

Acts relating to Corporations.

A. D. 1799.

receive and hold forever, or for term of years, any donations of real or personal property, and to appropriate the same for the use of the said corporation. *Provided*, such donation shall not exceed the aforesaid sum of five thousand dollars.

IV. *And be it enacted* by the authority aforesaid, That the said corporation may sue and be sued, implead and be impleaded, by their name aforesaid, in any court of justice in this State; and may make such by-laws, not repugnant to the laws of the land, as they shall deem necessary; and that this Act shall be deemed a public Act, and taken notice of and given in evidence as such, without special pleading.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety-nine, and in the twenty-fourth year of the Independence of the United States of America.

JOHN WARD, *President of the Senate.*

WILLIAM JOHNSON, Jr., *Speaker of the House of Representatives*

AN ACT TO INCORPORATE THE CHARLESTON WATER COMPANY.

No. 1726.

WHEREAS, sundry inhabitants of the city of Charleaton, by their petition to the Legislature, have set forth; that manifold advantages would result from the introduction of pure wholesome fresh water into the city from the adjacent country; and that they, and many other of their fellow citizens, are willing to engage in a scheme for that purpose, and to advance money for the same; *provided*, they were incorporated by law, and vested with such privileges as would be necessary to secure them the emoluments which may arise from their undertaking.

Preamble.

I. *Be it therefore enacted*, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Alexander Baron, Matthew Irvine, Samuel Wilson, Elisha Poinsett, David Ramsay, Tucker Harris, Thomas H. McCalla, William Read, Robert Wilson, Joseph Hale Ramsay, William Smith Stevens, Joseph Johnson, Isaac Chandler, James Lynah, Alexander Garden, James Moultrie, William Parker, and Philip G. Prioleau, of Charleston, Physicians; and Nathaniel Russell, Robert Hazlehurst, Josiah Smith, William Crafts, Adam Gilchrist, Adam Tunno, William Tunno, Thomas Pinckney, Edward Neufville, Isaac Parker, David Alexander, Thomas Simons, James Gairdner, William Muir, Abraham Motie, Abraham Sasportas, Thomas Bee, Brian Cape, Alexander Shirras, William Stevens Smith, Henry Bailey, Charles Graves, G. Artsen, Edward Brown Nowell, Edward Darrell, William Rutledge, George Reid, James Reid, David Auger, Simon Magood, Isaac Neufville, G. M. Bonnetheau, Benjamin Cudworth, Ebenezer Thayer, George Chisholm, Francis Ley, Jacob Ekney, John Parker, Charles Watts, James Blair, John Ker, Samuel House, L. B. Taylor, Thomas Foister, Benjamin Boyd, John Geddes, Andrew Gordon, John Mitchell, and John Neufville, and their successors, shall be, and they are hereby, incorporated, and shall be known, in deed and in law, as a body corporate; by the name of "The Charleston Water Company."

Charleston
Water Compa-
ny incorpora-
ted.

A. D. 1799.

*Acts relating to Corporations.*How to be
organized.

II. *And be it further enacted* by the authority aforesaid, That the said company, or such one third part of their members, or other persons, who shall choose to subscribe to the said undertaking, as shall for the first time assemble at any place in Charleston, after notice thereof shall have been given for six successive days, in one or more of the gazettes of that city, or the majority of such one third, shall have power to organize themselves as a company, and to make rules and regulations for their own government, and for the admission of other members; and to exclude from the said company, all such other of the persons hereinbefore named, as shall not attend their meetings and associate themselves with them, within three calander months after their first meeting, according to such rules and regulations as shall have been adopted.

Rights and
powers.

III. *And be it further enacted* by the authority aforesaid, That the said company shall have a common seal, and shall have power to alter, change and renew the same as often as they shall think fit to do so, by any rule or resolution; and that they shall have full power to change, alter or amend their rules and by-laws, and each of them, as often as they may deem expedient; and that the said company, and every member thereof, shall be bound by every such rule and by-law, so long as the same shall remain in any wise in force, according to the constitution and government of the said company; *provided*, the same be not repugnant to the laws of the land; and that the said company shall have perpetual succession of members and officers, according to such rules and regulations as they may, from time to time, adopt, for the admission of members and the election of officers.

