

AN ACT TO RELIEVE THE STATE OF SOUTH CAROLINA OF ALL LIABILITY FOR ITS GUARANTEE OF THE BONDS OF THE BLUE RIDGE RAILROAD COMPANY BY PROVIDING FOR THE SECURING AND DESTRUCTION OF THE SAME.

Whereas, the State of South Carolina, has, and in pursuance of the provision of an Act, approved the fifteenth day of September, A. D. 1868, entitled "An Act to authorize additional aid to the Blue Ridge Railroad Company, in South Carolina," endorsed a guaranty of the faith and credit of the State on four millions of dollars of bonds, issued by the said Blue Ridge Railroad Company, comprehending the Blue Ridge Railroad Company, in South Carolina; the Blue Ridge Railroad Company, in Georgia; the Tennessee River Railroad Company, in North Carolina; the Knoxville and Charleston Railroad Company, in Tennessee; and the Pendleton Railroad Company, in South Carolina, for the purpose of aiding the speedy completion of the said railroad, and such bonds are liable for the debts of the said railroad companies; and whereas, the present condition of the finances of the State, and of said companies, is such as to make the further continuance of said bonds on the market inexpedient and unadvisable, and a serious injury and prejudice to the credit of the State; and whereas, the existence of the said four millions of dollars of bonds, so guaranteed, creates a large liability upon the part of the State, which the Treasury may be required to meet at unforeseen and inopportune times; and whereas, the liability of the State, on account of such guaranty, should be faithfully met and recovered; therefore, in order to secure the recovery and destruction of the bonds and coupons of the said company, issued under and in pursuance of the provisions of the aforesaid Act, now pending in the city of New York and elsewhere, and to relieve the State of all liabilities whatsoever, by reason of its endorsement and guaranty of said bonds:

Section 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 State Treasurer is hereby directed, with the consent, in writing, of the President of the Blue Ridge Railroad Company, in South Carolina, to require the Financial Agent of the State, in the city of New York, immediately to deliver to the State Treasury all the bonds of the Blue Ridge Railroad Company, endorsed and guaranteed by the State of South Carolina, which are now in his possession and held by him as collateral security, for advances made by the said Financial Agent, by the order of the Financial Board, to the Blue Ridge Railroad Company; and upon the delivery of said bonds, the Treasurer is hereby required to cancel the same, in the manner hereinafter directed: and the said Blue Ridge Railroad Company shall thereupon be discharged from all liability to the State on account of such advances.

Section 2. That upon the surrender by the said company to the State Treasury of the balance of the said four millions of dollars of bonds, issued by the said Blue Ridge Railroad Company, and guaranteed by the State, the State Treasurer is hereby authorized and required to deliver to the President of the Blue Ridge Railroad Company, in South Carolina, Treasury certificates of indebtedness (styled Revenue Bond Scrip) to the amount of one million eight hundred thousand dollars, the said certificates to be executed in the same manner hereinafter directed; and if the said company shall not be able to deliver all of said bonds at one time, the Treasurer is authorized and required to deliver to the said President such amount of such Treasury certificates as shall be proportional to the amount of bonds delivered.

Section 3. That, to carry out the purposes of this Act, the State Treasurer is hereby authorized and required to have printed, or engraved on steel, as soon as practicable, Treasury certificates of indebtedness, to be known and designated as Revenue Bond Scrip of the State of South Carolina, in such form, and of such denomination as may be determined on by the State Treasurer, and the President of the Blue Ridge Railroad Company, in South Carolina, to the amount of one million eight hundred thousand dollars, which Revenue Bond Scrip shall be signed by the State Treasurer, and shall express that the sum mentioned therein is due by the State of South Carolina to the bearer thereof, and that the same shall be received in payment of taxes and all other dues to the State, except special tax levied to pay interest on the public debt.

Section 4. That the faith and funds of the State are hereby pledged for the ultimate redemption of said Revenue Bond Scrip, and the County Treasurers are hereby required to receive the same in payment of all taxes levied by the State, except in payment of special tax levied to pay interest on the public debt, and the State Treasurer and all other public officers are hereby required to receive the same in payment of all dues to the State; and still further to provide for the redemption of the said Revenue Bond Scrip, an annual tax of three mills on the dollar, in addition to all other taxes, on the assessed value of all taxable property in the State, is hereby levied, to be collected in the same manner and at the same time as may be provided by law for the levy and collection of the regular annual taxes of the State; and the State Treasurer is hereby required to retire, at the end of each year from their date, one-fourth of the amount of the Treasury Scrip hereby authorized to be issued, until all of it shall be retired, and to apply to such purposes exclusively the taxes hereby required to be levied.

