

Acts and Joint Resolutions
OF THE
GENERAL ASSEMBLY
OF THE
State of South Carolina

Passed at the Regular Session of 1920

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List of Acts and Joint Resolutions 1920

PART I.—GENERAL LAWS

- No. 844. An Act relating to the creation, organization and maintenance of drainage districts for the purpose of reclaiming and protecting swamp, wet or overflowed lands, or lands subject to overflow, from the effects of water, for sanitary or agricultural purposes, or when the same may be conducive to the public health, convenience or welfare or of public utility or benefit, by drainage or otherwise, to define the privileges, powers, duties and liabilities of such drainage districts, the officers and agents thereof; to provide for the levying of taxes upon the property in said drainage districts; authorizing the issuance of bonds by such drainage districts; and giving the said drainage districts full power to acquire such lands and property as may be necessary and proper for its purposes.
- No. 845. An Act to provide for the management and control of the South Carolina State Hospital.
- No. 846. An Act to ratify an amendment to Article X of the Constitution of 1895 by adding thereto Section 16, to empower the town of Pendleton to assess abutting property for permanent improvements.
- No. 847. An Act to provide for rural policemen in Georgetown county.
- No. 848. An Act to authorize the County Board of Commissioners of Horry county to order an election in any township of said county upon the question of extending the operation of the general stock law of South Carolina to such township.
- No. 849. An Act to amend Section 8916, Code of Laws, 1912, relating to election of commissioners of public works, terms of office, etc., so as to include the town of St. George in the proviso thereof.
- No. 850. An Act to amend an Act entitled "An Act to amend Section 29, Code of Civil Procedure, Volume II, Code of Laws, 1912," relating to the time for the holding of the Circuit Courts of the Twelfth Circuit.
- No. 851. An Act to amend Section 2280, Code of Laws of 1912, Volume I, Civil Code of South Carolina, relating to animals prohibited from running at large, by adding a proviso so as to allow the running at large of animals in Red Hill School District, in Hampton county.
- No. 852. An Act to amend Section 4167 of Volume I, Code of Laws of South Carolina, 1912, so as to enable Clerks of Court to issue warrants to enforce agricultural liens.
- No. 853. An Act to repeal an Act entitled "An Act to provide for a rural policeman for Calhoun county," presented to the Governor the 18th of February, 1914, and not returned, and Acts amendatory thereof.
- No. 854. An Act to amend Act No. 119 on page 179 of the Acts of 1918, entitled "An Act to place all interurban railroads, whether propelled by steam, electricity or other power, under the jurisdiction of the Railroad Commission," so as to include within its provisions steamboat lines and truck lines doing business as common carriers within this State.

- No. 546. An Act to provide for a commutation road tax and the collection of same in Colleton county.
- No. 547. An Act to provide for the transfer and annexation of a portion of Lexington county to Newberry county, and to alter the county lines of said counties so as to conform thereto.
- No. 548. An Act—The county government of Union county shall be administered by a Supervisor and County Engineer.
- No. 549. An Act to make unlawful disposition of warehoused cotton without the consent of the owner a misdemeanor and fix the punishment for violation of this Act.
- No. 550. An Act to provide for the election of Board of School Trustees of Santee School District No. 1, in Charleston county.
- No. 551. An Act to provide for the appointment of five trustees in School Districts Nos. 13, 17, 18 and 32, of Lee county.
- No. 552. An Act to amend Section 3016 of Volume I, Code of Laws of 1912, by adding a proviso thereto devolving the duties of Commissioners of Public Works upon the City Council of the city of Cheraw.
- No. 553. An Act authorizing the corporate authorities of the town of Dillon to levy an assessment upon abutting property for the purpose of making improvements on streets and sidewalks, or streets or sidewalks, immediately abutting such property.
- No. 554. An Act requiring all persons, firms, corporations holding or acquiring more than five thousand acres of land at any one time for the purpose of a game preserve for pleasure to pay into the treasuries of the respective counties of South Carolina a license.
- No. 555. An Act to amend Sections 705, 706 and 707 of the Code of 1912, Volume I, by substituting the words "Filed in duplicate" wherever the word "Recorded" occurs.
- No. 556. An Act to amend an Act to provide a system of government for Williamsburg county by striking out Section 19, in reference to licensing vehicles, and adding a new section to be known as Section 19.
- No. 557. An Act to require banks and other depositories having on deposit funds of the Sinking Fund Commission of York county to furnish security therefor.
- No. 558. An Act to allow Hendersonville School District, in Colleton county, to increase its levy by an additional four (4) mill tax.
- No. 559. An Act to further regulate and define the duties of the Pharmaceutical Association of the State of South Carolina, and make appropriation for the maintenance thereof.
- No. 560. An Act to make it unlawful to enter upon the lands of another to gather clams, oysters or shell fish, and to provide a penalty therefor.
- No. 561. An Act to provide for the government and control of penal and charitable institutions and activities, and to repeal inconsistent laws.
- No. 562. An Act to provide for the county government of Spartanburg county, to define its powers and duties, and for the creation of the office of Township Road Supervisors and define their duties, and to fix their compensation.
- No. 563. An Act to regulate the practice of medicine in South Carolina, to provide for a State Board of Medical Examiners, and to define their duties and powers.
- No. 564. An Act to amend the law relating to Magistrates and constables and other officers, their salaries, jurisdiction, powers, duties, etc.

