

A. D. 1888. final adjournment of the General Assembly meeting next thereafter.

Approved December 22nd, A. D. 1888.

No. 99. AN ACT TO ESTABLISH A NEW JUDICIAL AND ELECTION COUNTY FROM PORTIONS OF DARLINGTON, MARION, WILLIAMSBURG, AND CLARENDON COUNTIES, TO BE KNOWN AS FLORENCE COUNTY, AND TO ADJUST THE REPRESENTATION OF SAID COUNTIES IN THE GENERAL ASSEMBLY.

Florence County established. Area.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a new judicial and election County, to be known as Florence County, shall be formed, and is hereby authorized to be formed, from all that portion of Marion County, which lies west of the Great Pee Dee River, and those portions of Darlington, Williamsburg, and Clarendon Counties, included, with the same in the following boundaries, namely: Beginning at Sanders' Bridge, on Lynch's River, running in a northeasterly direction, following the Cartersville, Timmons ville, and Ebenezer Township line to the Palmetto Township line; thence in an easterly direction in a straight line to Muse's Bridge; thence in a northerly direction in a straight line to the Great Pee Dee River, at Cashua Ferry; thence following the said Great Pee Dee River down to its intersection with Lynch's River; thence following said Lynch's River up to a point at and above Anderson's Bridge; thence in a straight line westward to the Williamsburg and Clarendon County line, so as to embrace twenty-eight square miles of the territory of Williamsburg County; thence following the last named line in a northwesterly direction to the said intersection at Lynch's River of the said Clarendon and Williamsburg County line; thence following said Clarendon and Williamsburg County line in a southwesterly direction to its intersection with what is known as Centennial Road; thence following said road in a westerly direction to Hudson's Mill; thence running in a northerly direction a straight line to a point on the Clarendon and Sumter County line at Wood's Mill; thence following the Clarendon and Sumter County line in a

northeasterly direction to Lynch's River; thence following the said Lynch's River, up to Sanders' Bridge, the beginning corner: Provided, That the County Commissioners of Darlington and Florence Counties may cause to be made a survey of Darlington County, and the area thereof be not reduced below six hundred and thirty-five square miles.

A. D. 1888. Darlington may require survey.

SEC. 2. That S. A. Gregg, B. B. McWhite, A. A. Myers, John McSween, James Allen, John S. Scott, J. W. Coward, and J. M. Knight be, and are hereby, appointed Commissioners to designate and establish the County seat, and to provide and procure suitable buildings for the several court and county officers, and to select and purchase or procure a site or sites for the usual public buildings, and to contract for and superintend the erection of the court house and jail thereon: Provided, That if the said Commissioners shall, on or before February 1st, 1889, have served upon them any petition or petitions signed by not less than one hundred freeholders in each case, residents of said new county, asking for the selection of any locality or localities, named in the said petition or petitions, and accompanied in each case by security, payable to and to be approved by said Commissioners, in the true and just sum of not less than twenty thousand dollars, to the effect that the jail and court house shall be provided free of expense to the new County and of a style of construction and materials equal in every respect to the court house and jail of Marion County and at the cost of the said locality, or localities, so nominated, and with the further condition that the requisite funds for the purpose aforesaid shall be placed in the hands of the said Commissioners, on demand, to be made not later than thirty days after the selection as herein provided, of the said locality as the county seat; then in the event that more than one such locality be so petitioned for and nominated, with security to be approved by said Commissioners, as above set forth, the said Commissioners shall submit the question of the selection of the said county seat to a vote of the qualified electors of the County hereby formed, at a special election, to be held on the 1st Tuesday after the 1st Monday in March, 1889, in the following manner: That, for the purpose of holding said election, the said Commissioners above designated shall divide the new County into suitable voting precincts, and appoint the managers of election for each of the said precincts, who shall serve without compensation, and the said Commissioners shall likewise appoint any three days of the week preceding said election, in which such managers of election shall

Commissioners to designate County seat, and buildings.

Election of locality.

Security for furnishing buildings.

Where more than one locality applies.

Regulations of election.

Registration.