Section 5. That if any such Revenue Bond Scrip is received in the Treasury for payment of taxes, the Treasurer be, and he is hereby, authorized to pay out such Revenue Bond Scrip in satisfaction of any claims against the Treasury, except for interest that may be due on the public debt.

Section 6. That upon the delivery to the State Treasurer of the guaranteed bonds of the Blue Ridge Railroad Company, or any part of them, the Treasurer is hereby required to cause the same to be cancelled and destroyed, in the presence of the President of the Blue Ridge Railroad Company, in South Carolina, and in the presence of a Joint Committee of the Senate and House of Representatives of this State, to be for that purpose appointed.

Section 7. That whenever the whole number of the said guaranteed bonds shall have been delivered to the Treasurer and cancelled, as required by the provisions of this Act, the lien of the State of South Carolina, upon the estate, property and funds of the Blue Ridge Railroad Company, in this State, and the other associated companies in the States of Georgia, North Carolina and Tennessee, as secured by the provisions of an Act entitled "An Act to authorize additional aid to the Blue Ridge Railroad Company, in South Carolina," passed on the fifteenth day of September, Anno Domini one thousand eight hundred and sixty-eight, and all other claims or liens which are held by the State, against said company or companies, on account of said guaranty, shall, from thenceforth, be forever discharged and released; and should the said company be unable, from any cause, to deliver all of said bonds, such liens shall be discharged and released to an extent which shall be proportional to the amount of such bonds actually delivered.

Section 8. That if the said company shall accept the provisions of this Act, it shall be authorized, if the Board of Directors may desire, to change the corporate name of the company to that of the "Knoxville and South Carolina Railroad Company," and shall have power to extend its railroad, or construct branches thereof, to any points or places in this State, with all the powers and privileges with which the said

company is now vested by the provisions of its charter; and the said company shall also have power to issue bonds, and to secure the same by a mortgage, to such amount, and in such manner, as the Board of Directors may direct. And all sales of stock in the said Blue Ridge Railroad Company, in South Carolina, and its associate companies, formerly held by the State and sold by the Commissioners of the Sinking Fund be, and they are hereby, confirmed.

Section 9. That if any person shall forge or counterfeit the Treasury Scrip hereby authorized to be issued, or shall directly or indirectly, aid or assist in the forging or counterfeiting of such Scrip, or shall issue, or in any manner use any such forged or counterfeited, he shall, on conviction thereof, be fined in the discretion of the Court, and shall be imprisoned in the Penitentiary, for a term not exceeding two years.

IN THE HOUSE OF REPRESENTATIVES, } COLUMBIA, S. C., March 2, 1872. } On the question "shall this Act become a law, the objections of His Excellency, the Governor, to the contrary notwithstanding," the yeas and nays were ordered, pursuant to provision of the Constitution, resulting yeas 84, nays 18, and ordered to be sent to the Senate.

By order, A. O. JONES, Clerk of the House of Representatives.

IN THE SENATE, } COLUMBIA, S. C., March 2, 1872. } On the question, "shall this Act pass and become a law, the objections of His Excellency, the Governor, to the contrary notwithstanding," the yeas and nays were ordered, pursuant to the provision of the Constitution, (Art. 2, Sec. 22,) the Act passed by a viva voce vote of yeas 22, nays 6, and ordered to be returned to the House of Representatives.

By order, J. WOODRUFF, Clerk of Senate.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF AN INSPECTOR OF PHOSPHATES, AND TO DECLARE HIS DUTIES.

Section 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 Governor be, and he is hereby, authorized to appoint by and with the advice and consent of the Senate a competent person to the office of Inspector of Phosphates, who shall reside and have his office in the city of Charleston, and shall hold his office for two years.

