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ACTS AND JOINT RESOLUTIONS

OF THE

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1873-1874

GENERAL ASSEMBLY

OF THE

State of South Carolina,

PASSED AT THE

SPECIAL SESSION OF 1873

AND

REGULAR SESSION OF 1873-74.

Printed by Order of the General Assembly, and Designed to Form a Part of the Fifteenth Volume
of the Statutes at Large, Commencing with the Acts of 1871-72.

COLUMBIA, S. C.:
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1874.

A. D. 1874. AN ACT TO INCORPORATE THE UNION BRIGHT LIGHT SOCIETY,
 No. 475. IN BEAUFORT COUNTY.

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 L. W. Simmons, William Grant, Andrew Murray, Isaac Heyward, and their associates and successors, be, and they are hereby declared, a body corporate and politic, by the name and title of the "Union Bright Light Society," and that they have power, by their corporate name and style, to sue and be sued, to plead and be impleaded, to have and use their own seal, and to make their own by-laws, not inconsistent with the laws of the land, and with power to purchase and hold real and personal estate to the amount of ten thousand dollars.

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. That this Act shall be deemed a public Act, and continue in force for twenty-one years.

Approved March 3, 1874.

No. 476. AN ACT TO CHARTER THE CHARLESTON WATER AND CANAL COMPANY, IN THE STATE OF SOUTH CAROLINA.

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, for the purpose of introducing pure water in the city of Charleston, from the Edisto River, in a manner deemed most practicable of cutting a canal at or near Girham's Ferry, to a point on the Ashley River, at or near Cypress Plantation, and removing obstructions, deepening and straightening the latter, so as to render it navigable for the transportation of the products of the country, a charter, with the rights and privileges of the same, be, and is hereby, granted to the City Council of Charleston, their successors in office, under the name of the Charleston Water and Canal Company, of South Carolina.

Object of charter.

To whom granted.

Corporate name.

Capital stock. SEC. 2. The capital stock of said company shall be one million and five hundred thousand dollars, in shares of one hundred dollars each, with power to increase the capital one million dollars, should the wants of the company so require the same; and in order to raise the said capital stock, it shall be lawful for the said City Council of Charleston, or their successors in office, to negotiate with capitalists, for such sum or sums of money as may be neces-

sary for carrying on and completing the public works aforesaid, upon such terms as the majority of the corporation may deem advisable; or to open books of subscription in such places and at such times as may be deemed for the best interest of the corporation, or their assigns, the times and places for receiving such subscription to be determined by a majority of the corporators; and should a subscription be resorted to for raising the funds aforesaid, and when one million dollars shall have been subscribed, notice shall be given to the subscribers of the time and place of meeting for organization.

A. D. 1874.

Subscription to capital.

SEC. 3. That the City Council of Charleston, their successors in office, shall have all the rights and privileges incident to such corporate bodies; and shall be permitted to have, hold, purchase and possess lands, and make sale of the same, or any property acquired by them, and shall have authority to impose on barges, rafts, vessels, boats and floats such toll as may be deemed by them fair and proper for the use of said canal.

General powers.

SEC. 4. This corporation shall have water communication from the Edisto River, at Girham's Ferry, to the nearest convenient point on the Ashley River, or near the point thereon aforesaid, and from that point down the Ashley River, two hundred and fifty feet wide, on both sides of the river, one for the pipe track, and one for the tow path, and may appropriate any land on this route necessary to promote the objects of this corporation in the transportation of water along the banks of the canal and a portion of the Ashley River, and from thence to the city of Charleston, and to facilitate, also, the transportation of the products of the country, such as wood, phosphates, rice, cotton, lumber, &c., provided they shall pay a just and reasonable compensation for lands appropriated for said purposes, which, if not agreed upon between owners or legal representatives of the land and the said company, to be ascertained and determined in accordance with the provisions of an Act of the General Assembly entitled "An Act to declare the manner by which the lands, or right of way over the lands, of persons or corporations may be taken for the use of railroads or other internal improvements," ratified September 22, 1868.

Line of water communication.

Right of way.

SEC. 5. That the City Council of Charleston, or their successors in office, is hereby charged with the preservation of the canal aforesaid, and the banks of the Ashley River along which the water pipes may run, from injury or nuisance, with the execution of such measures as may be necessary to preserve and increase the quantity of water and keep it pure; with the management, preservation and repairs of the draws, gates, aqueducts, reservoirs, mains, pipes, pipe-yard, and property of every description belonging to the water

May abate all nuisances.

