SUMTER S. C. WEDNESDAY, APRIL 5, 1871.

LAWS OF THE STATE.

Acts Passed by the General Assembly of South Carolina, Session 1870-'71.

[OFFICIAL.]

AN ACT TO PROVIDE FOR THE CONSTRUCTION AND

SECTION 1. Be it enacted by the Senate House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That immediately after the passage of this Act, the County Commissioners of the several Counties shall divide their Counties into highway districts, each district to contain not less than ten miles of public highways, nor more than forty miles, to be convenient for repairing highways, and may, from time to time, after the same; and they shall appoint for each highway district a Surveyor of Highways to superintend the expenditure of the highway tax and money appropriated for improvement of highways in his district, and to take charge and keep in repair, at all times, the highways in his district; said Surveyor of Highways shall be removeship at all the removeship at all the removeships at all th tained within this district, through fault or neglect in the discharge of his duty; said Surveyor of Highways shall give bond to the county, with good and sufficient sureties, to be approved by the County Commissioners, in double the amount of money to be expended in his district, for the faithful discharge of his duties.

SEC. 2. That for the purpose of keeping in repair highways and bridges, the County Commission of each county shall, on or previous to the first day of January, assess a tax of eighteen cents, if so much be necessary, on every hundred dollars of the lists of the county, to be paid in money or labor at the option of the tax payer, and laid out in repairing highways and bridges; and they shall annually, on or before the said first day of January, make out a tax bill for each Surveyor of Highways, containing the amount of the tax to be laid out by him in the district, with the amount of each person's tax annexed to his name, accompanied with a warrant, signed by the Chairman of the Board authorizing such Surveyor to collect such tax; and they shall deliver the several tax bills to the respective Surveyors, and take their receipt for the same.

Sec. 3. The Surveyors of the several Highway Districts, after receiving their several tax bills and warrants, shall proceed to give notice to the several persons liable to pay taxes in their Districts of the amount of their taxes, and of the time and place in which, and the teams, carriages and tools with which they are required to pay their taxes in labor; but no person shall be liable to furnish any team, carriage or tool of which he is not the owner, except hoes, shovels or spades; such notice may be given to all persons resident in the Highway District, either personally or by written notice left at their usual residence; to non-residents by a written notice left with or at the residence of their tenants, agents, or persons having the care of their property; all of which notices shall be at least three days, and, in case of percons residing out of the Highway District, at least ten days before the time appointed for them to commence their work; and if such non-residents shall have no tenant or agent in the town, notice may be posted up in some public or conspicuous place in the district; and they surveyors shall make and keep a minute of the time and manner in which the notice shall be

Sac. 4. Any person, after he has commenced working in payment of his highway tax, shall be subject to the direction of the surveyor, as to the times when, and the place where, his taxes shall be paid and laid out in labor. SEC. 5. That at least three-quatters of the high-

way tax in any highway district, payable in labor, shall be collected and laid out between the fifteenth day of January and the first day of May, and the remainler between the first day of August and the first day of October, in each year, except as hereinafter provided.

Sec. 6. On any extraordinary occasion, when any bridge or highway shall be destroyed or impaired, so as to require immediate re-pairs, or should be obstructed so as to require immundiate labor to remove the obstruction, it shall be the duty of the Surveyor, forthwith, to cause the highway or bridge to be repaired, or the obstruction removed; and he may, for that purpose, call upon and notify any inhabitants of the district to afford him the necessary aid, or may hire other laborers, or employ other means to open or repair the highways and bridges; and in such case, the notice shall be deemed sufficient to any person owing taxes, payable in the district, in order to make him liae for neglect to pay his taxes in money, if such notice shall be given six hours previous to the time when he is required to appear and labor. If any person shall, in such case, perform labor more than sufficient to pay the taxes due from him, or, if a person not indebted for taxes shall perform lator, the amount of such labor, or the balance, may be accredited to such person to-

wards his highway tax the succeeding year. SEC. 7. If, on any such occasion as specified in the preceding Section, any Surveyor shall, for the space of twelve hours after application made to m for that purpose by any citizen residing within his district, neglect to call upon the subabitants of his district, or use the proper means to repair or open the highway or bridge which may be out of repair or obstructed, he shall forfeit and pay to the County Con missioners of the County, to be expended in repairing highways in such district, the sum of twenty-five dollars, to be collected in the name of the County, unless such Surveyor shall show sufficient reason for such neglect.