Section 2. That it shall be the duty of all companies or individuals who are, or may be, authorized by law to dig, mine or excavate such phosphatic rocks and phosphatic deposits within the jurisdiction of the State, to report to the Inspector of Phosphates monthly the quantity of such rock and deposit dug, mined and excavated; and whether the same be on hand awaiting removal, or, if it has been moved or is being moved, to furnish a copy of the bill or bills of lading, which reports shall be verified by the oath of the person making the same. And it shall be the duty of all captains of vessels and railroad officials to furnish to the Inspector of Phosphates duplicates of all bills of lading of all cargoes of such rock and deposit with which their vessels or cars may be freighted for export from this State, or for transportation within the State. And to the end that the said Inspector of Phosphates may be enabled to verify the reports of the quantity of such rocks and deposits which have been or may be dug, mined, excavated and removed, he shall, at all times, have and be allowed free and uninterrupted access to all places where such rocks and deposits are dug, mined or excavated, and to all warehouses or opened or enclosed places where such rocks and deposits are stored, and to all vessels, railroad cars, or conveyances in, or by, which such rocks and deposits are being removed.

Section 3. That the said Inspector of Phosphates shall report to the Auditor of the State, monthly, the amount of phosphatic rocks and phosphatic deposits which he shall ascertain to have been dug, mined, excavated or removed from the navigable streams or waters of this State, by what company or persons the same was dug, mined and excavated, by what vessel, or other mode of transportation, the same was removed, with such other particulars as may enable the State Auditor correctly to ascertain whether the amounts due to the State therefor have been paid, and if not, who is accountable for the same.

Section 4. That hereafter it shall not be lawful to sell, in this State, or to expose to sale, any guano or other commercial fertilizer, whether the same have been manufactured in this State or elsewhere, unless the same shall have been first examined, inspected, analyzed and marked by the Inspector of Phosphates. And it shall be the duty of all persons, bringing into this State, for sale, any guanos or fertilizers, or manufacturing in this State, for sale, any such fertilizers, to furnish to the Inspector of Phosphates a formula representing the average contents of each fifty tons of the same, and to cause the same, or as many packages thereof as may be necessary to make a correct average sample of the whole to be examined and inspected. And it shall be the duty of the Inspector to examine and analyze all such samples of guanos and other fertilizers, and, if found to agree with the formula thereof, required to be furnished as above, and as published to the public, to mark or brand each package thereof; but if the same upon analysis shall not conform to the formula so furnished and published, the Inspector shall not brand or mark the same, and it shall be unlawful for the holder or owner thereof to sell the same.

Section 5. That, to carry into effect the purposes of the foregoing Section of this Act, the Inspector of Phosphates shall, at all times, have and be allowed free and uninterrupted access to all vessels, cars, warehouses, manufactories and storehouses where such fertilizers are or are supposed to be, and to take samples thereof. And it shall be the duty of all captains of vessels, or other carriers or persons bringing such fertilizers into the State, to report the same to the Inspector of Phosphates immediately upon arrival; and it shall be the duty of all manufactories of such fertilizers in this State to report to the said Inspector all quantities manufactured for sale.

Section 6. That any person who shall counterfeit the brand of said Inspector, or shall repack any package previously marked or branded by said Inspector, shall, on conviction thereof, be fined for each offence, the sum of one hundred dollars.

Section 7. That in case of the sickness or temporary absence of the Inspector, or if the convenient dispatch of the duties of his office shall require the same, the said Inspector is hereby authorized to appoint a Deputy—one or more.

Section 8. That for his compensation for the inspection and branding of fertilizers, the said Inspector shall be entitled to charge twenty-five cents for each ton so inspected and branded, the same to be paid by the owner, agent or manufacturer, and which shall be collectable of and from the person having the same in charge. And for his compensation for the examination of the phosphatic rocks and phosphatic deposits dug, mined, excavated and removed from the beds of the navigable waters and streams of the State, he shall be paid, from the State Treasury, seven and a half cents per centum on all amounts paid to the State as royalty for the privilege of so digging, mining, excavating and removing such rocks and deposits. And the said Inspector is hereby authorized to require conformity with all regulations which shall be made by him, with the approval of the State Auditor, and which shall be reasonable and proper, to enable the said Inspector to carry out the purposes of this Act. And should the office of State Auditor be abolished, the duties herein required of him, and the reports required to be made by him, shall be exercised by, and the reports be made to, the Comptroller-General.

Section 9. That said Inspector of Phosphates shall, before entering upon the duties of his office, furnish a bond, in good and sufficient sureties, in the penal sum of ten thousand dollars, for the faithful performance of his duties. And if the Inspector of Phosphates, or his Deputies, or any of them, shall be guilty of fraud, or who shall neglect or refuse to perform the duties of their office, they shall be liable to a fine of not less than one hundred dollars, nor more than ten thousand dollars, and to imprisonment for the term of not less than three months, nor more than five years, or both, within the discretion of the Court.