^{A. D. 1888.} register, in a book to be furnished at each precinct by the said Commissioners, all male citizens residing in their respective precincts over the age of twenty-one years, the said Commissioners giving fifteen days' notice of said registration and election, by advertisement in one or more papers published in said new County. The said managers of election in each polling precinct shall open the polls at 8 o'clock in the morning of election, and close them at 6 o'clock P. M. The ballots of all voters who have properly registered within the respective precincts in which they reside, shall be deposited in a box, to be furnished at each precinct by the said Commissioners. The said ballots shall contain, in printing or in writing, simply the name of the locality preferred by the voter as the County seat and nominated, as above provided, by petition of one hundred freeholders, with approved security. A list of such localities as shall have complied with the required conditions shall be posted by the said Commissioners at each poll, and any ballots for other places shall not be counted. The vote shall be counted in each precinct as soon as the polls are closed, and the returns transmitted within twenty-four hours to the said Commissioners, who shall at once tabulate the returns and declare the result, and the locality receiving the largest number of votes at the said election shall thereupon be declared and become the County seat of the new County herein formed: *Provided, further, however,* If only one such petition for a locality, out of one or more localities petitioned for, shall be approved by said Commissioners as complying with the required conditions above set forth, or if only one locality be petitioned for with the requisite conditions above provided for, then and in that event, the said single locality shall be declared selected, and become the County seat: *And, provided still further, however,* That if after the selection of a County seat under the terms and conditions above set forth, the said locality or its sureties shall fail on demand to turn over the requisite funds to the said Board of Commissioners, which said demand shall be made not later than thirty days after the date of said selection, the said Board of Commissioners shall immediately declare the selection of said locality revoked, void, and of no effect, and at once reopen the question of the selection of the County seat, on the same terms and requirements as are above provided and were at first used; and in the event of an election becoming necessary upon any such reopening of the question the date of said election shall be designated by the said Board of Commissioners.

Conduct of election.
Ballots.

Declaration of result.

If only one locality complies.

Failure of locality to comply.

SEC. 3. That an election shall be held in the County of Florence on the first Tuesday after the first Monday in November, 1889, for the regular County officers provided for by the Constitution and laws of the State, and the Governor shall meanwhile appoint the other officers necessary to complete the County government and machinery for the due administration of the laws as required by the other Counties, and that on the first Tuesday after the first Monday in November, 1890, and forever thereafter, as provided by the laws of the State, for Senator and Representatives in the General Assembly.

SEC. 4. That until the next apportionment of Representatives the said County of Florence shall be entitled to two Representatives, and the said Counties of Darlington and Marion each to three Representatives in the House of Representatives of South Carolina.

SEC. 5. That the voting precincts heretofore established by law in those portions of Marion, Darlington, Williamsburg, and Clarendon Counties, included in the new County of Florence, shall be the precincts of the last named County.

SEC. 6. That the County of Florence be, and is hereby, attached to the 6th Congressional District, of which it forms a part territorially, and it shall form a part and parcel of the third (3d) Judicial Circuit, and the Courts shall be held as follows: The Court of General Sessions at the County seat (to be selected as herein prescribed), on the second Mondays after the third Mondays in February, the first Mondays in June, and the third Mondays after the fourth Mondays in October, and the Court of Common Pleas at the same place, and on the Wednesdays following the Mondays on which the Court of General Sessions opens for said County of Florence; the first term of said Circuit Court to be held on the third Monday after the fourth Monday of October, 1889. And the Trial Justices shall be located as they now are in the territory covered by the new County, until hereafter provided for by law.

SEC. 7. That a majority of the Commissioners named in Section 2 of this Act shall constitute a quorum for business; and the exercise of any and all the powers and duties vested in the said Commissioners by this Act shall be deemed valid to all intents and purposes, if voted for by a majority of the said Commissioners present at any meeting, provided a quorum be present.

SEC. 8. That the Commissioners named in Section 2 shall be authorized to rent any buildings at any convenient place they may select for their meetings, and for the other needs and uses

A. D. 1888.
Election for County officers.
Appointments by the Governor.

Representation in the Legislature.

Voting precincts.

In Sixth Congressional District and Third Judicial Circuit.

