

A. D. 1744.

Acts relating to Roads, Bridges and Ferries.

convenient landing or muster-field, praying relief in the same. We therefore pray your most sacred Majesty that it may be enacted, and

Certain roads
to be com-
pleted.

I. *Be it enacted*, by his Excellency James Glen, Esq., Captain-General, Governor and Commander-in-chief, in and over his Majesty's Province of South Carolina, by and with the advice and consent of his Majesty's Honorable Council, and the Assembly of this Province, and by the authority of the same, That the commissioners hereinafter named shall be, and are hereby, empowered to finish and amend a road already laid out, from a bluff on Combehee river, commonly called Ellis's Bluff, to the causey on the north side of Pocataligo river; and also, to finish, amend and continue, the road already laid out from the aforesaid road, leading towards the plantation of the Honorable Joseph Wragg, Esq., on Saltcatcher river, and to continue the same as far as the conveniencies of the inhabitants shall require the same.

Who to work
on them.

II. *And be it further enacted* by the authority aforesaid, That all the male inhabitants from sixteen to sixty years of age, residing above the road leading from Ellis's Bluff to the causway on the north side of Pocataligo river, and between the said river and the south branches of Saltcatcher river, shall be employed in making and repairing the aforesaid roads, and be exempt from working on any other roads already laid out; any former law, usage or custom, to the contrary in any wise notwithstanding.

Commissioners
and their pow-
ers.

III. *And be it further enacted* by the authority aforesaid, That Joseph Butler, Alexander Moon, and William Buchanan, be, and they are hereby appointed, commissioners for putting this Act in execution; and shall be under the same regulations and penalties, and have the same powers and authorities, as are given to the commissioners of the high-roads by an Act entitled "An Act to empower the several commissioners of the high-roads, private paths, bridges, creeks, causways, and for cleansing of water-passages, in the Province of South Carolina, to alter and lay out the same, for the more direct and better conveniency of the inhabitants thereof," passed the fifteenth day of September, one thousand seven hundred and twenty-one, or by any other Act of the General Assembly of this Province.

WM. BULL, Jun., *Speaker.**In the Council Chamber, the 9th day of May, 1744.**Assented to:* JAMES GLEN.*Acts relating to Roads, Bridges and Ferries.*

A. D. 1744.

No. 718.

AN ACT FOR BUILDING A BRIDGE OVER THE NORTH BRANCH OF BLACK RIVER, OPPOSITE TO THE LANDING OF JOHN WALLIS, ESQ., DECEASED, IN THE PARISH OF PRINCE GEORGE WINYAW; AND FOR BUILDING A BRIDGE BETWEEN LADY'S ISLAND AND ST. HELENA'S ISLAND, IN GRANVILLE COUNTY, FROM THE CAUSWAYS ALREADY BEGUN TO BE MADE OVER THE MARSHES ON THE SAID ISLANDS.

WHEREAS, the building a bridge over the north branch of Black river, opposite to the landing of John Wallis, Esq., deceased, in the parish of Prince George Winyaw, and the building a bridge between Lady's Island and St. Helena's Island, in Granville county, from the causeys already begun to be made over the marshes on the said islands, will be of great convenience and advantage to the inhabitants of the said parishes, as well as to others travelling in those parts. 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 this his Majesty's Province of South Carolina, by and with the advice and consent of his Majesty's Honorable Council and the Assembly of this Province, and by the authority of the same, That Anthony White, Edward Handlin, John White, William Fleming, and John McKeever, be commissioners, and shall be, and they are hereby, authorized and required, as soon as conveniently may be, after the passing of this Act, to build, or cause to be built and erected, a good and substantial bridge over the north branch of Black river, opposite to the landing of John Wallis, Esq., deceased, in the parish of Prince George Winyaw. And that Richard Capers, John Cowen, and Jonathan Norton, be commissioners, and shall be, and they are hereby, authorized and required, as soon as conveniently may be, after the passing of this Act, to build, or cause to be built and erected, a good and substantial bridge between Lady's Island and St. Helena's Island, in Granville county, from the causeys already begun to be made over the marshes in the said islands.

Bridge over
Black River.

From Lady's
to St. Helena's
Islands.

II. And for defraying the charge and expense of building and erecting the said bridges; *Be it further enacted* by the authority aforesaid, That the said commissioners, respectively, or a major part of them, shall have power, and they are hereby empowered, to tax and assess all the male inhabitants and male slaves within the parishes respectively where the said bridges are to be built, from sixteen to sixty years of age, in order to raise a sufficient sum of money to finish and complete the said bridges, respectively; and that the commissioners for building a bridge over the north branch of Black river, and the commissioners for building a bridge between Lady's Island and St. Helena's Island, shall, respectively, have, and they are by this Act declared to have and be invested with the same powers and authorities, for taxing, assessing, raising and levying so much money as will finish and complete the building of the said bridges, respectively, as the several commissioners of high-roads or public paths have by virtue of an Act entitled "An Act to empower the several commissioners of the high-roads, private paths, bridges, creeks, causeys, and cleansing of water-passages, in this Province of South Carolina, to alter and lay out the same, for the more direct and better conveniency of the inhabitants thereof," passed the fifteenth day of September, in the year of our Lord one thousand seven hundred and twenty-one, or by virtue of any other Act or Acts of the General Assembly of this Province.

Assessment.

Powers of
commissioners.

A. D. 1744.

*Acts relating to Roads, Bridges and Ferries.*Said bridges
declared pub-
lic.

III. *And be it further enacted* by the authority aforesaid, That the said bridge directed by this Act to be made over the north branch of Black river, and the said bridge to be made between Lady's Island and St. Helena's Island, when the same shall be finished, shall be, and are hereby declared to be, public bridges, and shall from thenceforward be, respectively, repaired and kept in repair as other the public bridges of this Province are, or by law ought to be, repaired or kept in repair.

