt from ordinary militia duty .................................... 563
456. Time of service ................................................................................. 563
457. Regulations for militia and volunteers ............................................... 563
INDEX.

459. Governor to order out troops for instruction. .......................... 563
459. Authorizing the purchase of arms. ........................................... 563
460. In case of inability in the civil authority, the military to be called out. .......................... 564
461. This Act to be given in evidence under the general issue. .................. 564
462. The law prohibiting the reduction of battalions, suspended ................. 564
463. What tactics to be used ...................................................... 564
464. Regulations of the militia of Saint Philip's and Saint Michael's. ............. 565
465. Reviews for those parishes .................................................. 565
466. Police ground ................................................................. 565
467. Collection of fines for those parishes ...................................... 566
468. Fines, how appropriated ....................................................... 566
469. Courts martial for Fire-guard .............................................. 566
470. The commissioners of Cross Roads for Charleston Neck, to appoint a collector of patrol fines. .................. 566
471. Duty of the collector ......................................................... 566
472. The Buckhead Company, or Captain Cleckley's, transferred from the 15th to the 14th regiment. .......................... 567
473. Battalions of the 15th regiment, newly divided, and line established .......... 567
474. Dividing lines between battalions in 4th regiment, altered .................. 567
475. Rules established for altering boundaries of battalions, battalions and regiments .......................... 567
476. Reorganization of the militia .................................................. 568
477. Resignation of Major and Brigadier generals, and their respective staffs, the adjutant and inspector-general, and Deputy Adjutant generals, vacated, and five Major-generals, and ten Brigadiers, to be elected by the Legislature .................. 568
478. Adjutant and Inspector general, and assistant Adjutant generals, to be elected .......................... 568
479. Division and brigade staff ....................................................... 568
480. Companies dissolved .......................................................... 568
481. Beasts, how laid off ............................................................ 568
482. Record to be made ............................................................. 568
483. Election of officers ............................................................. 568
484. Former commissions vacated .................................................... 569
485. Rank of officers ................................................................. 569
486. Secretary of State's fees for commissions .................................... 569
487. Colonels and Majors ............................................................. 569
488. Vacancies, how filled ............................................................ 569
489. Who entitled to vote ............................................................ 569
490. Companies refusing to elect, officers to be appointed ......................... 569
491. Penalty on persons so appointed, refusing to act ........................... 570
492. How long to serve .............................................................. 570
493. Every officer to take the oath of allegiance to the State ..................... 570
494. In case of neglect or refusal, new election to be made. (See amendment to the Constitution, vol. 1, page 196) ........ 570
495. Oath to be endorsed on the commission ....................................... 571
496. Formation of regiments, &c ..................................................... 571
497. Number companies to consist of .............................................. 571
498. When and how companies may be raised ..................................... 571
499. Volunteer companies to turn out as a whole, and upon refusing to turn out, shall be disbanded, and others organized ........................................ 571
500. Artillery companies, troops, squadrons, and regiments of cavalry, how re-organized ........................................ 571
501. No beat company to be reduced below 40 men, by volunteer company .......... 571
502. Each company to muster six times a year ..................................... 571
503. Regimental musters, once a year ............................................. 571
504. Officers to assemble the day before the parade ................................ 572
505. Duty of the Colonels and Majors .............................................. 572
506. Duty of Captains ............................................................... 572
507. Duty of Major and Brigadier generals, as to reviews ......................... 572
508. Power of Commander-in chief, as to reviews ................................ 572
509. Army regulations of the United States, as far as consistent with the laws and
INDEX.

MILITIA, (continued.)