SEC. 8. If, in any such case, any inhabitant of the district whose name shall be on the tax bill of such district, whether any tax shall be due from him or not, shall, for the space of six hours after being called on or notified by the Surveyor for that purpose, without sufficient reason, neglect to turn out and assist in repairing or opening such highway or bridge, as he shall be required, he shall forfeit and pay to the County the sum of three dollars, to be collected and expended as provided in the preceding Section.

SEC. 9. If any person, against whom a Surveyor shall have a tax bill, payable in labor, shall neglect, after being notified, as provided in this Act, to work out his tax, he shall be liable to pay his tax in money; and the Surveyor shall proceed to collect the same, and shall have all the power the County Treasurer has by law to collect State and County taxes; and he shall proceed in the same manuer in the collection, and shall have the

SEC. 10. It shall be the duty of each Surveyor of Highways to lay out, in such manner as he may think beneficial in making and repairing highways in his district, all moneys collected by him in his Tax Bill or receive in any way for that

SEC. 11. Each Surveyor shall keep full and regular accounts of all labor performed, and all mon-eys received and expended in his district, and of the labor that may have been performed by any person over and above their taxes, and make return of his accounts to the County Commissioners, annually, in the month of Move And it shall be the duty of each Surveyor of Highways to pay over to the County Commissioners of the County any moneys which may remain in his hands unexpended; and any moneys which may be so received from the Surveyor shall be paid over by the County Commissioners to the succeeding Surveyor, to be expended in the name district. And when any person shall have overpaid their taxes, in labor or otherwise, the balance shall be case may be, accredited to such persons on their taxes for the given; and in

over all moneys, books and papers pertaining to his office to the County Comm ers or to his sor in office, as they may direct.

SEC. 12. If any Surveyor shall have failed to collect the taxes contained in his tax bill as required by law, or if he shall fail to pay over any moneys which he may have collected and not expended, the County Commissioners shall proceed against him upon his official bond.

Sec. 13. If any person receive or suffer bodily injury, or damage in his property, through a de-fect or want of repair or sufficient railing in or of twenty-four hours previous to the occurrence of the injury or damage; but no such damage shall be recovered by a person whose carriage and foad thereon exceeds the weight of six tons.

8go, 14. If, before the entry of an action pro be removeable at pleasure; he shall be responsible vided for in the preceding Section, the County to the county for any damages which may be suswhich he would be entitled to recover, together with all legal costs, and the plaintiff does not accept the same, and does not recover upon his trial nore than the sum so tendered, the defendant shall recover costs.

SEC. 15. If a county neglect to repair any of the highways or bridges which, by law, & is obliged to keep in repair, or neglect to make the same safe and convenient, such county shall be liable to indictment and fine, as the Court in its discretion may order. The fine imposed in such case shall be certified to the County Commissioners by the Clerk of the Court, and they shall proteed to collect the same from the Surveyor or Surveyors of the highway district or districts charged by this Act with the duty of superintending and keeping said highway or highways in repair; the sum when collected shall be laid out in the repair of highways and bridges in the county.

SEC. 16. Each person who shall furnish work on the highways in payment of his highway tax, assessed by the County Commissioners, shall be allowed for a good hand at the rate of ten cen's for each hour. It shall be the duty of the highway Surveyor of the district to make such allowance for the use of teams, carriages and 'tools as shall be equitable and just.

SEC. 17. That all able-bodied male persons between the ages of 18 and 45 years shall be liable, annually, to perform on the public highways and roads not less than three and not more than five days' labor, under the direction of the Highway Surveyor of their District: Provided, That if any person, being warned to work upon the highways, shall pay to the Highway Surveyor, in the district in which he may reside, the sum of one dollar per day for each day required, the same shall be received in fieu of such labor, and shall be applied by the said Highway Surveyor to the construction and repair of the highways and roads in the district; and should any person refuse either to work on the highways and roads, or to pay the fine imposed as a penalty for refusing to work upon the highways and roads according to direction of said | SEC. 9. The said Town Council shall have power commissioners, the said persons shall be deemed guilty of a misdemeanor, and, on conviction thereof, punished by imprisonment in the county jaif Protided, Nothing herein contained shall exten

Sec. 18. Each Highway Surveyor, provided for in this Act, shall receive fifteen cents per hour for the time necessarily employed in discharging the tice or other inferior Court. duties required by this Act; Provided, That he shall not receive exceeding fifty doll-ors per ennum, except in extraordinary cases, when the County Commissioners may, in their discretion, allow a greater sum, and in no event more than limits of said town, the real and personal estate seventy-five dollars.

