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Acts relating to Roads, Bridges and Ferries.

cution, as other commissioner for the high roads are invested with by the laws of this Province, and shall be subject and liable to the same penalties and forfeitures for neglect thereof.

Vacancies.

III. *And be it further enacted* by the authority aforesaid, That in case any of the said commissioners shall happen to die, refuse to act, or depart this Province, it shall and may be lawful for the remaining commissioners, or a majority of them, to nominate and appoint another commissioner or commissioners in the room of him or them so dying, refusing to act, or departing the Province.

Exemption.

IV. *And be it further enacted* by the authority aforesaid, That all and every person and persons hereby made subject and liable to lay out, make, and keep in repair, the roads above mentioned, shall be, and they are hereby, exempted from working on any other road or roads whatsoever; any law, usage or custom to the contrary thereof in any wise notwithstanding.

B. SMITH, *Speaker.**In the Council Chamber, the 19th day of March, 1756.**Assented to:*

JAMES GLEN.

No. 843. AN ACT ESTABLISHING FERRIES OVER WACCAMAW AND PEEDEE RIVERS, AND VESTING THE SAME IN THE PERSONS THEREIN MENTIONED; AND APPOINTING AND EMPOWERING COMMISSIONERS FOR MAKING ROADS LEADING TO THE SAID FERRIES.

Preamble.

WHEREAS, the inhabitants of Waccamaw Neck, by their petition to the General Assembly, have set forth, that *whereas*, the ferry on Waccamaw, opposite to Georgetown, commonly called Wasso Ferry, has been found by experience to be badly situated, by reason of the width of the river and bad situation of the causeys and slips, which render it, oftentimes, impassable in rainy or windy weather, and humbly prayed that a law may be passed for establishing ferries at the places hereinafter mentioned, and for appointing and empowering commissioners for making roads leading to the same. We therefore humbly pray his most sacred Majesty that it may be enacted, and

Ferry over Waccamaw.

I. *Be it enacted*, by his Excellency James Glen, Esquire, Governor-in-chief and Captain-General in and over the Province of South Carolina, by and with the advice and consent of his Majesty's Council, and the Commons House of Assembly of the said Province, and by the authority of the same, That a ferry shall be, and is hereby, established for the transporting passengers, horses and cattle over Waccamaw river, from the plantation, late of George Threadcraft, deceased, on the south-east side of the said river, to the Island, belonging to Elias Foissme, Esquire, on the north-west side of the said river. And that another ferry shall be, and is hereby, established for transporting passengers and cattle, from the plantation,

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heretofore belonging to John Glen, on the west side of Great Peedee river, to the island aforesaid, on the east side of the said Peedee river; and that the right, title, interest, profit, and advantage of the said several ferries, shall be, and is hereby, vested and settled in the respective proprietors of the said plantations, late of George Threadcraft and John Glen, and to their respective executors, administrators and assigns, for and during the term of seven years, and from thence to the end of the next session of the General Assembly. And the said proprietors of the said plantations, respectively, their several and respective executors, administrators and assigns, shall be, and they are hereby, authorized and empowered, to take and receive, to their own proper use, the several rates following, that is to say:—for every single person ferried over at Waccamaw Ferry, two shillings and six pence; for every man and horse, five shillings; for a chair or other two wheeled carriage, ten shillings; for every head of neat cattle, ferried or swam, one shilling; for calves, sheep or hogs, by the head, six pence, in the lawful money of this Province; and one half of the said rates shall be paid at the ferry over Peedee river. For recovery of which several rates and sums becoming due as aforesaid, from all persons passing and re-passing either of the said ferries, the proprietors of the said plantations, respectively, and their several and respective executors, administrators and assigns, shall have like remedy as is given by law for the recovery of debts under twenty pounds, by the Act for trial of small and mean causes.

Over Peedee.

Toll.

II. *And be it also enacted* by the authority aforesaid, That the said proprietors of the said plantations, respectively, their several and respective executors, administrators and assigns, shall be, and they are hereby, obliged and required, from and immediately after the roads and causey hereinafter mentioned shall be finished and completed, during the said term of seven years, constantly to provide and keep in good repair, a ferry boat or boats, for carrying and transporting over the said rivers, at the said ferries, respectively, all passengers, horses, cattle and chairs, or other two wheeled carriages; and also, two able men, one of whom to be a white man, who shall constantly attend the said ferry, as well by night as by day. And in case any passenger shall meet with unreasonable delay, at either of the said ferries, the person or persons in whom the same is hereby vested, his or their executors, administrators or assigns, shall forfeit and pay, to the party grieved, the sum of forty shillings, for the first hour, and the further sum of twenty shillings, for every hour afterwards, that any person shall be so delayed; which sum and sums shall and may be recovered, on oath of such delay, by warrant, from any one justice of the peace, who, on complaint made to him, shall hear and determine the same according to the powers given him by law for trying small and mean causes. *Provided, always*, that all ministers of the Gospel, persons going to and from divine service, persons going to and from musters, and all persons in the service of the public, and all free Indians, shall and may pass either of the said ferries gratis.

Duty of owners of said ferries.

III. *And be it also enacted* by the authority aforesaid, That the commissioners hereinafter named, or a majority of them, shall have power and authority, and they are hereby fully empowered and authorized, to lay out, make and keep in repair, a road from the highway to Cape Fear, leading to the ferry hereby established over Waccamaw river, at the plantation, late of George Threadcraft, deceased, by the labor of the male inhabitants of Waccamaw Neck, from the age of sixteen to sixty years; and also to lay out, make and keep in repair, a road or causey across the Island, belonging

Roads to be made to said ferries.

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to the said Elias Foissme, opposite to the said ferry, leading to the other ferry hereby established over Great Pee Dee river, in such part of the said island as they shall judge most convenient for that purpose.