constitution of the State, adopted as a system of police for the militia. 578
510. System of tactics to be compiled for cavalry and artillery. 572
511. Commissioned officers to be assembled in brigade encampments, once in two
years, for five days. 579
512. Notice to be given for such encampments. 572
513. Duty of Adjutant and Inspector general. 572
514. Courts martial, how ordered and conducted. 573
515. Defaulters may send their excuses in writing. 573
516. Fines, how to be collected. 579
517. Fi. Pa. or Co. Bn. may be issued. 572
518. Sheriff's fees and duties. 573
519. Duty of paymaster, and how appointed, and to give bond. 573
520. Penalty on different officers for neglect of duty. 574
521. Neglect or disobedience on parade. 574
522. Fines on officers and privates. 574
523. Disorderly conduct or disturbance of the camp, how punished. 574
524. Neglect to make returns, or to account. 574
525. Fines relating to equipments. 574
526. Persons removing from one beat to another. 574
527. Fines for non-attendance on brigade encampments. 574
528. What persons exempt from military duty. 575
529. Uniform of officers. 575
530. Uniformer to have the militia and parade lovers and the directions therein, digested,
indexed, published, and furnished to each officer, to be delivered over to
his successor. 575
531. The Act of 20th December, 1832, so far as relates to the organisation of vol-
unteers, and repugnant to this Act, repealed. 575
532. Separate mode of organization for Saint Philip and Saint Michael. 576
533. Mode of that organisation. 576
534. Powder to be furnished artillery corps throughout the State, from the State
magazine, for parades. 577
535. Expenses of cartridges, tubes, match ropes, &c. to be paid by the State. 577
536. Those charges not to exceed $50 for each corps. 577
537. Quantity of powder furnished cavalry. 577
538. Officers, how commissioned. 577
539. Appeals from court martials. 578
540. How to proceed against defaulters. 578
541. Oath to be taken by officers, the oath of allegiance required by the Constitu-
tion. 578
542. To be endorsed on the commission, and if not taken within 60 days, subject
to a penalty. 578
543. Certain elections under the Act of 1832, declared valid. 578
544. Time allowed officers to uniform themselves. 578
545. Penalty for neglect. 579
546. Number of volunteer companies that may be raised. 579
547. Governor to collect arms belonging to the State. 579
548. Citizens of James Island and other islands, to form boat companies. 579
549. Divisions to be made in the ninth brigade. 579
550. Regiments to retain their rank. 579
551. Commissioners, how appointed for above objects. 579
552. The 29th regiment to be divided. 580
553. How divided. 580
554. Officers to take rank. 580
555. Elections to be held to fill vacancies. 580
556. Volunteer companies. 580
557. Fines for non attendance at company musters. 580
558. Recruiting limits of volunteer companies enlarged. 581
559. What kind of buttons shall be worn. 581
560. Court martials in certain cases. 581
INDEX. 637

MILITIA. (continued.)
561. All contrary Acts repealed ........................................... 561
562. Col. W. C. Beatty, in the ninth brigade, confirmed in his commission ...... 561
563. His rank ................................................................. 561
564. The ineligibility to election, in the 8th clause of the Act of 1838, (page 569,) suspended for twelve months, in the regiment of Col. Beatty .......................... 561
565. If no person eligible, others may be commissioned within 12 months .... 561
566. Power to order court martial ................................. 562
567. Sentence of court martial hereafter to be made public, and how published .. 562
568. Duty of president of court martial to transmit proceedings to the officer ordering the same, who shall retain it thirty days, to allow appeals .... 562
569. Appeal to be accompanied with an affidavit ........................................ 562
570. Officer ordering the court to issue an execution .................................. 562
571. Form of execution .................................................. 562
572. Form of schedule of those against whom execution is issued ................. 562
573. Execution to be lodged in Sheriff's office ........................................ 562
574. Proceedings by Sheriff ............................................ 563
575. No remittance of fines; but court martial may reconsider .......... 563
576. Persons refusing to satisfy fine, liable to imprisonment by the sheriff .... 563
577. May swear out ..................................................... 563
578. Not to be confined more than ten days ........................................ 563
579. Oath to be taken by members of court martial ................................. 563
580. Of whom and of how many the courts shall consist ......................... 563
581. Contested elections, how tried ...................................... 563
582. What officers subject to serve on courts ......................................... 584
583. Vacancies in courts martial, how filled ........................................ 584
584. Respecting cashiered officers .......................................... 584
585. Time regiments, battalions and companies shall be kept on drill ............ 584
586. How colonels and majors may order company drills ............................. 584
587. Judge advocate for each regiment, how appointed, and duty .................. 584
588. No substitute allowed for drill, inspection or review, under penalty ...... 584
589. Clerk may be appointed by the commander, for each company ............... 584
590. Duties and privileges ............................................. 584
591. Sergeants exempt from warning men ......................................... 584
592. To be done by corporals .............................................. 585
593. Return of persons summoned to attend court martial to be made on oath .. 585
594. Any officer under whom he may be acting, authorised to administer the oath . 585
595. Commissioned officers may send their excuses to court martial, in writing, on oath, certified, unless the court thinks his personal attendance necessary .... 585
596. Voter may vote for a field officer at any poll within the limits, except in St. Philip and St. Michael, where votes can only be taken at the company poll to which he belongs ........................................... 585
597. Fatigue men, how ordered out, and for what length of time .................. 585
598. Brigadier commissioning on artillery company, may designate the regiment and battalion to which it shall belong .................................................. 585
599. Only one company of artillery to a regiment ....................................... 585
600. Quarter master general to receive a salary of $500 ............................ 585
601. Where the line between regiments runs through the plantation of an officer, he may reside on either side of the line ........................................... 585
602. If any company remains three months without officers, the magistrates of the beat, or information of any of the inhabitants, may issue patrol warrants to competent persons to execute that duty, and the magistrates may cause return to be made to them, and impose fines and penalties for non-execution thereof .... 585
603. Tents of divisions to be taken charge of by division quarter master, and have them carried to his brigade encampments ....................................... 596
604. To take charge of them after encampments ......................................... 596
605. The State to pay expenses .................................................................. 596
606. Quarter master's accounts to be returned to the governor, who may pay them out of the contingent fund .................................................. 596
607. Encampment of officers required by Act of 1838, to continue 6 days ...... 596
INDEX.