Section 11. All Acts, or parts of Acts, inconsistent with the provisions of this Act, are hereby repealed.

Approved March 6, 1872.

AN ACT TO GRANT, RENEW AND AMEND THE CHARTER OF THE VILLAGE OF ROCK HILL, IN THE COUNTY OF YORK.

Section 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, 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 Rock Hill, 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 Rock Hill, and its corporate limits shall extend over an area of a square each side whereof is one mile, and the centre whereof is "Gordon's Hotel."

Section 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 the second Monday of January, 1873, 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 their election, shall be entitled to vote for said Intendant and Wardens, papers and persons under disabilities of law excepted.

Section 3. That said election shall be held at some convenient public place in the said village, from 10 o'clock in the morning, until 4 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. The Intendant and Wardens, before entering upon the duties of their office, shall, respectively, take the oath prescribed by the Constitution of the State, and also the following oath, to wit: "As Intendant (or Warden) of the village of Rock Hill, 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 Wardens, shall refuse to take such oath, 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 as an 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.

Section 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.

Section 5. That the Intendant and Wardens duly elected and qualified shall, during the term of office, 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 said village, except for the trial of small and mean cases; and the Intendant shall and 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 Rock Hill; 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, in perpetuity, or for any term of years, any estate, real or 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 said Council may deem necessary and expedient for the preservation of the peace, good order and police thereof, which persons so appointed shall, within the corporate limits of said village, have the power and privileges, and be subject to all the obligations, penalties and regulations provided by law for the office of Constable; and shall be liable to be removed at the pleasure of said Town Council; and the said Town Council shall have power to establish, or authorize the establishment of a Market House in said village; also to regulate and govern the same; 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, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town, who may be engaged in any breach of the peace, riotous or disorderly conduct, open obscenity, public drunkenness, or any conduct grossly indecent or dangerous to the citizens of said town, or any of them; and it shall be the duty of the Town Marshal or Constable to call to do so; and who shall have power to call to their assistance the posse comitatus, if need be, to aid in making such arrests; and upon the failure of such officers to perform such duty as required, they shall severally be subject to such fines and penalties as the Town Council may impose upon them; and all persons so imprisoned shall pay the costs and expenses incident to the 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, By-Laws and Ordinances, respecting the streets, roads and business 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 of the inhabitants of said town, and for preserving health, order and good government within the said town; and the said Town Council may impose fines for offences against their by-laws, rules, 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 or Justices of the Peace now have, or may hereafter have, to compel the attendance of witnesses, and to require 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 suits 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-laws inconsistent with or repugnant to the laws of the State.

Section 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 within the corporate limits of said town open and in good repair, and for that purpose they are invested with all the powers of County Commissioners, for and within the corporate limits of the said town; and they may lay out new streets, close up, alter or widen 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 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; the money so received to be applied to the public use of said town; and all persons refusing to labor, or failing to pay such commutation, shall be liable to such fine, not exceeding ten dollars for any one year, as the said Town Council may impose; and the said Town Council may 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, 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 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.

Section 7. That the said Town Council may 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, sidewalks 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 sidewalks, and to close such 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 and repairing is let to the lowest bidder. The cemeteries and public graveyards are also placed under the jurisdiction of the said Town Council.

Section 8. That the Intendant and Wardens of the said town, or a majority of them, shall have full power to grant or refuse licenses to keep taverns or to 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 for the public use of the said town: Provided, That the Intendant and Wardens, duly elected, shall not have power to grant any license to keep tavern or retail spirituous liquors, to extend beyond the term for which they have been elected. They shall have power to regulate sales by auction within the corporate limits of said 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, carriages, 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 the 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, real and personal property of churches and school and college 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, 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 failures to pay the general State and County tax, to be enforced by the orders of the Intendant and Wardens, or a majority of them, for the use of the said town, except 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 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 liable for the same, as in manner and form just before stated.

Section 9. That 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, 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.

Section 10. That all Ordinances or by-laws, passed by the Town Council of Rock Hill, shall be binding upon the citizens of said town, the same as the laws of the State.

Section 11. All Acts or parts of Acts inconsistent or supplied by this Act, be, and the same are hereby repealed.

Section 12. This Act shall be deemed a public Act, and continue in force for the term of fourteen years, and until the end of the Legislature thereof.

Approved March 4, 1872.

AN ACT TO CHARTER THE WALHALLA FEMALE COLLEGE.