Commissioners IV. *And be it further enacted* by the authority aforesaid, That Wm. Allston, John Clark, Archibald Johnston, John Waties, Alexander McDowell, Charles Lewis, and Josiah Allston, be, and they are hereby appointed, commissioners for the said roads.

£500 to be assessed on lands and slaves. V. And for the more expeditious finishing the road or causey over the island aforesaid, *Be it further enacted* by the authority aforesaid, That the said commissioners, or a majority of them, shall have power, and they are hereby fully empowered and authorized, to levy the sum of five hundred pounds, current money, by an equal assessment on the lands and slaves lying and being on Waccamaw Neck, from the lower part of the said neck to the boundary line between South and North Carolina, according to the quantity of lands and number of slaves; which sums, the said commissioners shall apply toward laying out and making the road or causey across the island aforesaid. And in case any person or persons, owner or owners of any of the lands or slaves to be assessed by the said commissioners for the purposes aforesaid, shall neglect or refuse to pay his, her or their just proportion of the said assessment, by the time appointed by the said commissioners, or a majority of them, for payment of the same, it shall and may be lawful for the said commissioners, and they, or a majority of them, are hereby fully authorized and empowered, to levy and collect the same, by warrant of distress, under their hands and seals, against the defaulters, in like manner as the collectors of the taxes for support of this Government are or have been empowered and authorized to collect and gather in the said taxes from defaulters, by any Act or Acts of the General Assembly of this Province; any law, usage or custom to the contrary notwithstanding.

How to be kept in repair. VI. *And be it further enacted* by the authority aforesaid, That the said road from the highway to Cape Fear, leading to the ferry over Waccamaw river aforesaid, and the road or causey over the island aforesaid, after the same are finished, shall, at all times from thenceforth, be kept in repair by the male inhabitants, from sixteen to sixty years of age, living and residing on Waccamaw Neck, from the lower part thereof to the boundary line between South and North Carolina, in like manner as the roads of other districts in this Province are kept in repair by the laws of this Province.—*Provided, always,* that the said inhabitants shall, at all times hereafter, be exempted from keeping Wasso causey in repair; any law, usage or custom to the contrary thereof in any wise notwithstanding.

Vacancies. VII. *And be it also enacted* by the authority aforesaid, That in case any of the commissioners hereby nominated shall happen to die, refuse to act or depart this Province, it shall and may be lawful for the remaining commissioners, or a majority of them, to choose and appoint another person or persons to be commissioner or commissioners in the room of him or them so dying, refusing to act, or departing the Province. And the person or persons so nominated and appointed, shall have the same powers and authorities for carrying this Act into execution, as the commissioners hereby nominated.

Road from ferry over Pee Dee to Georgetown. VIII. *And be it further enacted* by the authority aforesaid, That the commissioners of the roads in the lower district of Pee Dee, shall have power, and they are hereby fully authorized and empowered, directed and required, to lay out, make and keep in repair, at the expense and labour of

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the male inhabitants, from sixteen to sixty years of age, living and residing in the said district, a road leading from the ferry established over Great Pee Dee river, at the plantation, late of John Glen, to the high road leading to Georgetown.

B. SMITH, *Speaker.**In the Council Chamber, the 19th day of March, 1756.**Assented to:*

JAMES GLEN.

AN ACT FOR LAYING OUT, MAKING AND KEEPING IN REPAIR, A ROAD No. 850. FROM THE BRIDGE COMMONLY CALLED MINNICK'S BRIDGE, TO THE FIFTEEN MILES POST, ON THE ROAD LEADING FROM ORANGEBURGH TOWNSHIP TO CHARLESTOWN; AND FOR RE-BUILDING THE SAID BRIDGE AND KEEPING THE SAME IN REPAIR.

WHEREAS, the making of a road from the bridge commonly called Minnick's Bridge, to the fifteen miles post, on the road leading from Orangeburg township to Charlestown, will be very convenient for the inhabitants residing in the forks of Edisto river, and many of the inhabitants living on the north side of Pon Pon river—we therefore humbly pray his most sacred Majesty that it may be enacted, and

Preamble.

I. *Be it enacted*, by his Excellency James Glen, Esq., Governor-in-chief and Captain-General, in and over the Province of South Carolina, by and with the advice and consent of his Majesty's Council and the Commons House of Assembly of the said Province, and by the authority of the same, That the commissioners hereinafter named shall, and they are hereby authorized, empowered and directed to, lay out, make and keep in repair, a road from the bridge commonly called Minnick's Bridge, to the fifteen miles post, on the road leading from Orangeburg township to Charlestown, and also to re-build the said bridge, and to keep the same in repair.

Road from Minnick's bridge to the Orangeburg road.

II. *And be it further enacted* by the authority aforesaid, That all the male inhabitants from the age of sixteen to sixty years, residing in the forks of Edisto river, and all the male inhabitants, as aforesaid, living within three miles on the north side, and within six miles on the south side, of the said road, shall be, and they are hereby, obliged to make the said road, and to re-build the said bridge, and to keep the said road and bridge in repair. And in case they, or any of them, shall neglect or refuse to do the same, they shall be subject and liable to the same fines and forfeitures as any persons by Act of the General Assembly for the making of roads or the building of bridges in this Province are made subject and liable unto.

Who to work on it.

III. *And be it further enacted* by the authority aforesaid, That the several persons who by this Act are subjected to make the said road and re-build the said bridge, and to keep the same in repair, shall be, and they and every of them are hereby, exempted from working on any road, bridge or causey whatsoever, other than the road and bridge aforesaid, and downward from the said fifteen miles post, in the Orangeburg road, so far as they

Exempt from working on other roads.