MILITIA, (continued.)

608. Sergeants and non commissioned regimental staff officers, also to attend, equipped, under penalty. ........................................... 586
609. Commander of company to keep up his compliment of non commissioned officers ......................................................... 586
610. Penalty if any one refuses to serve as such ......................................................... 586
611. Any person who shall disturb a camp of militia, shall pay a penalty ......................................................... 586
612. How tried ......................................................... 586
613. May also be confined ......................................................... 586
614. Militia voluntarily encamped to be subject to the same regulations as if ordered to encamp by law ......................................................... 586
615. The commander in-chief, or major general in his division, if he attends an encampment, may regulate and superintend the same ......................................................... 586
616. Governor may, on the requisition of any Brigadier, cause to be issued, from any arsenal of the State, such public arms as may be necessary, for the officers attending encampments of brigades ......................................................... 586
617. Volunteer companies having arms, to supply them ......................................................... 586
618. Arms to be returned ......................................................... 586
619. Damage done them to be repaired ......................................................... 586
620. Governor to furnish powder to each encampment ......................................................... 587
621. Governor to purchase and distribute 50 copies of M'Comb on courts martial, &c. ......................................................... 587
622. Governor to supply each officer with a copy of this Act, and cause to be published, for the use of the officers, a selection from Scott's infantry tactics, and the sword exercise for cavalry ......................................................... 587
623. Part of Pury'sburgh best company attached to Oatsbury best ......................................................... 587
624. Major elect of 13th regiment to be commissioned ......................................................... 587
625. Officers who have held their commissions ten years consecutively, exempted from ordinary militia duty ......................................................... 587
626. The Act of 1819, requiring a white person to reside on all plantations having more than ten slaves, so altered as to read, "every owner of any settled plantation, shall employ, and keep on his plantation, or in the immediate vicinity, some white man, capable of performing patrol duty, under the penalty of fifty cents per head per month, for every working slave on such plantation" ......................................................... 588
627. How recovered and disposed of ......................................................... 588
628. Not to affect any one who resides on his plantation six months, or who employs less than fifteen working slaves on the place ......................................................... 588
629. The Charleston ancient battalion of artillery, and the Jefferson artillery, consolidated into one company ......................................................... 588
630. Company incorporated ......................................................... 588
631. Companies composing the battalion of artillery in Charleston, exempt from mounting and relieving fire guard ......................................................... 588
632. In lieu thereof, a detachment to attend the arsenal, at alarms of fire, and subject to the same rules and fines as the fire guard ......................................................... 588
633. Each corps of artillery in the State, allowed $25 per annum, for each piece of artillery manned and exercised by the corps, for defraying expenses ......................................................... 588
634. How to be drawn ......................................................... 588
635. The sum never to exceed $100 ......................................................... 588
636. Corps of mounted riders to be raised in St. Helena, to be attached to the 12th Regiment ......................................................... 588
637. Their duties ......................................................... 588
638. The Charleston fire company of axemen, and the city constables of Charlestown, not exceeding 24, exempted from ordinary militia duty ......................................................... 588
639. All officers who have held their commissions seven years consecutively, exempted from ordinary militia duty ......................................................... 588
640. Gen. McComb's system of instructions adopted ......................................................... 588
641. Governor to procure and distribute a copy to each officer, to be delivered to his successor, under penalty ......................................................... 590
642. Adjutant and inspector general to attend once a year, the muster of each regiment, and the drill of the officers the previous day, and direct the drill, if no
INDEX. 699

