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MONTHLY CALENDAR FOR JULY, 1871.

Table with columns for days of the week (Sunday to Saturday) and Moon's Phases (Full Moon, Last Quarter, New Moon, First Quarter).

LAWS OF THE STATE.

Acts and Joint Resolutions, Passed by the General Assembly of South Carolina, Session of 1870-71.

OFFICIAL.

An Act to amend and Extend the Charter of the Planters and Mechanics' Bank of South Carolina, and for other purposes therein named.

Whereas the capital of the Planters and Mechanics' Bank of South Carolina has been reduced, by losses, from one million of dollars to one hundred thousand dollars, whereby the shares, originally worth twenty-five dollars each, are, at the present time, worth, in reality, but two dollars and fifty cents each; and the President and Directors of the said Bank have petitioned for leave to consolidate their said shares at that rate, so as to bring them up to their original par value;

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of Directors of the said bank be, and they are hereby authorized to consolidate the shares of the said bank, by calling in their said shares, and issuing one share of the par value of twenty-five dollars for every ten of their present shares, so that the number of shares shall be reduced from forty thousand to four thousand; Provided, however, That the said bank shall, at the request of stockholders now holding less than ten shares, redeem the said shares at the rate of two dollars and fifty cents per share.

Sec. 2. That the said Board of Directors, before reducing and consolidating the said shares, shall give at least thirty days' public notice, in one or more of the newspapers of the city of Charleston, of their intention so to consolidate, reduce and redeem the stock of the said bank; and, from and after the day fixed and so publicly notified for the said consolidation, reduction and redemption of the said shares, no one shall be considered or held to be a stockholder of the said bank who has not received a new certificate for the consolidated shares at twenty-five dollars per share: Provided, always, That the holder of any number of original shares under ten shall be at liberty to sell and assign the same to whomsoever he may choose, by endorsement upon the certificate held by him, which endorsement shall, without transfer at the bank, entitle the assignee to demand the redemption of the said shares or the consolidation of them, whenever he has acquired or holds ten or more shares, at the price or rate as in the first section of this act provided.

Sec. 3. The said Board of Directors are hereby further authorized and empowered, from time to time, to increase the number of shares and the capital of the said bank at any time after thirty days' notice of their intention so to do, published in one or more of the newspapers of the city of Charleston, to a number not exceeding in the whole twenty thousand shares, each share to be of the par value of twenty-five dollars, and to open books of subscriptions for such additional shares, under such regulations as they shall prescribe: Provided, always, That the stockholders shall have preference in subscription to the increased stock, in proportion to the amount then held by them.

Sec. 4. The said bank is hereby further authorized to receive deposits, in such sums, and at such times, as the Board of Directors may state, by public advertisement, and pay the same, with a stipulated rate of interest upon them, at stated periods, the interest to

be paid in money, or to be placed at the credit of said depositors, upon the same terms and conditions as the original deposits.

Sec. 5. The present charter of the bank is hereby altered and amended, as in the previous sections of this act is provided, and in all other respects the said charter is hereby confirmed as if those provisions had been originally incorporated in the said charter, and the said charter is also extended for a period of twenty-one years beyond its present termination.

Sec. 6. That all other powers herein conferred upon the Board of Directors of the Planters and Mechanics' Bank be, and the same are hereby conferred upon the Board of Directors of the Bank known as the Union Bank of South Carolina, which charter is also hereby amended and extended in the same manner, and that they shall have the same powers as are herein conferred.

Sec. 7. That the charter of the People's Bank of South Carolina be, and the same is hereby renewed for the term of twenty-one years from and after the sixteenth day of December, which shall be in the year of our Lord one thousand eight hundred and seventy-three.

Sec. 8. That the said bank, during said term of twenty-one years, shall enjoy all the privileges, rights, powers, immunities and benefits which it now enjoys under the existing charter of said bank.

Sec. 9. That this act shall be deemed a public act.

Sec. 10. That this act shall not be construed to exempt any of the banks named from State or municipal taxation.

Approved December 9, 1870.

An Act to Grant, Renew and Amend the Charters of Certain Towns and Villages therein mentioned.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same:

Village of St. Stephens.

That from and after the passage of this act, all citizens of this State, having resided twelve months within this State and sixty days in the village of St. Stephens, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said village shall be called and known by the name of St. Stephens, and its corporate limits shall extend three-fourths of a mile in each direction from the Depot of the Northeastern Railroad.