Section 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 name and style of "The Trustees of the Walhalla Female College," for the purpose of organizing, establishing, governing and conducting a seminary of learning in the town of Walhalla, in the State of South Carolina; and that the said body politic and corporate, by the said name of "The Trustees of the Walhalla Female College," shall be capable and liable in law and equity to sue and be sued, to plead and be impleaded, to use a common seal, and to make all such by-laws and rules as they may deem necessary and proper for the regulation, government and conduct of said seminary of learning, except as is hereinafter provided for: Provided, That said by-laws and rules be not repugnant to the Constitution and laws of this State, or the United States.

Section 2. That the said Board of Trustees shall hold their office for the term of twenty years, and shall be authorized to appoint such officers as they may think necessary and proper for the organization and government of their own body. And should any vacancy occur in the Board, by death, resignation or otherwise, the said Board shall have power to fill said vacancy.

Section 3. That the said Trustees and their successors shall have and hold all the estate, property and funds now belonging to said College, and all property, funds, money, donations, legacies and devises which may hereafter be granted, conveyed, bequeathed, devised or given to said College in trust, nevertheless, for the use and benefit of said College.

Section 4. That the present President, Dr. Thos. S. Waring, shall hold his office during the pleasure of the Board of Trustees, and shall have full power to appoint all Professors, Tutors and Instructors of and in said College, and to remove the same at pleasure, and to exercise such general control and supervision over the Instructors, affairs and government of said College as he may deem advisable, subject to the approval of the Board of Trustees.

Section 5. That the said President shall have power and authority to confer and award such distinction, honors, licenses and degrees as are usually conferred, by similar colleges of the United States.

Section 6. That this Act shall be deemed and taken to be a public Act, and to continue in force until repealed.

Approved March 4, 1872.

AN ACT TO INCORPORATE THE SPARTANBURG FEMALE COLLEGE.

Section 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 Samuel B. Jones, President of Spartanburg Female College, with his associates and successors, be, and are hereby, created a body politic and corporate, by the name and style of the Spartanburg Female College, located in the town of Spartanburg, South Carolina.

Section 2. That the said Corporation shall have power, in its corporate name, to sue and be sued, plead and be impleaded in any Court of law in this State, to purchase and hold real and personal estate, to have a seal and to make all such by-laws for the government of said corporation as may be deemed necessary, not inconsistent with the laws of the State.

Section 3. That the said corporation shall have power to elect professors for said college, to fill all vacancies as may occur among them, and to remove them at discretion, to prescribe a course of study to be pursued by the students, to confer degrees, and award diplomas and such other honorary distinctions to graduates as are common in the colleges of similar grades in the United States.

Section 4. That the private, as well as the corporate, property of the corporators, shall be liable for all debts contracted for the college by its authorized agents.

Section 5. That the said corporation shall have power to take and hold, by donation, bequest or purchase, real and personal property, for the use of said college, to any amount not exceeding thirty thousand dollars.

Section 6. That this Act shall continue in force until repealed.

Approved March 4, 1872.

AN ACT TO RE-CHARTER THE TOWN OF FROG LEVEL, AND TO CHANGE THE NAME TO ENTERPRISE.

Section 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 persons residing within the area of a square, each side whereof is one (1) mile, and the centre whereof is the public well, in the village of Frog Level, County of Newberry, are hereby created a body corporate, under the name of the town of Frog Level, with the officers the same in number, and having the same powers and privileges, and subject, in every respect, to the provisions of the charter granted to the town of Manning by an Act approved the ninth day of March, 1871.

Section 2. That this Act shall be taken and deemed a public Act in all Courts of justice, and shall continue in force for twenty years, and until the end of the next session of the General Assembly thereafter.

Section 3. That all Acts, and parts of Acts, inconsistent with this Act, be, and the same are hereby, repealed.

Approved March 4, 1872.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF ORANGEBURG.

Section 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 charter of the town of Orangeburg be so amended that, whenever it shall become necessary for a new street or road to be opened within the incorporate limits of the said town, it shall be, and is hereby, made the duty of the Town Council of said town to have a Board of Appraisers appointed, to value the damage sustained by the owner or owners of lands through which said street or road is to pass, said Appraisers' Board to consist of three members, to be appointed as follows: One by the Intendant of the town, one by the owner or owners of the lands, and one by the Chairman of the Board of County Commissioners, and any damage caused by the running of said road or street to the owners of the lands shall be appraised by the said Board, and the County Treasurer shall, upon their joint warrant, pay out said sum as may be appraised, out of any funds in his hands, to the credit of the County.