SEC. 19. The County Commissioners shall, for the said Council shall have power to regulate the be vear 1871, lovy no tax under this Act but that price of licenses upon all public shows and exhiprovided for in Section 17, but shall set apart a portion of the tax heretofore authorized to be raised for county purposes, and have the same laid out and expended under the provisions of this Act.

SEC. 20. All Acts or parts of Acts inconsistent with this Act, are hereby repealed. Approved, March the 9th, A. D. 1871.

AN ACT TO ALTER AND BENEW THE CHARTER OF

THE TOWN OF DARLINGTON. Section 1. Be it enacted by the Senate and House of Representatioes, of the Blate of South Ourolina, now met and sitting in General Assem bly, and by the authority of the same, That an Act entitled "An Act to incorporate certain towns and villages," approved on the 28th day of January, A. D., one thousand eight hundred and sixty, be, and the same is hereby altered and amended as follows, to wit : That from and after the passage of this Act, all and every person or persons who shall have resided in the corporate limits of the village of Darlington for two months, are hereby declared to be members of the corporation

hereby to be created. SEC. 2. That the said persons shall, from and after the passage of this Act, become a body politic and corporate, and shall be known and called by the name of the town of Darlington, and its corporate limits shall extend one and one-half mile from the Court House, except on the northeast, east and northwest sides, which shall be

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

SEC. 4. That the said election shall be held in some convenient public place in said town, from six o'clock in the morning until six o'clock in the evening; and when the polls shall be closed, the Managers shall forthwith count the votes and declare the election, giving notice in writing to the persons elected. The Intendant and Ward for the time being, shall always appoint the Mana gers to conduct the election, who, before they open the polls for the said election, shall take an oath fairly and impartially to conduct the same And the Intendent and Wardens, before entering upon the duties of their offices, respectively, take the oath prescribed by the Constitution of this State, and the following oath, to wit: "As In-tendant (or Warden) of the Town of Darlington, 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 purpose for which I have been elected; So help me G and if any person, upon being elected Intendant or Warden, shall refuse to act as such he shall forfeit and pay to said Town Council. the sum of twenty dollars, for the use of said town : Procided That no person who has attained the age of strip years shall be compalled to serve

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service, severally and respectively, be vested with all the powers of a Trial Justice or other Inferior of fines imposed for violation of ordinances: Pro-Court; and the Intendent shall with may; as vided, That such imprisonment shall not exempt often as may the increasery and the the the party from the payment of any fine the Country whom shall with the Intendight of any fines Wife have been committed. dens, constitute a quorum to themsel business; Sno. 14. That the said Town Council shall have and they shall be known by the mime of the Town the power to collect the units from all persons constitute of Darlington. And their one that one the power to collect the units from all persons representing, publicly, within the corporate km-cessors, hereafter to be elected new later a com- the, for gain or reward, any player shows, of any feet or want of repair or sufficient railing in or mon seal, which shall be sufficed to all their ords. hind whatsoever, to be used for the purpose of upon a highway, causeway or bridge, he may recover, in an action, of the county, by law obliged impleaded in any county. The way lead and to all their ords hind whatsoever, to be used for the purpose of mances, may one and be easily town.

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Impleaded in any county. The way lead town.

The purpose of the county, by law obliged in the purpose of the county in an action, of the county, by law obliged. Stateward purchase, it possess and copy to be collected for retailing, without license, within to repair the same, the amount of damage suse bureausey? possess and the entering and their same them and their same personal the corporate limits of the said town, shall be said the defect, want of repair or of lessenficient or in limits, or if the same had existed for the space or mind, and said said, allow, or conver the street to the Council, for the use of the said town.