Sec. 2. That the said village shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and who shall have resided in this State twelve months, and shall have been residents of the said village sixty days immediately preceding their election, and who shall be elected on the fourth Monday in March, 1871, and on the same day in each year thereafter, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided within the State twelve months, and in the said village sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens, paupers, and persons under disabilities for crime excepted.

Sec. 3. The said election shall be held at some convenient public place in said village, from eight o'clock in the morning until four o'clock in the afternoon, and when the polls shall be closed the Managers shall forthwith count the votes and declare the election, and give notice thereof, in writing, to the Intendant therein being, who shall, within two days thereafter, give notice, or cause the same to be given, to the persons duly elected: Provided, The Commissioners of Election of Charleston County shall call the first election under this Act, and shall appoint Managers to conduct the same, who shall make return thereof to the Commissioners, the same as other elections held in this State. And the said Commissioners shall count the votes and declare the election, and notify the persons so elected Intendant and Wardens of the said village. The Intendant and Wardens, before entering upon the duties of their offices,

shall, respectively, take the oath prescribed by the Constitution of this State, and, also, the following oath, to-wit: "As Intendant (or Warden) of the village of St. Stephens, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected: So help me God." And if any person, upon being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the Council the sum of twenty dollars for the use of the said village: Provided, That no person who has attained the age of sixty years shall be compelled to serve in either of said offices; nor shall any other person be compelled to serve, either as Intendant or Warden, more than one year in any term of three years. The Intendant and Wardens, for the time being, shall always appoint one or more Boards of Managers, three Managers for each Board, to conduct the election, who, before they open the polls, shall take an oath fairly and impartially to conduct the same.

Sec. 4. That in case a vacancy shall occur in the office of Intendant, or any of the Wardens, by death, resignation, removal, or otherwise, an election to fill such vacancy shall be held, by order of the Intendant and Wardens, or a majority of the same, ten days' public notice being previously given: and in case of sickness or temporary absence of the Intendant, the Wardens forming the Council shall be empowered to elect one of the number to act as Intendant during the time.

Sec. 5. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices, or Justices of the Peace, as the case may be, in this State, within the limits of the said village, except for the trial of small and mean causes; and the Intendant shall, or may, as often as is necessary, summon the Wardens to meet in Council, any three of whom, with the Intendant, shall constitute a quorum to transact business; and they shall be known as the Town Council of St. Stephens; and they, and their successors in office hereafter to be elected, may have a common seal, which shall be affixed to all of their ordinances; may sue and be sued, plead and be impleaded, in any Court of justice in this State, and purchase, hold, possess and enjoy, to them and their successors, in perpetuity, or for any term of years, any estate, real, personal or mixed, and sell, alien or convey the same: Provided, The same shall not exceed, at any one time, the sum of ten thousand dollars. And the said Town Council shall have authority to appoint, from time to time, as they may see fit, such and so many proper persons to act as Marshals or Constables of said village as the said Council may deem necessary and expedient for the preservation of the peace, good order, and police thereof, and to so appoint, and shall have authority to remove and reappoint, and shall be liable to be removed at the pleasure of the said Council. And the said Council shall have power to establish, or authorize the establishment of a guard house, and to prescribe suitable rules and regulations for keeping and governing the same, and, until the said guard house is established, they shall be authorized to use a room in the common jail of the County of Charleston, for the confinement of all who may be subjected to be committed for a violation of any ordinance, rules and regulations of said town. And the said Town Council, or the said Intendant and Wardens, in person, any one or more of them, may authorize and require any Marshal of the town, or any Constable specially appointed for that purpose, to arrest and commit to the said guard house or jail of Charleston County, as the case may be, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town,

