

ACTS

OF

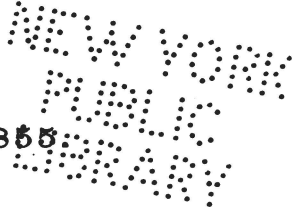
# THE GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA,

PASSED IN

DECEMBER, 1855.



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AT LARGE, AND DESIGNED TO FORM A PART OF THE TWELFTH  
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COLUMBIA, S. C.:

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1855.

cause shown at the term of the Court where indictment is found, any law or usage to the contrary notwithstanding. A. D. 1855.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and fifty-five, and in the eightieth year of the sovereignty and independence of the United States of America.

ROBT. F. W. ALLSTON, *President of the Senate.*

JAMES SIMONS, *Speaker House of Representatives.*

AN ACT TO ALTER THE LAW IN RELATION TO THE DUTIES OF ORDINARIES IN TAKING ADMINISTRATION BONDS. No. 4225.

*Be it enacted* by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That hereafter, every Administration Bond taken by any Ordinary, or other officer acting as Ordinary, shall be taken in a penalty double the estimated value of the personal property of the Intestate, and shall have two or more good sureties, the aggregate value of whose estates, over and above their indebtedness, shall not be less than the full amount of the penalty of the bond. Administration bonds.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and fifty-five, and in the eightieth year of the sovereignty and independence of the United States of America.

ROBT. F. W. ALLSTON, *President of the Senate.*

JAMES SIMONS, *Speaker House of Representatives.*

AN ACT TO AID THE CITY OF COLUMBIA IN THE CONSTRUCTION OF NEW WATER WORKS, AND FOR OTHER PURPOSES. No. 4226.

I. *Be it enacted* by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Mayor and Aldermen of the City of Columbia be, and they are hereby authorized and empowered; to borrow money, by issuing City bonds or stocks, from time to time, to the amount of one hundred thousand dollars, (if so much be necessary,) to pay for the construction of new Water Works, to supply the said City of Columbia with water; and for the purpose of enabling them to Issuing of city bonds authorized.

A. D. 1855. furnish suitable grounds and buildings to the State Agricultural Society of South Carolina.

**Supply of water.** **II.** That for the purpose of obtaining a sufficient supply of water for the said City of Columbia, the said Mayor and Aldermen, and their successors in office, shall have authority and power to divert from its usual channel, any stream or streams of water in or adjacent to the said city—making to the person or persons who shall be injured thereby, adequate compensation for such injury—the amount of which compensation, in case of disagreement, shall be adjudged and decided as hereinafter directed. And in case any land, or the right of using any land, for the purpose aforesaid, may be required by the said Mayor and Aldermen, and the same cannot be purchased from the owner or owners by reason of disagreement of the parties as to the value thereof, or from any other cause, the same may be taken by the said Mayor and Aldermen, at a valuation to be fixed by five Commissioners, or a majority of them, to be appointed by any one of the judges of the Court of Common Pleas, at Chambers, the said Commissioners, before acting, severally taking an oath faithfully and impartially to discharge the duty assigned to them. And the said Commissioners are hereby directed and required to make, under their hands and seals, or the hands and seals of a majority of them, a return of their proceedings, accompanied with a full description and plat of the said land, to the Court of Common Pleas for Richland District, there to remain of record: *Provided*, That either party to the proceeding, who shall be dissatisfied therewith, may appeal to the Court of Common Pleas for Richland District, at its sitting next thereafter, giving reasonable notice to the opposite party of such appeal. And the said Court, upon satisfactory proof that the Appellant had been injured by the valuation so fixed as aforesaid, shall order a new valuation to be made by a jury, who shall be charged therewith in the same term; and their verdict shall be final and conclusive between the parties, unless a new trial be granted; and the land, or right to the use thereof, so valued, shall for the purposes aforesaid, vest in the City of Columbia, in fee simple, so soon as the valuation shall be paid, or tendered and refused. But the pendency of such appeal, by either party, from the valuation of the said Commissioners, shall not prevent the said Mayor and Aldermen from proceeding in the construction of said work in and upon the said land.

**Valuation.** **III.** That as soon as satisfactory evidence shall be furnished to the Comptroller General that the said new Water Works are completed, and the upper or distributing reservoir thereby supplied with water, the said Comptroller General shall draw his warrant in favor of the said Mayor and Aldermen, on the Treasurer of the State, for the sum of ten thousand dollars. And in case the said Mayor and Aldermen shall accept and receive the said sum of

**Compensation for injury.**


**Commissioners to make returns.**

**Proviso.**

**New valuation.**

**Appropriation to be drawn**

money, then, and in that event, the Colleges, and all buildings connected therewith, the State House, Lunatic Asylum, Arsenal, Court House, Jail, Public Academies, and other public buildings within the City of Columbia, and all other public buildings which the State may hereafter erect within the corporate limits of said City, shall, in consideration of said sum of money, be forever exempted from all charge for supplies of water, which may, at the expense of the Trustees of such Colleges and Academies, and of the State, be conveyed from said Water Works, or the distributing pipes thereof, to the said Colleges, Academies, and other public buildings.

A. D. 1855.  
  
 Public buildings exempt from water tax.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and fifty-five, and in the eightieth year of the sovereignty and independence of the United States of America.

ROBERT F. W. ALLSTON, *President of the Senate.*

JAMES SIMONS, *Speaker House of Representatives.*

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AN ACT TO ALTER AND AMEND THE CHARTERS OF THE JOINT-STOCK BANKS OF THIS STATE. No. 4227.

*Be it enacted* by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the third section of an Act entitled, "An Act to provide against the suspension of specie payments by the Banks of this State," ratified on the eighteenth day of December, in the year of our Lord eighteen hundred and forty, be amended so far as that the monthly returns of the conditions of the several Banks shall, in future, consist of monthly statements of the average weekly condition of the banks, as ascertained on the Wednesday of each week, in the several particulars prescribed by that section.

Act amended.

In the Senate House, the nineteenth day of December, in the year of our Lord one thousand eight hundred and fifty-four, and in the eightieth year of the sovereignty and independence of the United States of America.

ROBT. F. W. ALLSTON, *President of the Senate.*

JAMES SIMONS, *Speaker House of Representatives.*