

LAWS OF THE STATE.

ACTS OF THE GENERAL ASSEMBLY OF SOUTH CAROLINA.

Published by Authority.

AN ACT to Incorporate the Town of Lewisville, S. C.

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 Lewisville, 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 Lewisville, and its corporate limits shall extend three-fourths of a mile in each direction, from the new store of W. H. Hennon.

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 May, 1872, 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, residing 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 crimes excepted.

Sec. 3. The said election shall be held at some convenient public place in said village, from six o'clock in the morning until five 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, or cause the same to be given to the person duly elected: Provided, The commissioners of the first election under this act, shall appoint managers to conduct the same, who shall make return thereof to the Intendant, 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.

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 village, except for the trial of small and mean causes; and the Intendant shall, or may, as often as necessary summon the wardens to meet in council, and they shall be known as the Town Council of Lewisville; and they, and their successors in office hereafter to be elected, may have a common seal, which shall be affixed to all 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 sum 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, 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 council. And the said town council shall have power to establish, or authorize the establishment of a market house in said village; also, to authorize the establishment of a guardhouse, and to prescribe suitable rules and regulations for keeping and governing the same. And the said town council, or the said Intendant and wardens, in person, or 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 guardhouse, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town, may be engaged in any 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 any of them. And it shall be the duty of the town marshals 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 arrests, and upon the failure of said 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 cost and expenses incident to their imprisonment, which cost 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 the police system thereof, as well as the police system of the said town, as shall appear to them necessary and proper, and for preserving, 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, 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 require them to give evidence upon the trial before them, of any person or persons, for violation of any of their ordinances, by-laws, rules and regulations; but no fine above the sum of twenty-five dollars shall be collected by said council, except by suit in proper courts of justice in this State; and also that nothing herein contained shall authorize said council to have ordinances or by-laws inconsistent with, or repugnant to, the laws of the State.

Sec. 6. That 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 give 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, widen, 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 duty therein; and to force the performance of such duties 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 may require, 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 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 hereafter be 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 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 order and repair sidewalks in front of said lot or lots whenever the same shall front or adjoin any public street of said town, if, in judgment of the council, such sidewalk or sidewalks 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 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 be less than the amount that is established by the State; and all moneys paid for licenses, and for fees 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 taverns 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 license 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 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 or personal property lying within the corporate limits of the town, and the real and personal property of churches and schools 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 rules 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 returns and payments as required, the parties so in default shall be subject to the penalties provided by law for the failure to pay the general State and county taxes, to be enforced by the orders of the Intendant and wardens, or a majority of them, in such cases, that executors 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 persons 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 taxes 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 paid first; 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. That the Intendant and wardens, or a majority of them, shall have 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 be less than the amount that is established by the State; and all moneys paid for licenses, and for fees 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 taverns 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 license 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 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 or personal property lying within the corporate limits of the town, and the real and personal property of churches and schools 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 rules 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 returns and payments as required, the parties so in default shall be subject to the penalties provided by law for the failure to pay the general State and county taxes, to be enforced by the orders of the Intendant and wardens, or a majority of them, in such cases, that executors 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 persons 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 taxes 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 paid first; 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. 10. That all ordinances or by-laws passed by the town council of Lewisville 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 session of the Legislature thereafter.

OFFICE SECRETARY OF STATE, COLMAN S. G., February 29, 1872.

The foregoing act having been presented to the Governor of this State for his approval, and not having been returned by him to that branch of the General Assembly in which it originated, within the time prescribed by the constitution, has become a law without his approval.

F. L. CARDOZO, Secretary of State.

COMMERCIAL NEWS.

Imports. GARDENAS—Per brig D B Doane—30 hhd sugar, 208 hhd and 31 tierces Muscovado molasses. To W P Hall.

Exports. NEW YORK—Per steamship Charleston—23 bags sea island and 455 bags upland cotton. 14 tea tierces, 112 boxes domestics and yarns, 21 packages meal and sundries.

The Charleston Cotton, Rice and Naval Stores Market. OFFICE CHARLESTON NEWS, TUESDAY EVENING, MARCH 5, 1872.

COTTON.—The market for this staple had a firm tendency, and with a light stock and strong feeling on the part of factors prices hardened about 1/2 cent. Sales about 650 bales, say 14 at 20, 24 at 20, 10 at 20, 2 at 20, 15 at 20, 4 at 21, 52 at 21, 90 at 21, 66 at 21, 62 at 21, 9 at 21, 14 at 21, 16 at 21, 3 at 22. We quote:

NEW YORK NAVAL STORES MARKET. The Daily Bulletin says: New York, March 4. The market for naval stores is quiet and weak at 80c. Rosin turpentine quiet and weak at 80c. Rosin turpentine quiet and weak at 80c. Rosin turpentine quiet and weak at 80c.