inclusive, in the county of Colleton shall be required annually to pay three (\$3.00) dollars commutation or road tax, except ministers of the gospel actually in charge of a congregation, teachers employed in the public schools, and school trustees, and persons permanently disabled in the military service of this State, and all persons actually employed in the quarantine service of this State, and all students who may be attending school or college at the time when the commutation tax hereinbefore provided for shall become due: Provided, That any person claiming exemption from the provisions of this Act on the grounds of physical disability, where such disability is not apparent, shall be required to procure a certificate of disability from two regular physicians, dated within three months: Provided, That School Trustees shall have credit for actual time served in school work as Trustees when certified to before overseers: Provided, further, That all persons who are liable for road duty in said county as is provided for by law, in lieu of paying said commutation or road tax, may perform three days' labor of ten hours each on the highways.

§ 2. Time of Payment.—That the said commutation tax as provided for in Section 1 of this Act shall be due and payable on or before December 31st of each year, and shall be collected by the County Treasurer at the same time other taxes are collected.

§ 3. Conflicting Law Repealed.—Nothing contained in this Act shall be construed to repeal any law now in effect for Colleton county except so much as is in conflict with same.

§ 4. Effective on Approval.—This Act shall take effect immediately upon the approval by the Governor.

Approved the 12th day of March, A. D. 1920.

No. 547.

AN ACT to Provide for the Transfer and Annexation of a Portion of Lexington County to Newberry County, and to Alter the County Lines of the Said Counties So as to Conform Thereto.

Whereas, At an election duly ordered and held in accordance with the provisions of the Constitution and laws of the State of South Carolina on the question whether the county lines of Lexington

County and Newberry County should be so altered as to transfer and annex to Newberry County a certain portion of Lexington County, more than two-thirds of the votes cast in the said election were in favor of such transfer and annexation; and,

Whereas, All the conditions required by the Constitution and laws of this State were and have been complied with; now, therefore,

Section 1. County Lines of Lexington and Newberry Counties Altered—Territory Transferred.—Be it enacted by the General Assembly of the State of South Carolina: That the county lines of Lexington County and of Newberry County be, and the same are hereby, so altered as to cut off from said Lexington County and to transfer and annex to and incorporate within said Newberry County all of that certain territory or portion of Lexington County embraced within the following lines and boundaries, to-wit: Beginning at a point in Broad River on the Fairfield-Lexington County line, about one-fourth of a mile below Peak, thence south forty degrees west to a point on the west bank of the Broad River; thence south forty degrees west 1956 feet to an oak; thence south forty-six degrees and forty minutes west 2410 feet to a stone on the public road; thence south forty-one degrees west 1143 feet to a stake; thence south thirty-two degrees and thirty minutes west 9568 feet to a stake on a branch; thence down the run of the branch to a stake; thence south fifty-five degrees west 575 feet to a stake; thence north eighty-six degrees and thirty minutes west 3782 feet to a pine; thence south twenty-six degrees and thirty minutes west 3650 feet to a stake; thence south fifty-three degrees and thirty minutes west 4990 feet to a point on the Columbia, Newberry & Laurens Railroad; thence south seventy-three degrees and thirty minutes west 2613 feet to a maple, in a branch; thence south sixty-eight degrees and thirty minutes west 2180 feet to a stake near a negro church; thence north seventy-seven degrees and thirty minutes west 5577 feet to a stake just west of the public road near Little Mountain; thence south twenty-eight degrees west 20,850 feet to Camping Creek near the mouth of Stevens Creek; thence up the run of Camping Creek to the Newberry-Lexington County line; thence in a northeasterly direction with the Newberry and Lexington County line to its terminus in Broad River; thence down the Fairfield-Lexington County line in Broad River to the beginning point. The metes and bounds and location and lines are more accurately set forth on plat bearing date November 3-7, 1919, filed in the office