MILITIA. (continued.)

superior officer be present, and may, with permission of the commander-in-chief,
ober out the regiments at such times as will best suit him. 590

643. Adjutant general shall keep a military bureau and a record of the number of
rank and file of each division, brigade and regiment in the State; procure and
record, annually, returns of the strength, arms and equipments of the mi-
litias; the names, rank and date of the commissions of all the general, staff and
field officers; record all military orders, all matters relating to the militia; to en-
able him to exhibit the true strength, character and condition of the military
force, &c. 590

644. He shall, once a year, visit and inspect the arsenals and magazines, and re-
port, &c. 590

645. Quarter masters and other officers having charge of arsenals and magazines,
to report to the adjutant and inspector general. 590

646. Adjutant-general to deposite in Columbia, in the executive office, in a bureau
kept for the purpose, a record of all matters relating to his office. 590

647. Other duties of the same officer. 590

619. Of what number regiments and squadrons of cavalry may consist. 590

649. Court-martials for cavalry, how ordered. 590

650. Salary of arseni-keeper in Charleston. 591

651. A small magazine to be erected in the citadel in Charleston. 591

652. Arsenal, magazine and guard houses, in Camden, transferred to the town coun-
cil of Camden. 591

653. Fire Company in Columbia, organized in a certain way, exempt from ordi-
inary militia duty. 591

654. The illegibility to hold office, specified in the 8th section of the Act of 19th
Dec. 1833, declared inoperable in the two regiments of infantry in Greenville,
for 12 months. 591

655. In all cases of appeal allowed for default of militia or patrol duty, the offi-
cer ordering the court shall hear the case, whose decision shall be final, and he
shall issue executions, as in other cases. 591

656. Officers commanding regiments, to order out battalions for drill, exercises and
inspection, once every year; the officers to assemble the day previous for drill;
and court martial as in other cases. 592

657. Two corps of light infantry and riflemen to each regiment only, where the
numbers have been reduced sufficiently. 599

658. What number to consist of. 599

659. One to each battalion, if practicable. 599

660. Number of rank and file in artillery corps. 599

661. Corps not so organized, to be dissolved. 599

662. Commanders of regiments to cause light infantry volunteer corps to be inspec-
ted once a year, and if the numbers are deficient, and not supplied within 12
months, to be dissolved. 599

663. Artillery corps attached to regiments may be armed with muskets or field
pieces, at the discretion of the Commander-in-chief. 599

664. State to furnish their arms. 599

665. Drill book to be furnished the non-commissioned staff of each regiment, and
sergeants of companies. 599

666. Sergeants exempt from road duty, the year they attend encampments, except
in the city of Charleston. 599

667. Sergeants who serve 10 years in Charleston, exempt from ordinary militia
duty. 599

668. Corporals, how long to serve. 599

669. Penalty for refusing to serve. 599

670. Fines for non attendance at brigade encampments. 599

671. A person joining a volunteer corps, liable to fines, though he had been exempt
from militia duty before. 593

672. Captain of patrol neglecting his duty, to be tried by court martial, as officers
of the militia. 599
MILITIA, (continued.)