Provided, The name shall not exceed, at say one of the said Town Council shall have of the injury or damage; but no such damage time, the same of tenthousand dollars. And the other to abate all nuisances within their corporate. dinances respecting the roads, statets, markets as may be necessary to define the duties and police of said town as shall appear to them and powers of the said Board, and to imand convenience of said town, or for preserving the same; and all the by-laws, rules and ordieral Assembly of this State. And the said Council may fix and impose fines and penalties for the violation thereof, and appropriate the same to That no pusishment shall exceed fifty dollars, or

thirty days' imprisonment. refuse licenses to keep taverns, or retail spiritaous liquors within the corporate limits of said cumstances as to them shall seem right and pre-per: Provided, That in no instance shall the to-make and keep in repair such sidewalks whenprice of a license to keep tavers, or to retail ever required, the said Town Council may cause moneys paid for liceuses, and for fines and fortavern and billiard tables within the said limits without licenses, shall be appropriate to the public uses of said town : Provided, That the Intendant and Wardens, doly elected and qualified, shall not have power to grant any license to keep taverns or retail sphrituous liquors to extend beyond the term for which they have been

elected. SEC. 8. That it shall be the duty of the Inter ant and Wardens to keep all roads, streets and ways within their corporate limits open and in good repair. They shall have power to compo with all persons, liable to work the streets, ways and roads in said town, upon such term as they by ordinance shall establish, the moneys so re-ceived to be applied to the public use of said town and all persons refusing or failing to pay such commutation shall be liable to such fine, not exceeding twenty dollars, as the Town Council may impose.

to regulate sales at auction within the limits of said town, and to grant licenses to auction for the same, for a term not exceeding thirty to sales by Sheriff, Clerk of Court, Judge of Probate, Coroner, Executor or Administrator, Assignee in Bankruptey, or by any of the persons out of the order, decree of any Court, Trial Jus-

Sec. 10. They shall also have power, to impose an annual tax not exceeding twenty cents on every hundred dollars of the assessed value of real and personal estate lying within the corporate of churches and school associations excepted." zine, and compel any person holding more than twenty-five pounds of powder to store the same therein and to make regulations for the rates of storage thereof, and for keeping and delivering the same. The said Council shall have power to enforce the payment of all taxes levied under authority of this Act, against the property and person of all defaulters, to the same extent and in the same manner as is provided by law for the collection of the general taxee, except that executions to enforce the payment of the town taxes shall be Issued under the seal of the corporation, and directed to the Town Marshal or other person especially appointed by the Town Council to collect the same; and all property upon which a tax shall be levied is hereby and made liable for the payment thereof, in preference to all other debts against the said property, except debts due to the State, which shall

SEC. 11. That the said Town Council shall have power, with the consent of the adjacent land ownrs, to close all such roads, streets and ways within the town as they shall deem necessary, by the sale of the freehold therein, either at public or private sale, as they may adjudge best for the inerest of the said town; and they shall have power to lay out, adopt, open and keep in repairall such new streets, roads and ways within the town as they may deem necessary for the improvement and convenience of the said town: Prostded, That no new street, road or way shall be opened without first having obtained the consent of the land owner or owners through whose premises any such new street, road or way may pass.

SEC. 12. That the said Town Council shall have power, and are hereby authorized to elect three or more Marshale, (in addition to the Sheriff of Darlington, who shall also be a Marshal of the lown,) to fix their salaries and prescribe their duties, who shall be sworn in and invested with all the powers and subjected to all the duties and ties that Constables how have or are subjected to by law, in addition to the duties and liabilities specially conferred and imposed upon them by the Team Council: Procided That their jurisdiction shall be confined within the limits of the said town.

SEC. 12. That the said Town Council shall have power to erect a Market House, and provide regulations for the same : Provided, That no Market House is erected upon the public squares, so as to endanger, by its proximity, or the materials of which it is constructed, any other public building.
They shall also have gower to establish a Guard
House, and to prescribe, by ordinance, suitable rules and regulations for keeping and governing the same, and until such Guard House shall be established, they shall be authorized to use a room in the common Jail of Darlington County for the confinement of all, persons who may be subject to be committed for violation of any ordinance of the town, passed in conformity to the provisions of this Ant. And the said Town Council may, by ordinance, or the said intendant and Wardensin person, any one or more of them, authorize and require any Marshal of the town, or any Constable, specially appointed for that purpose, to Darlington 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 lows, may be engaged in a breach of the peace,

succeeding yes. When my surveyor of Righways shall resign or be removed from office, he
connect, shall be empowered to shell one of their Connect may analysis and all persons to imshall also make such return to the County Commissioners, as required in this Section, and turn