of the Secretary of State. That the territory taken from Lexington County to be added to and to be incorporated into Newberry County contains by actual survey twenty-two square miles.

§ 2. Tax Returns—Duties of County Auditors.—That the County Auditor for Lexington County shall segregate from the tax returns of 1920 the returns of all taxable property and polls located in that portion of Lexington County annexed under this Act to Newberry County, and he shall also prepare copies of the returns of 1919 of all taxpayers in said territory whose names appear on the tax duplicates of Lexington County for 1919, and who have failed or neglected to make returns for 1920; and that the same shall be turned over by the Auditor of Lexington County to the Auditor of Newberry County on or before April 1, 1920; and upon satisfactory performance of the foregoing duties, and all other necessary duties to carry this Act into effect, the Auditor of Lexington County shall be paid the sum of fifty dollars by the County of Newberry. That the property and polls located in the proposed annexed territory shall be returned for taxation for the year 1920 to the Auditor for Newberry County and shall be subject to the same levy as other portions of Newberry County. It shall be the duty of the County Auditor of Newberry County to receive the tax returns of the taxpayers and polls of the annexed territory without penalty until the first of April, 1920, and to enter the same on the tax books of the County of Newberry in the same way and manner as the other taxable property and polls are so placed. The County Auditor of Lexington County shall furnish to the County Auditor of Newberry County any information regarding any bonded indebtedness outstanding against any school district included in the territory annexed to Newberry County under this Act, that is to be had, and all possible information and lines of the school districts of such section, and any other information or abstracts required of him by the Auditor of Newberry County.

§ 3. School Funds—Duties of County Superintendents of Education.—That it shall be the duty of the County Superintendent of Education of Lexington County to forthwith furnish to the Superintendent of Education of Newberry County, a statement of amounts and disbursements and balances on hand for each of the school districts or portions thereof in the territory annexed to Newberry County under this Act, together with such further information as may be necessary for the proper continuation of the public schools

located in such territory; and the County Superintendent of Education of Lexington County shall apportion and distribute to the various school districts or portions thereof in said territory their lawful share of all school funds collected or to be collected from the taxes of the year 1919, and from any State funds to which they may now or hereafter be entitled under the law, and as soon as possible he shall furnish a duplicate statement thereof to the County Superintendent of Education of Newberry County. In case it shall be necessary for the County Superintendent of Education of Lexington County to visit the county seat of Newberry County for the purpose of adjusting any matter or matters referred to in this section or pertaining towards his duties towards the public schools, he shall be allowed compensation therefor, for not exceeding five days at the rate of five dollars per day, and his necessary expenses. The Superintendent of Education of Lexington County shall be paid the sum of twenty-five dollars by Newberry County upon satisfactory compliance with the provisions of this section.

§ 4. Transfer of Proportion of Tax Funds.—The County Treasurer of Lexington County shall pay over to the Treasurer of Newberry County any school funds or bonded debt funds now or hereafter in his hands belonging to any school district, or portion thereof, embraced in the territory transferred from Lexington County under this Act, together with any special road funds or funds belonging to any road or roads, or portions thereof, in said territory, together with such commutation tax or taxes as may have been heretofore or may hereafter be collected from citizens of the said territory, and have not heretofore been expended upon the public roads in the said territory, and he shall furnish the County Treasurer of Newberry County a list of such commutation taxpayers and the receipt of the County Treasurer of Newberry County shall be his legal discharge for the custody of said funds. It shall be the duty of the County Treasurer of Newberry County to hold and disburse any funds turned over to him under this section, as now provided by law.