673. Penalties for neglect of militia or patrol duty, may be inflicted within 12 months from default, but not after; but upon judgment, liable on execution as in civil cases. 593

674. Courts-martial for militia and patrol duty, when and where to be ordered. 593

675. Person fined by default, upon affidavit that he could not attend the court, or render his excuses in writing, and out of his power to sue out an appeal before execution issued, and that he does not appeal for delay, may have his case heard by the colonel, or officer commanding the regiment, who shall have power to hear the party, and if satisfied, to notify the sheriff, who shall enter satisfaction on the execution. 593

676. Penalty on commanders of regiments neglecting their duties, and how recovered. 593

677. Best companies may make by-laws for their government; to uniform themselves; provided, no member shall be subject to any penalty, or to uniform himself, unless he has assented and subscribed the by-laws. 593

678. When uniforms, the commissioned officers permitted to wear the same. 594

679. When volunteer companies, of any sort, shall be inspected and received and commissioned. 594

680. Penalty for an officer violating the above provisions. 594

681. Beaufort troop of horse exempt from attendance on reviews and parades, on certain conditions. 594

682. Salary of the adjutant and inspector-general. 594

683. Furloughs only granted in actual service. 594

684. Commander, or senior officer on duty, for drill, exercise, inspection or review, may grant leave of absence from that special duty, on good cause shown. 594

685. Two least companies in Christ Church, united into one. 594

686. How officered. 594

687. The companies and battalions in the 30th regiment, equalized. 594

688. Arrangement of cavalry regiments. 594

689. Their numbers, designation and rank. 594

690. Brigades of cavalry arranged. 594

691. Cavalry attached to the 4th, 7th and 8th infantry brigades, to remain as heretofore. 594

692. Brigadiers of cavalry to be elected. 595

693. Election, how ordered and conducted. 595

694. Eligibility, and right to vote. 596

695. When cavalry brigades shall be dissolved. 596

696. Quota of men for cavalry corps. 596

697. Cavalry to encamp with brigades of infantry. 596

698. Brigadiers of cavalry to attend encampment of the brigades, and instruct them. 596

699. Brigadier of cavalry not to assume command of the infantry. 596

700. Colonel of cavalry to drill each troop in his regiment, once in every two years, and Lieutenant Colonels and Majors in their squadrons, once a year. 596

701. How disputes between infantry and cavalry to be settled. 596

702. Hilton head company exempted from attending regimental and battalion musters. 597

703. The 11th section of the Act to regulate patrol duty of Charleston Neck, repealed. 597

704. No grocery store or retail shop to be open on the Sabbath, on Charleston Neck, or on any other day after certain hours. 597

705. Penalty for breach of the law. 597

706. Retail shops on Charleston Neck not to have screens, blinds, or other obstructions to the view from the front door. 597

707. Hogs running at large on Charleston Neck, prohibited. 597

708. Forfeititure. 597

709. Not to extend to hogs driven for market. 598

710. This law to be advertised one month in the gazettes of Charleston, before enforced. 598
INDEX.

MINING COMPANIES,
  1. The general mining company of South Carolina.......................... 438

MOULTONVILLE.
  1. Incorporated............................................................. 390
  2. Elections, Powers................................................... 291, 293
  3. Intendant and Wardens authorized to levy a tax to build a goal......... 368

NECK, (CHARLESTON.)
  1. The 11th sec. of the “Act to regulate the performance of patrol duty on Charleston neck” repealed................................. 597
  2. Provisions against grocery stores and retail shops, being kept open on sundays, and at certain hours on other days, to trade or traffic with negroes or persons of color.................................................. 597
  3. Retail shops on the neck not to have screens, blinds, or other obstructions to the view of the front door........................................... 597
  4. Hogs running at large prohibited and forfeited........................... 598
  5. Law not to extend to hogs driven through the streets for market........ 598

OATH,
  1. Of militia officers..................................................... 492, 501, 570
  2. Of members of court martials......................................... 491, 584

O'FANEL, DR.
  1. His estate vested in the next of kin.................................... 299

ORANGEBURGH.
  1. Election of officers................................................... 393
  2. Council to grant licenses.............................................. 395
  3. How fines to be collected.............................................. 451