SEC. 6. That the Intendant and Wardens duty incident to their imprisonment, which said elected and qualified shall, during their term of costs and expenses shall be collected in the same

andant and Wardens shall have full power to sie limits; and also to appoint a Board of Health make and establish all such raise, by laws and or- for said town, and to pass such ordinances necessary and requisite for the security, welfare pose fines and penalties upon the members of the said Board, for neglect of duties to health, order, peace and good government within fusal to serve: Provided, That no me hereby anthorized to be imposed, shall exc .. ! the sam of nances the said Council may make shall, at all twenty dollars. The said Town Council of Dartimes; be subject to revisal or repeal by the Gen- lington shall have power and authority to require the owner or owners of any lot or lots, in the said town, to keep the streets in front of the said lot or lots clean of all filth and rubbish, and, also, to the public uses of said corporation : Provided, make and keep in good repair sidewalks in front of said lot or lots, when the same shall front on or adjoin any of the public streets of the eaid town, Sec. 7. That the Intendant and Wardens of said it, in the judgment of the said Town Council, such town shall have full and only power to grant or sidewalks shall be necessary; the width thereof and the manner of their construction to be designated and regulated by the said Town Council; town, upon such conditions; and nader such cir and for default or refusal on the part of such spiritaous liquore, be fixed at a less sum than is the said streets to be cleaned, or such sidewalks established by the laws of this State; and all to be made and kept in repair, and require such owner or owners to pay the costs and expense feitures for retailing spirituous liquors, keeping thereof: Provided, however, That contracts for cleaning the exid streets, making and putting in repair such sidewalks, shall be let to the lowest

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

SEC. 18. That the Intendent and Wardens elect street duty. Each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors, a full account of their receipts and expenditures during possession belonging to the corporation, and deto their office, to their successors; and on failure to do so, they shall be liable to be fined in a sum not exceeding one hundred dollars, to be collected in any proper action by the Town Council.

SEC. 19. That for any willful violation or neglect of duty, malfeasance in office, abuse or oppression, the said Intendent and Wardens, jointly and severally, shall be liable to indictment in the Court uses upon all public shows and exhi- of Sessions, and upon conviction, to punishment, cribed in the preceding being liable for damages to any person or persons

SES, 20. That all Ordinances heretofore passed by the Town Council of Darlington in conformity with the anthority granted by such existing laws as do not conflict with the Constitution o 'he State, shall be, and they are hereby, declared legal and valid.

SEC. 21. That all Auts and parts of Acts hereto fore passed in relation to incorporation of the town of Darlington be; and the same are hereby,

SEC. 25. This Act shall be deemed a public Act, and continue is force until amended, aftered or

Approved the 6th of March, A. D. 1871.

N ACT TO PROVIDE FOR THE PROTECTION OF PER-SOME, PROPERTY AND THE PUBLIC PEACE, AND TO TAX BEAL ESTATE FOR THE EXPENSE OF THE SAME. Whereas, threatenings, intimidation and violence re used in portions of the State against the peace

ed and obstructed in the discharge of their auties; some are threatening, maltreating and assessina-Sportos 1. Be frendeed by the Penate and House of Representatives, of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That if any person shall assiult or intimidate say citizen because of political opinions or the effercise of political rights and privileges guaranteed to every citizen of the United States by the Constitution and laws there-

of, or by the Constitution and laws of this State. or for such reason discharge such citizen from employment or occupation, or eject such citizen from rented house, or land, or other property and not less than fifty or more than one thousand dollars, or be impresoned not less than three sonths nor more than one year or both, at the discontion of the Court.

Szc. 2. That if any two or more persons shall band or conspire together, or go in disguise upon the public highway, or upon the premises of another, with intent to injure, oppress, or violate the person or property of any citizen because of his political opinions, or his expression or exercise of the same, or shall attempt by any means, meaedres or acts, to hinder, prevent or obstruct any diline in the free exercise and enjoyment of any right or privilege secured to him by the Constituon and law of the United States or by the Consituation and laws of this State, such persons shall bereof, so fined not less than one hundred nor secret not less than six months not more

disabled from holding any office of honor, trust .Bac. S. That if, in violating any of the provior theny shall be committed, the offender or ofall on conviction thereof, be subjected such punishment for the same as is attached to the urime; missionesance and felony by the arting have of this State.