Approved March 4, 1872.

AN ACT TO REQUIRE THE COUNTY COMMISSIONERS TO REMOVE IMBECILES FROM THE LUNATIC ASYLUM TO THEIR RESPECTIVE COUNTY POOR HOUSES.

Whereas, experience has established the fact that imbeciles should not be confined in the same building with the insane; and whereas, the insane—who, as a class, require special treatment—have frequently to be refused admission into the Asylum for want of room; therefore,

Section 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 from and after the passage of this Act, the County Commissioners of the various counties in the State shall remove their imbeciles from the State Lunatic Asylum, upon due notice from the Superintendent to the said County Commissioners, as to the number of imbeciles contained in the institution from their respective counties, and they shall hereafter take care of all such persons in their respective County Poor Houses.

Section 2. That all Acts, or parts of Acts, inconsistent with the provisions of this Act, be, and the same are hereby, repealed.

Approved February 27, 1872.

AN ACT AUTHORIZING THE TOWN COUNCIL OF THE TOWN OF NEWBERRY TO RE-ERECT A MARKET HOUSE ON A LOT OF LAND BELONGING TO THE COUNTY OF NEWBERRY.

Section 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 Town Council of the town of Newberry are hereby authorized and empowered to erect a Market House in said town, upon a lot of land which is partly attached to and lying near the public square in said town, and belonging to the County of Newberry; which lot shall be given for such purpose to said Town Council and their successors in office, free of rent or charge. And said Town Council and their successors in office, shall have power and authority to remove such Market House whenever in their opinion the same may be deemed necessary and expedient.

Approved March 4, 1872.

AN ACT TO PROVIDE FOR THE SPEEDY APPOINTMENT OF STATE APPROPRIATIONS, MADE FOR THE SUPPORT AND MAINTENANCE OF FREE COMMON SCHOOLS.

Section 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 State Superintendent of Education be, and he is hereby, authorized and empowered, if, in his judgment, the exigencies of the case require, to application to the several counties of the State any State appropriation made for the support and maintenance of Free Common Schools, within fifteen (15) days after said appropriation shall have been made.

Section 2. That this Act shall take immediate effect.

Approved February 27, 1872.

any and all other Health Officers, who may be appointed subsequent to the passage of this Act, shall report the same, at the end of each month, to the Health Officer of the Port of Charleston, whose duty it shall be to forward a consolidated report of the doings of such officers, to the Governor of the State monthly and the Legislature annually.

Approved March 4, 1872.

AN ACT TO INCORPORATE THE CHARLESTON JOINT STOCK COMPANY FOR THE BENEFIT OF THE STATE ORPHAN ASYLUM.

Section 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 G. W. Rouse, A. A. Aspinwall, Robert Smalls, Joseph Brown, Thomas B. King, John L. Little, Charles W. Sumner, David Green, Lewis Wilton, Jesse Borshor, Stephen J. Maxwell, Lucius Winbush, Thomas H. Blackwell, O. R. Levy, Chapman B. Thomas, James W. Elmore, Y. Sands, John Douglass, Benjamin Simons, James Gregory, and such other persons as may now, or hereafter, be associated with them, are hereby made and declared to be a body politic and corporate, under the name and style of the Charleston Joint Stock Company, of the State of South Carolina, or such other name as they may now or hereafter assume.

Section 2. That all the rights of corporations, known as banks, be, and the same are hereby, vested in said company, for the purpose of loaning out money on interest, purchasing and mortgaging real estate, buying personal property, and they shall have the same rights and privileges now enjoyed by the banking institutions of this State; they shall, also, have the right to dispose of any and all property, such as real estate and personal, or mixed, that they may become possessed of, in any manner, and on such conditions, as the said company may deem fit and proper to the advantage of said company, and to promote the interest of the said Orphan Asylum.

Section 3. That, before commencing business under the provisions of this Act, the said company shall pay, or cause to be paid, into the hands of the State Treasurer, the sum of two thousand (2,000) dollars, to be used for the benefit of the State Orphan Asylum of South Carolina, and annually thereafter, a like amount for the term of ten years, or so long as the said company shall choose to continue to do business, it being understood and agreed that said payment of two thousand dollars per annum by said company is the consideration upon which the privileges of incorporation herein is granted; and whenever said company shall fail to pay said consideration, then their right to transact business shall cease.