PATROL.
  1. How fines to be collected............................................... 516
  2. Collector to account to proper officer.................................. 516
  3. Fines for not riding patrol or furnishing substitute.................... 517
  4. Captains of militia companies to divide their beat into patrol districts, which may be altered by a majority of the officers of the Company.................. 538
  5. Penalty if the captain neglects this duty................................ 539
  6. Captain to cause a roll to be made out for each patrol district, including the names of all free white men above 18 residing therein, persons above 45 owning no slaves being exempt................................. 539
  7. The captain or commander of each beat company, at every regular muster, shall pick off from the roll of each patrol district, any member of persons, at his discretion, who shall perform patrol duty, until the next petty muster........ 538
  8. A commander shall be appointed by him to each patrol company........ 538
  9. Penalty for neglect of any of these duties................................ 538
  10. To turn out at least once a fortnight.................................. 538
  11. Duty of patrol........................................................... 539
  12. Penalty for any body to beat or abuse a slave........................... 539
  13. Patrol may enter disorderly houses or house, vessel or boat, suspected of harboring, trafficking or dealing with negroes, whether occupied by white or colored persons, and to apprehend and correct all slaves found there.......................... 538
  14. Must give information of all white persons so found, and detain in their possession such produce or articles for trafficking so found, if the detention be authorized by three freeholders, or by one justice of the peace, until the same be recovered by law.......................................................... 538
  15. Slave not to use or carry fire arms, unless he has a ticket or license from his master, or some white person with him, or employed to hunt, kill game or mischievous birds or beasts, within the limits of his master’s plantation, or shall be a watchman over the fields and plantation.............................. 539
  16. Gun so found may be seized............................................. 539
  17. Proceedings in such case................................................ 539
  18. Captain of patrol invested with power to keep his men in good order...... 539

VOL. VIII.—81.
INDEX.

29. Penalty for disobedience to his orders .......................... 539
30. If the captain of patrol acts improperly, he may be reported by any of his men to the commander of the beat, may be tried by court-martial, and fined .................. 539
31. Penalty for not performing patrol duty .......................... 540
32. Captain of patrol to make return to the captain of the beat, on oath, at regular times, under penalty ............................................. 540
33. Any person may correct, moderately, any slave found out of his master's plantation without a ticket, or with a ticket, if he has a gun or offensive weapon, unless on lawful business, or in company with some white person, not less than 10 years of age ............................................. 540
34. To disperse and punish all unlawful assemblies of slaves or person of color, whether the assembly consist of all or any of such persons .......................... 540
35. But no church or place of public worship, wherein shall be assembled the members of any religious society, a majority of whom shall be white persons, at any time before 9 o'clock in the evening, shall be disturbed, unless a warrant shall previously be obtained from a magistrate for the purpose ............................................. 540
36. Provided, no patrol or other person to strike, or correct or beat, in any manner, any slave in any incorporated town, when absent from his residence, between day-break and nine o'clock in the evening, unless engaged in some unlawful purpose ............................................. 540
37. Lawful for any person to break open doors, gates or windows, to disperse any such unlawful assemblies ............................................. 540
38. Every owner of any settled plantation, to employ some white man on the place, capable of performing patrol duty, under penalty of fifty cents for every working slave ............................................. 540
39. How to be recovered ............................................. 540
40. This law not to affect any persons residing on their plantations seven months in the year, or who employ less than 10 working slaves on such place ............................................. 541
41. Any one sued for carrying this Act into force, allowed, on failure, treble costs ............................................. 541
42. Secretary of State to distribute this Act to commandants of regiments, to be distributed by them to all commissioned officers of his regiment ............................................. 541
43. The commander of each company to read the Act, at least once in six months, to his company ............................................. 541
44. All laws repugnant, repealed ............................................. 541
45. The power of corporate towns over patrol, reserved ............................................. 541
46. Officers of militia companies on Charleston Neck, to cause their companies to be divided into patrols ............................................. 546
47. Penalty for neglect of this duty ............................................. 546
48. Rolls for each patrol to be made out, including all free white males over 18 and under 50, residents, except ministers of the gospel ............................................. 546
49. All females above 10 years, and owning 10 slaves, liable ............................................. 546
50. Captains of patrol to be appointed in writing, who shall serve for two months ............................................. 546
51. Penalty for refusing ............................................. 546
52. No person to serve as such more than once in twelve months ............................................. 546
53. Duty and powers of such patrol ............................................. 546
54. Penalty on patrol who misbehave ............................................. 546
55. Leaders of patrol punishable for misconduct ............................................. 547
56. Fine for not performing patrol duty on Charleston Neck ............................................. 547
57. What returns captains of patrol on Charleston Neck must make ............................................. 547
58. Persons of color found within the limits, to be treated as slaves, and liable to the same punishment, unless their free papers are produced, or other good evidence of their freedom ............................................. 549
59. But free negroes and persons of color to have a pass from their guardians, after 10 o'clock........... 549
60. No grocery store or retail shop on Charleston Neck to keep open for business on Sundays, or on other days, after nine o'clock P. M., from 20th Sept. to 20th March, and after 10 o'clock from 20th March to 30th September ............................................. 549
61. Penalty for breach of this law ............................................. 549
INDEX. 643