Court, and shall thereafter be ineligible to, and

Sed 4. That the Sheriffs, Constables and offier in the several circuits and counties vented pareine who shall visite any of the pro-

Saty & That the Circuit Courts of this State

within their respective Circuits, in the Countier of which the Circuits are respectively composed, shall have cognizance of all offences committed against the previsions of this Act, and of all other causes arising ander this Act. Sec. 9. That it shall be the duty of all Sheriffs,

Constables, and other officers who may be specially empowered, to obey and execute all scribe. visione of this Act to them directed; and should any Shariff, Constable or other officer specially empowered, refuse to receive such warrant or other process when tendered to him, or neglect five nor more than nine, each of whom shall be a or refuse to execute the same, he shall, on conviction thereof, be fined in the sum of five hun- of said corporation, to manage its affaire. dred dollars, to the use of the citizen deprived of the rights escured by the provisions of this Act, or be imprisoned in the County jail 'at the discretion of the Court. And the better to enable the Sheriffs, Constables, and other officers specially other processes as may be directed to them, they shall have anthority to summon and call to their aid the bystanders or posse comitatus of this proper County, and all persons refusing to obey the summons or call of the officers thus empowered, shall be deemed guilty of a misdemeanor, and on conviction thereof, be punished, and such warrants and other processes shall run and be exeor County in which they are issued.

SEC. 7. That any person who shall hinder, preventor obstruct any officer or other person charged with the execution of any warrant or other process issued under the provisions of this Act, in arresting any person for whose apprehension such warrant or other process may have been issued, or shall rescue, or attempt to rescue, such person from the custody of the officer or person or persons lawfully assisting him as aforesaid, or shall aid, abet or assist any person so arrested as aforesaid, directly or indirectly, to escape from the enetody of the officer or person or persons assisting him as aforesaid, or shall harbor or conceal any person for whose arrest a warrant or other process shall have been issued, so as to prevent his discovery and good and sufficient order, condition, and regain, arrest, after due notice or knowledge of the fact of the issuing of such warrant or other process, shall on conviction for either of said offe be subject to a fine not less than fifty nor more than one thousand dollars, or imprisonment not or both, at the discretion of the Court having ju-

Sec. 8. That any citizen who shall be hindered, prevented or obstructed in the exercise of the rights and privileges secured him by the Constitution and laws of the United States, or by the Constitution and laws of this State, or shall be injured in his person or property, because of his exercise of the same, may claim and prosecute the county | sges occasioned thereby. in which the offence shall be committed, for any damages he shall sustain thereby, and the said county shall be responsible for the payment of nity of said canal, for making the same, or the such damages as the Court may award, which said looks, or keeping the same in repair, paying shall be paid by the County Treasurer of such county, on a warrant drawn by the County Com- be ascertained in like manner as the value of land missioners thereof, which warrant shall be drawn which the company may take, as aforesaid, in shall, during their term of office, be exempt from by the County Commissioners as soon as a certicase they and the owners of the said land cannot fied copy of the judgment roll is delivered them for file in their office.

SEC. 9. In all cases where any dwelling house, building, or any property, real, or personal, shall their time, and shall pay over all moneys in their be destroyed in consequence of any mob er ries, possession belonging to the corporation, and dohver up all books, records, and papers incidental ingor interested in such property to bring suits of land. against the county in which such property was damages as he or they may have sustained by such, without special pleading, and liberally conreason of the destruction thereof; and the amount paid in the manner provided by Section 8 of this sitting of the next General Assembly thereafter. Sec. 10. That no person or persons shall be en

titled to the recovery of such damages if it shall AN ACT TO MENEW AND AMEND THE CHARTER OF knowledge had of the intention or attempt to dety of such Constable, Sis-rul, Trial Justice or Justice of the Peace, up n receipt of such notice, to take all legal means necessary for the protection of state property so attacked or threatened to be attacked; and if such Constable, Sheriff, Tal Justice or Justice of the Peace, upon receipt of such notice, or upon knowledge of such intention or attempt to destroy such property in form his duty in the premises, he or they so neglecting or refusing shall be liable for the dam- form a square. ages done to such property to be recovered by action, and shall also be deemed guilty of a misdemeanor in office, and on conviction thereof shall forfeit bis commission.