§ 5. Laws in Force in Newberry County Applicable.—That the said territory transferred from Lexington County to Newberry County, as set out herein, shall be subject to the same laws as are now applicable to Newberry County.

§ 6. Transfer of Civil and Criminal Causes.—Where the defendants in any civil action now pending, or hereafter brought, in

the County of Lexington reside in the territory annexed to Newberry County, under this Act, or where such actions would have been brought in Newberry County after the passing of this Act, and all indictments now pending or warrants issued in Lexington where the offenses were committed in the territory annexed under this Act, they shall be transferred to the County of Newberry for trial, together with all records, orders, commissions and other necessary papers belonging thereto, and for each civil case transferred under the provisions of this section the Clerk of Court of Lexington County shall receive a fee of fifty cents.

§ 7. Prisoners.—That any prisoners that may be committed to the jail in Lexington County, who under Section 6 of this Act shall be immediately transferred to the jail of Newberry County, and it is hereby the duty of the Sheriff of Newberry County to effect the said transfer, and he shall receive from Newberry County for such services the sum of two dollars per day and actual expenses incurred in the transfer, provided he shall not be compensated for more than two days.

§ 8. Adjustment of Proportion of Debt—Tax for Payment.—That the County Auditor of Lexington County and the County Auditor of Newberry County as soon as practicable, shall investigate and ascertain the total bonded or other indebtedness of the County of Lexington and proportion the same between the said County of Lexington and the territory herein annexed according to the taxable values herein; Provided, That the said indebtedness shall not include any expenditure, taxation or indebtedness incurred, levied or made for the year 1920, and that there shall be levied upon the taxable property of the said annexed territory a sufficient tax to pay the said indebtedness so assessed upon the annexed territory, and the said amount of such indebtedness shall be paid to the County Treasurer of Lexington by the County Treasurer of Newberry County upon proper voucher signed by the Auditor of the respective counties, and the said voucher when so paid shall constitute a full and complete receipt to the said Treasurer of Newberry County, and a complete discharge of the said annexed territory from all obligations and liabilities to the County of Lexington.

§ 9. Payment of Commissioners.—That the Commissioners appointed to supervise and overlook the work of the said survey and other matters pertaining to the said annexation, who reside outside

of the said annexed territory, shall be paid for their services according to the existing law, provided that a duly itemized and sworn statement be made and filed with the County Board of Commissioners of Newberry County setting forth the services rendered; the said statement shall be a voucher to the said County Board of Commissioners, who shall pay the same as other claims are paid.

§ 10. Expenses.—That all the expenses incurred under the provisions of this Act falling upon the County of Newberry shall be paid out of such funds as are now in the hands of the County Treasurer which are now unappropriated.

§ 11. Effective on Approval.—That this Act shall go into effect immediately upon its approval by the Governor.

Approved the 29th day of March, A. D. 1920.

No. 548.

AN ACT—The County Government of Union County Shall Be Administered by a Supervisor and County Engineer.

Section 1. County Supervisor of Union County—Election—Term—Compensation—Duties.—Be it enacted by the General Assembly of the State of South Carolina: County Supervisor shall be elected by the qualified electors of said Union county, in the same manner as now provided for other county officers, whose term of office shall be four years and until his successor is elected and qualified. He shall before entering upon the duties of his office enter into bond with sufficient surety, to be approved by and filed with the Clerk of Court of said county in the sum of three thousand (\$3,000.00) dollars conditioned for the honest and faithful performance of his respective duties, and for his services he shall receive a salary of two thousand (\$2,000.00) dollars per annum. He shall be his own clerk, and shall have no clerk except at his own expense and not at the expense of the county. He shall examine all claims against county and when such claims bear the written approval for payment of County Engineer, shall pay same. He shall have entire charge of all routine matters ordinarily connected with office of County Supervisor, selecting the County Physician, County Attorney, shall have general supervision and control of the county home, county farm, select the employees for same, and otherwise have the man-