PATROL. (continued.)
32. Patrol on the Neck to provide themselves, and keep always in readiness, one
gun or pistol, with at least six cartridges, or a cutlass, under penalty...........548
33. Fines to be paid to the commissioners of Cross Roads.........................548
34. The commanding officer of the militia company of Charleston Neck, shall
appoint a Secretary, to prepare and lay before the court, a record of the pro-
ceedings, to be open to the inspection of the public.................................548
35. Secretary to be excused from patrol duty.............................................548
36. The leader of each patrol to appoint one to summon the others, and to exempt
himself.................................................................549
37. It shall be the duty of the commanding officers of companies, and of all ma-
gistrates on the Neck, to give information to the captains of patrol, of all unlaw-
ful assemblies of negroes or persons of color, which may come within their know-
ledge, who, thereupon, shall turn out their patrols and perform their duties......549
38. Penalty for neglect of such their duty..................................................549
39. Persons sued for enforcing this Act, to have treble costs, if plaintiff fails.....549
40. The commissioners of Cross Roads, for Charleston Neck, to appoint a collec-
tor of patrol fines..........................................................556
41. Duties of the collector...........................................................................556
42. Governor to have the militia and patrol laws, and the decisions thereon, digest-
ed, indexed, published, and furnished to each officer, to be delivered over to his
successor.................................................................575
43. If any company remains three months without officers, the magistrates of the
beat, on information of any of the inhabitants, may issue patrol warrants to
competent persons, to execute that duty; and the magistrate may cause re-
turns to be made to him, and impose fines and penalties for non-execution
thereof............................................................................585
44. The Act of 1819, requiring a white person to reside on all plantations having
more than 10 slaves, so altered as to read, "every owner of any settled planta-
tion shall employ and keep on, or in the immediate vicinity thereof, some white
men, capable of performing patrol duty, under the penalty of fifty cents per
head per month, for every working slave on such plantation"........................588
45. How recovered and disposed of...............................................................588
46. Not to affect any one who resides on his plantation six months, or who em-
loys less than fifteen working slaves on the place........................................588
47. In all cases of appeal allowed for default of militia or patrol duty, the officer
ordering the court shall hear the case, whose decision shall be final, and he shall
issue executions, as in other cases..........................................................591
48. Every captain of patrol who shall neglect to perform the patrol duties assign-
ed, to be tried by court-martials, as officers of militia................................592
49. All penalties for neglect of patrol duties may be imposed by court-martials,
within 12 months from default, and not thereafter; but upon judgment, the
party shall be liable to execution, as in civil cases........................................592
50. Collective officer, not any wise released from his duty..............................592
51. Courts martial, when and where they may be ordered, by the commanding
officers of regiments.................................................................593
52. How summoned.................................................................593
53. If any person be fined by default, and conceives himself aggrieved by the
sentence, he may make affidavit that he could not attend the court, or render
his excuse, in writing, to the same, or that it was out of his power to sue out an
appeal before the issuing of execution, and that he does not appeal merely for
delay, the commander of the regiment shall have power to hear and determine
the case; and if he shall decide in favor of the party, he shall notify the sheriff,
in writing, to that effect, who shall enter satisfaction on the execution, stating
how settled.................................................................593
54. Penalty on Colonels or commanders of regiments, wilfully neglecting the
above duties.................................................................593
55. How recoverable.................................................................593
56. Provision against grocery stores and retail shops, being open on Sunday, and
INDEX.