SEC. 11. That nothing in this Act shall be con strued to prevent the person or persons whose property is injured or destroyed from having and the second Monday in September in each year, ten every person and persons engaged or participating in said mob or riot, to recover full damages for any injury sustained: Provided, however, That all male inhabitants of said town who shall have no damages shall be recovered by the party injured against any of the said rioters for the same | therein sixty days immediately preceding the elecinjury for which compensation shall be made by

the county. SEC. 12. That it shall be lawful for the County Commissioners of the County against which damages shall be recovered under the provisions of this Act, to bring cuit or suits in the name of the County against any and all persons engaged or in any manner participating in said mob or riot, and against any Constable Sheriff, Trial Justice or Justice of the Peace, or other officer charged with the maintenance of the public peace, who may be liable, by neglect of duty to the previsions of this Act for the recovery of all damages, costs and expenses incurred by said county; and such enite shall not abate or fail by reason of too many or too few parties defendant being named therein.

Approved February 28, 1871.

AN ACT TO INCOMPORATE THE WACCAMAW AND LITTLE RIVER CANAL COMPANY.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina one met and stilling in General Assembly, and by the authority of the same, That J. S. Bonnocone, W. E. HOLDOMBE, GRORGE W. PRICE, Jr., GRORGE T. LITCHTIELD, T. C. DUST and JAMES E. DUSEN neary, and such persons as now are or may be come hereafter associated with them, their suc cosors and sesigns, be, and they are hereby, con stituted a body corporate and politic, by the name and style of the Waccamaw and Lattle River Canal Company, by which name they are hereby made capable in law to have, hold, purchase, receive, work, sell, mortgage, lease, enjoy and retain to them, their successors and assigns, lands, tene-ments of all characters, and chattels of whatsoever kind, as may be destred by them most conducire to the objects and interest of said corporation.

SEC. 4. That asid corporation, by its title afore-said, may sug and be such, plead and be impleaded in any Court of this State, make and use a common seal. Stering the same at pleasure, cotablish after and amend such by laws and regufations as shall be deemed proper by them, not in or the United States."

But. S. The capital stock of said company shall dred thousand dollars, with the right be two has ed of balled, as the case may to increase the same by a vote of a melority of the

equire, for a trial before such Courf an shall have stockholders to any sum not exceeding five hundred thousand dollars: that said company shall commence business as soon as its capital stock is fully subscribed, and fifty thousand dollars of the same paid up, which stock may be paid either in money or real estate, the same to be divided into such number of shares, and at so much per share, as said corporation may determine, said shares to be assignable and negotiable under such rules as said corporation may pre-

SEC. 4. That there shall be annual meetings of the Stockholders, at such times and places as they may designate, for the purpose of choosing a Board of Directors, (to consist of not less than Stockholder), and a President, and other officer

Nec. 5. That said company shall keep an office at Little River, in Horry County, which, for all judicial purposes, shall be desmed its location.

Sec. 6. That the said company shall and may cause a communication of inland navigation by a empowered to execute all such warrants, and canal and locks, to be made and kept up, through such places as to them shall seem most fit and convenient, from Waccamaw to Little River, in Horry County and that they and their successors forever 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. and boats, vessels and rafts, passing on or through the said canal, such sums or rates as the said cuted by said officers anywhere within the Circuit | company shall think proper to impose; and the said company, or their agents, may stop sny goods, vessels, boats or rafts, from passing on the said censi until payment of the said toll.

SEC. 7. That the said company shall have power to purchase for themselves and their succ forever, each lands as may be necessary for the purpose aforesaid; and where they and the owners of the said lands cannot agree for the same, to take the said lands at a valuation to be made by a majority of five persons to be appointed by the Court of Common Pleas to value the same ; which land shall, on payment of the sum at which it shall be so valued, be vested in the said company

SEE, 8. That the said company shall be obliged to keep the said canal and locks, at all times, in on pain of being answerable for any damage occasioned by their willful fault or neglect.