may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or any conduct grossly indecent, or dangerous to the citizens of said town, or of them. And it shall be the duty of the Town Marshal or Constables to arrest and commit all such offenders when required so to do, and who shall have power to call to their assistance the posse comitatus, if need be, to aid in making such arrest; and, upon the failure of said officers to perform such duty as required, they shall, severally, be subjected to such fines and penalties as the Town Council may impose upon them. And no persons so imprisoned shall pay the costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as is provided for the collection of fines imposed for the violation of ordinances, rules and regulations: Provided, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offence which he, she or they may have committed. And the said Town Council shall have full power and authority under their corporate seal, to make all such rules and regulations thereof, as well as the police system of the said town, as shall appear to them necessary and proper for the security, welfare and convenience, and for preserving health, order and good government within said town. And the said Town Council may impose fines for offences against their by-laws, rules and regulations and ordinances, and appropriate the same to the public use of said town; and the said Town Council shall have the same power that Trial Justices of the Peace now have, or may hereafter have, to compel the attendance of witnesses, and requiring them to give evidence upon the trial before them of any person or persons for a violation of any of their ordinances, by-laws, rules or regulations; but no fine above the sum of twenty-five dollars shall be collected by said Council, except by suit in the proper Courts of Justice in this State; and, also, that nothing herein contained shall authorize said Council to make any ordinance or by-law inconsistent with, or repugnant to, the laws of the State.

Sec. 6. That the said Intendant and Wardens, or a majority of them, shall have power to abate and remove all nuisances in said town; and it shall be their duty to keep all roads, ways, bridges and streets in said town open and in good repair; and for that purpose they are invested with all the powers of County Commissioners or Commissioners of Roads, for and within the corporate limits of the said town; and they may lay out new streets, close up, or otherwise alter those now in use; and shall have full power to classify and arrange the inhabitants or citizens of said town liable to street, road or other public duty therein, and to force the performance of such duty under such penalties as are now, or shall hereafter be, prescribed by law; and they shall have power to compound with all persons liable to work the streets, ways and roads in said town, upon such terms as their ordinances or by-laws may establish, or their rules and regulations require, the moneys so received to be applied to the public uses of said town; and all persons refusing to labor, or failing to pay such commutation, shall be liable to such fine, not exceeding twenty dollars for any one year, as the said Town Council may impose; and they shall have the power to enforce the payment of such fine in the same manner as is now, or may be hereafter provided for the collection of County taxes. And the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets, and ways within the said town as they may deem necessary, by the sale of the freehold therein, either at private or public sale, as they may adjudge best for the interest of the said town; and they shall keep in repair all such new streets, roads and ways as they may, from time to time, deem necessary for the improvement and convenience of said town: Provided, That no street, road or way shall be opened without first having obtained the consent of the land owner or owners thereof, through whose

premises any such new street, road, or way may pass.

Sec. 7. The said Town Council shall have power and authority to require all persons owning a lot or lots in said town, to close in, and to make and keep in good repair side-walks in front of said lot or lots, whenever the same shall front or adjoin any public street of said town, if, in the judgment of the Council, such sidewalk shall be necessary, the width thereof, and the manner of construction, to be designated and regulated by the said Town Council and for default or refusal, after reasonable notice, to make and keep in good repair such side-walks, and to close such lot or lots, the Town Council may cause the same to be made or put in repair, and require the owner to pay the price of making or repairing; and the said Town Council are hereby empowered to sue for and recover the same, by action of debt, in any Court of competent jurisdiction: Provided, That such contract for making or repairing is let to the lowest bidder. The cemeteries and public graveyards are also placed under the jurisdiction of the said Town Council.