PATROLS (continued.)

at certain hours on other days, to trade or traffic with negroes or persons of
color ................................................................. 597
77. Retail shops on the Neck, not to have screens or blinds, so as to obstruct the
view of the front door........................................... 597
78. The eleventh section of the "Act to regulate the performance of patrol duty
on Charleston Neck," repealed .......................... 597

PLANTERS'S AND MECHANICS'S BANK. See Banks.
1. Corporate powers and privileges .................................. 18
2. Charter amended ..................................................... 22, 36, 39
3. Renewed ............................................................... 57

PROCESS.
1. Civil process not to be executed on a person attending mastsers............. 489, 519

RAILROAD.
1. John McLean authorized to construct one in Columbia ......................... 373
2. Wm. Lang, and others, authorized to construct one .......................... 374
3. South Carolina Canal and Rail Road Company, incorporated ................. 354
5. Depton and Wapehols Rail Road Company ..................................... 390
6. Durham Creek Rail Road Company ........................................... 395
7. Edgefield Rail Road Company ............................................. 396, 408
8. Charleston and Cincinnati Rail Road Company ................................. 406, 409, 421, 434
9. Barnwell Rail Road Company ............................................... 423
10. Sumner and Darlington Rail Road Company .................................... 440
11. Metropolitan Rail Road Company ........................................... 464
12. Charleston, Georgetown, and All Saints Rail Road Company ................. 474

RANDOLPH, ISAAC
1. Authorized, exclusively, to run a line of stages ............................. 391

ROADS. See Turnpike.

SLAVES AND PERSONS OF COLOR.
1. Slaves not allowed the use of fire arms or other weapons, except in certain
cases ................................................................. 539
2. Slave found without his master's plantation without a ticket, to be pun-
ished ................................................................. 540
3. Slave having in his possession any gun or offensive weapon ................. 540
4. Unlawful assemblies, how dealt with ....................................... 540
5. In incorporated towns ................................................... 540
6. Owners of plantations, to have a white man on the same .................... 540
7. Slaves found not at home, on Charleston Neck .................................. 547
8. Unlawful assemblies there .................................................. 549

SOUTH CAROLINA, (BANK OF) See Banks.
1. Corporate powers and privileges .......................................... 1, 34, 36, 39, 40
2. Charter renewed .................................................................. 55

SOUTH CAROLINA COLLEGE.
1. Trustees of, vested with power to compel witnesses, by subpoena, to ap-
ppear and testify, and produce papers, &c .................................. 373

SOUTH WESTERN RAIL ROAD BANK. See Banks.
1. Corporate powers and privileges .......................................... 96, 104, 105

STATE BANK. See Banks.
1. Corporate powers and privileges .......................................... 1, 6, 34, 36, 39, 40, 49
2. Charter renewed .................................................................. 67, 90

STEAM BOAT COMPANY.
1. The Atlantic Steam Packet Company, chartered ............................... 396
2. Charleston and Philadelphia Steam Packet Company ......................... 439, 437
3. Savannah and Charleston Steam Packet Company ............................. 439
4. Merchants's Steam Boat Company ............................................ 437
5. Cheraw Steam Boat Company .................................................. 437
6. The Southern Steam Packet Company ........................................... 461
INDEX.

SULLIVAN'S ISLAND.
1. Manner of building on it, regulated. 353

TURNPIKE.
1. Company incorporated to build one, between Edgefield and Hamburgh. 368

UNION (VILLAGE.)
1. Incorporated. 450

UNION BANK. See Banks.
1. Corporate powers and privileges. 14, 23, 36, 37, 39
2. Charter renewed. 57

UNION INSURANCE COMPANY.
1. Their powers and privileges. 243
2. To continue 14 years. 243
3. Estate held by the corporation, not to escheat, &c. 344

UNLAWFUL ASSEMBLAGES.
1. Of slaves, how dispersed. 540

VESTRY AND WARDENS OF ST. THOMAS.
1. Authorized to loan out the money arising from the Beresford bounty. 336

WINNSBOROUGH.
1. The Act of 1803, continued for fourteen years. 281
2. Village incorporated. 393

END OF THE EIGHTH VOLUME.