General issue
may be plead-
ed.

IV. *And be it further enacted* by the authority aforesaid, That in case any action or suit shall be brought, sued or prosecuted, against the said several commissioners, or any or either of them, or any other person or persons whoever, for any matter or thing by them, or any or either of them, done, or to be done, by virtue of or in pursuance of the direction of this Act, it shall and may be lawful to and for the said commissioners and other persons to plead the general issue, and give this Act and the special matter in evidence; and in case the plaintiff or plaintiffs shall discontinue, become non-suit, or a verdict shall pass against them, the court in which such action shall be sued or commenced, shall tax and allow to every such defendant or defendants his and their double costs of suit, and for which the said defendants shall have like remedy as by law is given to other defendants.

WM. BULL, Jr. *Speaker.**In the Council Chamber, the 29th day of May, 1744.**Assented to:*

JAMES GLEN.

No. 728. AN ACT TO IMPOWER THE COMMISSIONERS OF THE HIGH-ROADS FOR THE PARISH OF ST. JOHN, IN BERKLEY COUNTY, TO MAKE A NEW CAUSEY LEADING TO CHILDSBURY FERRY, IN THE SAID PARISH; AND FOR CUTTING A WATER-PASSAGE THROUGH CERTAIN LAKES AT THE HEAD OF BLACK MINGO CREEK, IN THE PARISH OF PRINCE FREDERICK WINYAW; AND TO RECTIFY A MISTAKE IN AN ACT OF THE GENERAL ASSEMBLY OF THIS PROVINCE, ENTITLED "AN ACT FOR BUILDING A BRIDGE OVER THE NORTH BRANCH OF BLACK RIVER, OPPOSITE TO THE LANDING OF JOHN WALLIS, ESQ., DECEASED, IN THE PARISH OF PRINCE GEORGE WINYAW; AND FOR BUILDING A BRIDGE BETWEEN LADY'S ISLAND AND ST. HELENA'S ISLAND, IN GRANVILLE COUNTY, FROM THE CAUSEYS ALREADY BEGUN TO BE MADE OVER THE MARSHES ON THE SAID ISLANDS."

Preamble.

WHEREAS, the commissioners of the high-roads in the parish of St. John, in Berkley county, have, by their humble petition to the General Assembly, set forth that the causey at Childsbury ferry being very narrow and crooked, if the same was made straight the road would be considerably

Acts relating to Roads, Bridges and Ferries.

A. D. 1745.

shortened; to the intent, therefore, that the said commissioners may be enabled to make the said causey more convenient for travellers, we humbly pray your most sacred Majesty that it may be enacted, and

I. *Be it enacted*, by his Excellency James Glen, Esq., Governor-in-chief and Captain-General, in and over this his Majesty's Province of South Carolina, by and with the advice and consent of his Majesty's Honorable Council and the Assembly of the said Province, and by the authority of the same, That the commissioners of the high-roads for the parish of St. John, in Berkley county, be, and they are hereby, fully authorized, empowered and required to make a new causey, leading to Childsbury ferry, in the said parish, of such width, and in such manner, as they, in their discretion, shall think most convenient for the inhabitants of the said parish.

Causeway to
Childsbury
Ferry.

II. *And be it further enacted* by the authority aforesaid, That the expense of making the said new causey, and keeping the same hereafter in repair, shall be defrayed by those persons who by law are obliged to work on and keep the present causey in repair; any law, statute, usage or custom, to the contrary notwithstanding.

Who to work
on it.

III. *And whereas*, several of the inhabitants on Black Mingo Creek, in the parish of Prince Frederick Winyaw, have, by their humble petition to the General Assembly, set forth the great advantage it would be to them and others whose lands are adjacent, if the lakes and water-courses in the swamp, at the head of the said creek, were made navigable for flats or canoes, and praying for a law for that purpose. *Be it therefore enacted* by the authority aforesaid, That Thomas M'Keithen, John M'Iver, David Allen, Nathaniel Drew, and John M'Cants, be, and are hereby appointed, commissioners for cutting and clearing the lakes and water-courses in the said swamp at the head of Black Mingo creek aforesaid; and they are hereby fully authorized and empowered to cut and clear the lakes and water-courses in the said swamp, (that is to say,) from the plantation of Col. Anthony White, on the said creek, to the mouth of the run commonly called Heathly's Run, and to make the same navigable for flats or canoes, at their own proper cost and charge, or at the cost and charge of such person or persons as are or shall be willing to contribute thereto; and in order to reimburse the charge and expense of so doing, it shall and may be lawful to and for the said commissioners, or such person as they or the majority of them shall appoint, to ask, sue for, demand, levy, recover and receive, of and from every person and persons who shall use the said water-passage, after the same is cut and finished, the following rates, that is to say: for every barrel of rice that shall be put on board any boat, flat or canoe, at any part of the said water-passage, one shilling, current money; for every barrel of tar, turpentine, pitch, beef or pork, six pence, current money; for every cask of butter, three pence, current money; and for every bushel of grain, of any sort whatever, one penny, current money. And the said commissioners, or such person as the majority of them shall appoint, are hereby empowered and authorized to take and receive the rates aforesaid, and to apply the same to the use of such person and persons as shall have contributed to the expense of cutting and clearing the said water-passage, until they be fully reimbursed, and no longer; and in case any person shall neglect or refuse to pay to the said commissioners, or such person as they or the majority of them shall appoint, the said several rates aforementioned, the same shall and may be recovered as is directed by an Act entitled "An additional Act to an Act for the trial of small and mean causes."

Canal at the
head of Black
Mingo creek.