A. D. 1874.

May construct, repair and cleanse sewers.

Responsibility of Council.

works ; and the purchase and laying down of such mains as the City Council, or the majority of them, their successors in office, may authorize ; and also the construction, repairs and cleansing of all sewers and underground drains, and such new sewers as may be adapted for the sewerage of the city of Charleston ; the said City Council, or their successors in office, shall be responsible for the supply and the order and security of all works from the Edisto River, to the head of the canal, and the Ashley River, to the said city, inclusive ; for the exactness and durability of the structures which may be erected, and of the daily work to be performed, and for the sufficiency of the supply in the pipe-yard to meet every casualty ; for the fidelity, care and attention of all persons employed by the department in making constructions and repairs.

Penalty for interfering with canal.

SEC. 6. If any person shall willfully do, or cause to be done, any act whereby any works, materials or property whatever which shall be erected or used within the city of Charleston, or elsewhere, by the said City Council of Charleston, their successors in office, or by any person or persons, acting under their authority, for the purpose of procuring or keeping the supply of water, shall in any manner be injured, or shall erect or place any nuisance on the banks of the said canal, shall throw anything into the aqueduct, or any reservoir, or pipes, such person or persons, on conviction thereof, shall be deemed guilty of a misdemeanor.

May establish water rates

SEC. 7. The City Council of Charleston, and their successors in office, may, by ordinance, establish a scale of annual rates, to be called the "regular rates," and apportion to different classes of buildings in said city, in reference to their dimensions, value, exposure to fires, ordinary use for dwellings, stores, shops, private stables, and other common purposes, number of families, or occupants, or consumption of water, as near as may be practicable ; and modify, alter, amend or increase such scale from time to time, and extend it to other descriptions of buildings and establishments. Such "regular rates," when so established, shall be collected from the owners of all such houses, respectively, which shall be situated upon any lots adjoining any street or avenue in said city in which the distributing water pipes may be laid, and from which they can be supplied with water. Said "regular rates" shall become a charge and lien upon such houses and lots, respectively, as herein provided : *Provided*, Such owners shall subscribe to and become water consumers.

Extra rates.

SEC. 8. Hotels, factories, stables, and other buildings and establishments which consume an extra quantity of water may, in addition to the regular rates, be charged with additional rates, to be called "extra rates."

SEC. 9. The regular annual rates which are not paid before the first of January in each year shall be subject to an additional charge of five per cent.; and those rates not paid before the first of April in each year shall be subject to an additional charge of ten per cent.

A. D. 1874.

Penalty for failing to pay said rates.

SEC. 10. The rules and restrictions for the use of water, printed on each permit, shall be notice to the water-takers, and shall authorize the execution and recovery, by process of law, of any penalties which the City Council, and their successors in office, may impose, in addition to cutting off the water for any violation of rules.

Rules and restrictions, how enforceable.

SEC. 11. For the collection of water-rents, to be imposed by virtue of this Act, it shall take effect on the first day of October in the year after that in which the said City Council of Charleston shall determine to carry its provisions into effect.

Act. when to take effect.

SEC. 12. That this Act shall be deemed a public Act, and as such shall be judicially noticed in all the Courts of this State.

Approved March 3, 1874.

AN ACT TO MAKE THE ROAD LEADING FROM THE MURRAY'S FERRY ROAD TO THE SANTEE ROAD, IN CLARENDON COUNTY, A PUBLIC HIGHWAY.

No. 477.

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 road recently laid out in Clarendon County, leading from a point near J. W. Hilton's plantation, on the Murray's Ferry Road, by Joseph Sprott's plantation, past Cypress Union Church, crossing Dean Swamp at the Colclough place, and Burch Branch at the old crossing, and intersecting the Santee Road near R. D. Thames' Store, be, and the same is hereby, declared and made a public highway.

Road leading to Murray's Ferry Road a public highway.

Approved March 3, 1874.

AN ACT TO DESIGNATE THE PLACES FOR THE COLLECTION OF THE TAXES IN YORK COUNTY.

No. 478.

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 County Treasurer of the County of York, or his deputies, shall attend each of the following places in said County, for at least two days in each fiscal

Places for the collection of taxes designated.