Sec. 8. The Intendant and Wardens of the said town, or a majority of them, shall have full power to grant or refuse license to keep taverns or retail spirituous liquors within the corporate limits of the said town, upon such conditions, and under such circumstances, as to them shall seem proper and right: Provided, That in no instance shall the price of a license to keep a tavern or to retail spirituous liquors be less than the amount that is established by the State; and all moneys paid for licenses and for fines and forfeitures, shall be appropriated to the public use of said town: Provided, That the Intendant and Wardens, duly elected, shall not have power to grant any license to keep a tavern, or retail spirituous liquors to extend beyond the term for which they have been elected. They shall have power to regulate sales at auction within the corporate limits of the town, and to grant licenses to auctioneers, itinerant traders, to keepers of hotels and livery stables; and to levy a tax on all drays, carts, wagons, omnibuses, buggies, horses, mares or mules, kept for hire, or used for public purposes in said town; and they shall have the full and only power to impose a tax on all shows or exhibitions for gain or reward, within the corporate limits of said town; they shall have power to impose a tax, not exceeding twenty cents on every hundred dollars of the value of all real and personal property lying within the corporate limits of the town, the real and personal property of churches and school and colleges associations excepted. That an ordinance declaring the rates of annual taxation upon property and other subjects of annual taxation for the year, shall be published at least three weeks during the month of January in each year: Provided, That the said Town Council shall have power to levy a tax for this year, under the same rule as is above stated, immediately after the passage of this Act; and that all persons liable to taxation under the same shall make oath of their taxable property within said town, and make payment of their taxes to the Clerk or Treasurer of said corporation, or such other person as they may be ordered or required to do during the succeeding month after publication, and upon the failure to make such return and payment, as required, the parties so in default shall be subject to the penalties provided by law for failure to pay the general State and County tax, to be enforced by the order of the Intendant and Wardens, or a majority of them, for the use of said town, except that, in such cases, that executions to enforce the payment of such taxes shall be issued under the seal of the corporation, and may be directed to the Town Marshal, or other person appointed by the said Town Council, to levy, collect and receive the same, with costs, as in such cases made and provided by law; and all property upon which such tax shall be levied and assessed is hereby declared and made liable for the payment thereof in preference to all other debts, except debts due to the State, which shall be first paid; and that all other taxes imposed by the Intendant and Wardens, or a majority of them, shall be payable, in advance, by the parties liable for the same, and, on failure of

payment, their property shall be liable for the same, as in manner and form just before stated.

Sec. 9. The Intendant and Wardens elect, together with Clerk and Treasurer, shall, during their term of office, be exempt from street and police duty. Each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors in office, a full account of their receipts and expenditures during their term; which account shall be published in one or more papers of the town or County; and shall pay over all moneys in their possession belonging to the corporation, and deliver up all books, records and other papers incident to their office, to their successors; and, on failure to do so, they shall be liable to be fined in a sum not exceeding five hundred dollars, to be collected by any proper action of the Town Council.

Sec. 10. That all ordinances or by-laws passed by the Town Council of St. Stephens shall be binding upon the citizens of said town, the same as the laws of the State.

Sec. 11. That all Acts and parts of Acts inconsistent with, or supplied by, this Act, be and the same are hereby, repealed.

Sec. 12. This Act shall be deemed a public Act, and continue in force for the term of twenty years, and until the end of the Legislature thereafter.

Town of Sumter.

Sec. 13. That from and immediately after the passage of this Act, all and every person, or persons, who are constitutionally qualified to vote for members of the General Assembly of this State, and who may reside within the present corporate limits of the town of Sumter, for sixty days immediately preceding an annual election for Intendant and Wardens, are hereby declared members of the said corporation.

Sec. 14. That the said persons and their successors shall, from and after the passage of this Act, become a body corporate and politic, and shall be known and called by the name of the Town of Sumter; they shall have a common seal, may sue and be sued, impleaded 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.

Sec. 15. That the municipal offices of said town shall be, and are hereby, vested in an Intendant and four Wardens, to be chosen as hereinafter mentioned and directed, who shall be denominated the Intendant and Wardens of the town of Sumter, and shall be persons who actually reside within the limits of said corporation, and have so resided at least sixty days immediately preceding their election.

Sec. 16. That on the second Tuesday in April of each year, an election for Intendant and Warden shall be held at such convenient place, or places, within said town, as may be designated by said Intendant and Wardens; at which election all such persons as have been before declared members of the said corporation shall be entitled to vote by general ballot.

Sec. 17. That the Intendant and Wardens duly elected and qualified, as above directed, before they enter upon the duties of their office, shall in addition to the oath prescribed in Section 20 of Article II of the Constitution, take the following oath, to-wit: "I, as Intendant (or Warden) of the town of Sumter, do solemnly swear, or affirm, that I will equally and impartially, to the best of my skill and judgment, exercise and discharge the trust reposed in me, and will endeavor to carry into effect the purposes for which I have been elected: So help me God." And that the said Intendant and any two of the Wardens shall constitute a quorum for the transaction of business; and in case of the death, resignation, or absence from town of the Intendant aforesaid, the said Wardens, or a majority of them, shall elect from among themselves an Intendant to fill such vacancy occasioned as aforesaid, and that in case of death, removal from office, or resignation of any of the said Wardens, then, and in such case, the Intendant and any two Wardens shall appoint a time and place for election of another Warden to fill the vacancy so occasioned.