Sac. 9. That if any person shall, willfully or maliciously, cut, break down, damage or destroy. any bank or other work to be erected, or made for less than three months nor more than one year, the purpose of the said navigation, such person shall be adjudged guilty of felony, and, on conviction, shall pay a fine not exceeding five thousand, nor less than five hundred dollars, or imprisoned in the Penitentiary, not exceeding ten or less. than two years; and if any person shall throw dirt, trees, logs or other rubbish into the said causi, so as to prejudice the same, such person shall be answerable to the said company for dam-

SEC. 10. That the said company shall have pow er and authority to use any materials in the vicia reasonable price for the same, which price shall agree about the price thereof.

SEC. 11. That the said company shall and may collect water for the use of said canal and locks, making satisfaction for the damages done thereby; the said damages to be ascertained in the manner above directed with respect to the value

SEC. 12. That this Act shall be deemed and taksituated and being, for the recovery of such | en to be a public Act, judicially taken notice of as strued for carrying the purposes aforesaid into which shall be recovered in said action shall be effect, for the term of thirty-five years, and to the

Approved the 9th day of March A. D. 1871.

THE TOWN OF ANDERSON.

nor unless it shall appear that he or they, upon of Representatives of the State of South Carolina. now met and sitting in General Assembly, and by stroy his or their property, so to collect a mob for the authority of the same. That from and immethat purpose, and sufficient time intervening, gave diately after the persege of this Act, all and every notice thereof to a Constable, a wriff, Trial Jus- person or persons who may have resided within tice or Justice of the Peace of the enty in which the corporate limits of the Town of Anderson for such property was situated and be- and it shall one year, or who may own a freehold therein, and their successors, are hereby declared to be members of the corporation hereby intended to be created.

c . 2. That the said persons and their successous shall, from and after the passage of this Act, become a body politic and corporate, and shall be known and called by the name of the Town of Anderson, and its corporate limits shall extend any wise received, shall neglect or refuse to perfrom the Court House thereof, as a centre, and SEC. 3. That the said town shall be governed by

an Intendant and four Wardens, who shall be persone that actually reside within the limits of the corporation, and have so resided at least twelve months immediately preceding their election. The said Intendant and Wardens shall be elected on maintaining his or their section against all and days' notice having been previously given, and shall continue in office for one year, and until the election and qualification of their successors; and attained the age of twenty-one years, and resided tion, shall be entitled to vote for said Intendant and Wardens : Provided, That no person shall be allowed to vote at any such election who shall not have registered his name as a votor with the Clerk of the Council in a book or books, to be kept by him for that purpose, by 10 o'clook A. M., on the day succeeding every such election.

SEC. 4. That said election shall be held in some convenient public place in said town, from nine o'clock in the morning until five o'clock in the evening; and when the polls shall be closed the Managers shall forthwith proceed to count the votes, under oath, stating the whole number of votes cast for each candidate or person voted for, and shall transmit their report of the same in a sealed envelope to the Intendant of the town; and if there be no such Intendant, the same shall be transmitted to the Clerk of the Court of Anderson County. The said Intendant or Clerk of the Court shall open the report of the said Managers, and shall announce and publish the whole num per of the votes cast, and the whole number cast for each candidate, when the several candidates receiving the highest number of legal votes for the offices for which they were voted for shall be declared duly elected. The latendant and Wardone for the time being shall always appoint three Managers to conduct the election, who, before they open the polls for said election, shall take the oath fairly and impartially to conduct the same; and the Intendant and Wardens before entering upon the duties of their office, shall respectively take the cath prescribed by the Constitution of this State, and also the following oath. to wit: "As Interstant (or Warden) of the Town of Anderson, I will faithfully and impartially, to the best of my shirity, exercise the trust reposed in me, and will have my best endeavors to preserve the purce and curry into effect, according to law, the purposes for which I have been elected : Smo. 5. In case a vacancy shall occur in the

office of Intendant, or any of the Wardens, by death or resignation, or otherwise, an election to fill such vacancy shall be held by the appointment of the Intendant and Warden or Wardens; and, in case there be mone, then, by the appoint the Check of the Court of Anderson County.

8mg. 6. That the Intendent and Wardens duly elected and qualified shall be, during their term of Continued on Second Page,