IV. *And be it further enacted* by the authority aforesaid, That the said company shall have power to have, hold and possess, a capital to the amount of fifty thousand dollars; and also, any real estate, not exceeding the annual value of twenty thousand dollars; and for these purposes, to purchase or buy, and to sell, barter or exchange, such estates, real or personal, as they may think fit; and to accept, take and receive, any gift, grant, legacy or devise, or any loan that may be given, granted, bequeathed, devised, or loaned to them; and they may sue and be sued, implead and be impleaded, answer and be answered unto, in any court of law or equity in this State, or elsewhere; and generally, they shall have, hold, use, exercise, practice and enjoy, all the rights, privileges, powers and franchises, incident to corporations.

V. *And be it further enacted* by the authority aforesaid, That the said company shall have full power to run, erect and construct their water pipes and other works necessary for conducting and conveying the water to Charleston, from such place, source or spring, or places, sources or springs, as they may fix upon, in such direction and course as they may find most expedient, through, under, across or upon, any such public or private lands as they may find it necessary or most advisable to use for their purposes; and in all cases where the same shall interfere with the high roads, streets or public property, the said company shall complete their work with all possible expedition; and shall, without loss of time, repair the injury that they may have done, and remove the obstructions that they may have caused in the same. *Provided always*, that before any private property shall be used for the purposes aforesaid, the owners thereof shall first receive and be paid a just equivalent or compensation.

VI. *And be it further enacted* by the authority aforesaid, That the said company, upon completing the said works, shall, at proper places, to be appointed by the city council, have pipes prepared, and always ready to be

Acts relating to Corporations.

A. D. 1799.

opened in cases of fire in the city, and also to wash and cleanse the streets thereof; and that upon such occasions, they shall be opened free of all expense, either to the public or citizen or citizens, to save whose property the same may be used.

VII. *And be it further enacted* by the authority aforesaid, That if any person or persons shall wilfully and knowingly put therein, or cast into any of the water which is to be conducted into the city, or into any pipe or conductor intended to convey the same, any poisonous or other matter capable of destroying the lives or injuring the health of those who may use or drink the said water, or any part thereof, such person or persons shall suffer death without the benefit of clergy. Penalty for poisoning the water.

VIII. *And be it further enacted* by the authority aforesaid, That if any person or persons shall wilfully and maliciously break, destroy or in any wise injure or hurt any part of the said works, such person or persons shall forfeit to the company a sum equal to ten times the value of the damage done; to be recovered by bill, plaint or indictment, in any court having sufficient jurisdiction; wherein, no imparlance or dilatory plea shall be allowed. And that the offender or offenders shall be committed, on conviction thereof, and shall remain in close confinement until the same be paid; and shall also be subject to such other corporal and ignominious punishment as the court may think fit to order. Or injuring the works.

IX. *And be it further enacted* by the authority aforesaid, That this Act shall be deemed a public Act, and may be given in evidence without special pleading.

In the Senate House, the twenty-first day of December, in the year of our Lord one thousand seven hundred and ninety-nine, and in the twenty-fourth year of the Independence of the United States of America.

JOHN WARD, *President of the Senate.*

WM. JOHNSON, Jr., *Speaker of the House of Representatives.*

AN ACT TO INCORPORATE THE UPPER LONG CANE SOCIETY, IN ABBEVILLE DISTRICT. No. 1730.

WHEREAS, William Lessly, President, John Miller, Vice President, Samuel Watt, Treasurer, James Wardlaw, Secretary, of the said Society, and others, inhabitants of Abbeville district, have petitioned the Legislature, setting forth, that the petitioners and others who have joined them, being deeply impressed with the difficulty of supporting permanently a regular Gospel Ministry, and the great want of schools for the education of orphans and the children of poor parents, have formed themselves into a society, and raised a considerable sum of money, which they have loaned out on interest, with the intention, as soon as the funds will admit, of building a church for divine worship, and from the produce of their funds, pay the salary or stipend of a regular Presbyterian Minister, and endow one or more schools, where orphans and the children of the poor may be taught gratis, and otherwise assisted, as the society may be able, and poor or decayed members relieved. And *whereas*, it is deemed proper and expedient to carry their laudable and pious purposes into effect. Preamble.