NEW YORK RICE MARKET. The Daily Bulletin says: New York, March 4. The market for rice is quiet and weak at 80c. Rice quiet and weak at 80c. Rice quiet and weak at 80c.

NEW YORK COFFEE MARKET. The Daily Bulletin says: New York, March 4. The market for coffee is quiet and weak at 80c. Coffee quiet and weak at 80c. Coffee quiet and weak at 80c.

WILMINGTON MARKET. WILMINGTON, March 4. SPIRITS TURPENTINE.—No transactions reported. ROSIN.—Sales of 40 bbls at 56 for low pale. CAPSULE TURPENTINE.—Sales of 100 bbls at 42 for hard and 50 bbls at 42 for soft.

RECEIPTS BY RAILROAD, MARCH 5. SOUTH CAROLINA RAILROAD. 449 bales cotton, 50 bales wool, 3 cars stock.

Passengers. Per steamship Charleston for New York—E Hill, E H. Mulford, B. H. Mulford, Mrs. A. S. Salinas and child, G. B. Davis, J. B. Gray, J. H. McMillan, Mrs. M. W. A. Ross, Miss E. McMillan, Mrs. C. Williams, G. S. Hall & Co., J. P. Smith, Johnston, Grew & Co., L. D. Desautels, F. O'Grady, Mowry & Co., S. O. Schell, R. O. Sharp, Lowndes & Grinnell, A. B. Munn.

PORT CALENDAR. MOON'S PHASES. Last Quarter, 2d 2 hours 9 minutes, evening. New Moon, 9th 7 hours 21 minutes, morning.

MARINE NEWS. CHARLESTON, S. C., WEDNESDAY, MARCH 6, 1872. ARRIVED YESTERDAY. Brig D B Doane, Veale, Cardenas—7 days. Molasses and sugar. To W P Hall. On Friday and Saturday next, expected, the heavy gale of the 24th inst. from the west.

CLEARED YESTERDAY. Steamship Charleston, Berry, New York—Jas Adger, Co. Hooper, Hooper, Philadelphia via Jacksonville—H. Baker & Co.

FROM THIS PORT. Steamship Champlain, Lockwood at New York, March 5. Spanish brig Joven Carmelita, Anye, at Cardenas, February 13.

ARRIVED YESTERDAY. Arrived, steamship City of Bristol and Britannia. Arrived, steamship Egypt. The steamship Monticello, hence for Savannah, returned with loss of rudder off Cape Delaware. Will have to be repaired.

MEMORANDA. ACCIDENT TO THE SHIP CITY OF HALIFAX.—The following is the report of Capt. Cummings, of the ship Sea King, which was wrecked on the 1st of Liverpool, with 2800 bales cotton and 200 tons of phosphate rock. Left Charleston January 27th, under command of Capt. Cummings, and arrived on the 28th. At 10 P. M. weather clear, wind S W fresh, ship under full sail, and at 11 P. M. the vessel struck S E by E, in order to get under way. At 10 P. M. came on thick and running. Capt. Cummings ordered the vessel to be put under way, and at 11 P. M. the vessel struck the rocks, and was wrecked. The vessel was carrying 2800 bales cotton and 200 tons of phosphate rock. The vessel was wrecked on the 1st of Liverpool, with 2800 bales cotton and 200 tons of phosphate rock.

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THE MARYLAND FERTILIZING AND MANUFACTURING CO. IMPORTANT TO COTTON PLANTERS! HAVE PREPARED A SPECIAL FERTILIZER TO THE COTTON PLANT, UNDER THE NAME OF COTTON FOOD!

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M. A. P. E. S.'S NITROGENIZED SUPERPHOSPHATE OF LIME. THE OLDEST SUPERPHOSPHATE MANUFACTURED IN THIS COUNTRY.

KINSMAN & HOWELL, GENERAL AGENTS FOR SOUTH CAROLINA. ATLANTIC ACID PHOSPHATE.

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H. PRESTON & SON'S AMMONIATED BONE SUPERPHOSPHATE OF LIME.

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MIDDLETON'S FISH AMMONIATED PHOSPHATE.

E. FRANK COE'S AMMONIATED BONE SUPERPHOSPHATE, AND COE'S PURE DISSOLVED BONE.

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SINGER STILL TRIUMPHANT! GOLD AND SILVER MEDALS AND DIPLOMA AWARDED TO SINGER SEWING MACHINE AT SAVANNAH FAIR, NOVEMBER, 1871.

J. OLARK BEDELL, RESIDENT AGENT, CHARLESTON, S. C.