Terms of Court.

First term.

Trial Justices.

Quorum of Commissioners.

Rent of buildings.

A. D. 1888. of said new County, until the permanent County buildings be erected, as herein provided.

Public Act. SEC. 9. That this Act shall be deemed a public Act, and that Repealing clause. all Acts, or parts of Acts, inconsistent therewith, be, and the same are hereby, repealed.

Approved December 22nd, A. D. 1888.

No. 100. AN ACT TO PROVIDE FOR THE ASCERTAINMENT AND PAYMENT OF THE VALID PAST SCHOOL INDEBTEDNESS OF THE COUNTY OF GEORGETOWN AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SPECIAL TAX THEREFOR.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of the Governor, as soon as practicable after the passage of this Act, to appoint three reputable and disinterested citizens of Georgetown County, residents of the town of Georgetown, who shall constitute a commission to investigate the past school indebtedness of said County.

Governor to appoint Commission.

SEC. 2. Within a convenient time after their appointment, said commission shall organize by the election of a Chairman and a Secretary from among their number, and after being sworn, before some officer qualified by law to administer oaths, to faithfully and impartially discharge the duties imposed upon them by this Act, shall proceed to the performance of the same.

Organization of Commission.

SEC. 3. Immediately after their organization the said commission shall publish in one or more newspapers of said County, for a period of thirty days, a notice requiring all persons holding school claims against the said County issued prior to the scholastic year 1886-7 to present the same within sixty days from the date of such notice to the said commission for examination; and all school claims by whomsoever held which shall not be presented for such examination before the expiration of said sixty days shall be forever thereafter debarred payment.

Notice to claimants.

Time for proving claims.

SEC. 4. For the purpose of conducting their investigation, the said commission shall have power to summon witnesses and examine them under oath, and to inspect the books, records, and papers of the County Treasurer's and County School Com-

Judicial powers.

missioner's offices; and said officers may be compelled to produce said books, records, and papers before said commission, and to testify as to the same, or as to any other matter connected with the validity of said past due school claims.

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SEC. 5. It shall be the duty of said commission to keep a record of their proceedings; and, in addition thereto, they shall provide a book suitably ruled and bound, in which shall be entered in their appropriate columns the date, number, and amount of each school claim found valid by them, the name of the person to whom it was issued, the name of the person presenting the same for examination, the number of the school district for which the same was issued, and the date of its approval by said commission. They shall keep, in a similar book, or in a separate part of the same book, a similar record of all claims rejected by them as invalid, illegal, or worthless, with the date of their rejection.

Books and records.

SEC. 6. That as soon as they shall have completed such investigation, the said commission shall file in the offices of the School Commissioner and the County Treasurer a certified statement, under their hands and seals, of the claims approved by them, designating each claim in the manner provided in Section 5 of this Act, and a similar statement of the rejected claims. And it shall be unlawful for the School Commissioner to approve, or for the County Treasurer to pay, any of the claims so rejected by said commission. At the same time they shall file with the County Commissioners a condensed statement showing the total amount of the claims approved by them: Provided, That the said commission shall not approve any school claim which may appear to their satisfaction to have been issued by the trustees of any school district in excess of the funds apportioned to such district, according to law, for the scholastic year in which the same may have been issued.

Certified statements to be filed.

Rejected claims not to be paid.

Condensed statement.

Proviso as to claims in excess of appropriations.

SEC. 7. Upon the completion of their work, the commission shall deposit in the office of the Clerk of Court for said County the minutes of their proceedings and the records of approved and rejected claims required by Section 5.

Deposit of minutes.

SEC. 8. The members of said commission shall receive no compensation for their services, except the Secretary, to whom there shall be paid by the County Commissioners of said County, upon the order of the Chairman of said commission, the sum of twenty-five dollars.

Compensation.

SEC. 9. The actual expenses of said commission for postage, stationery, and advertising, to an amount not exceeding thirty-

Expenses.

ACTS
AND
JOINT RESOLUTIONS
OF THE
General Assembly
OF THE
STATE OF SOUTH CAROLINA,
PASSED AT THE
REGULAR SESSION OF 1888.

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