

A. D. 1910. SEC. 3. This Act shall take effect upon its approval by the Governor.

Approved the 23d day of February, A. D. 1910.

No. 485.

AN ACT TO PROVIDE FOR THE TRANSFER AND ANNEXATION OF A CERTAIN PORTION OF BERKELEY COUNTY TO ORANGEBURG COUNTY, AND TO ALTER THE COUNTY LINES OF SAID COUNTIES TO CONFORM THERETO.

Preamble. Whereas, At an election duly ordered and held in accordance with the provisions of the Constitution and laws of this State, on the question whether the county lines of Berkeley County and of Orangeburg County should be so altered as to transfer and annex to Orangeburg County a certain portion of Berkeley County, more than two-thirds of the votes cast in said election were in favor of such transfer and annexation; and,

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

County lines of Berkeley and Orangeburg County changed. SECTION 1. *Be it enacted* by the General Assembly of the State of South Carolina, That the county lines of Berkeley County and of Orangeburg County be, and the same are hereby, so altered as to cut off from said Berkeley County and to transfer and annex to and incorporate within said Orangeburg County all of that certain territory or portion of Berkeley County embraced within the following lines and boundaries, to wit: Beginning at a point located on Four Holes Swamp at the intersection of the boundary lines of Orangeburg, Dorchester and Berkeley Counties, and extending in a southeasterly direction, along Four Holes Swamp, the same being the boundary between Dorchester and Berkeley Counties, to a large cypress which stands at the confluence of Four Holes and Dean Swamps, at the upper part of Turkey Lake; thence up and along the run of Dean Swmp as it meanders to a point where Dean Swamp and Black Creek unite; thence up Black Creek to the point where Big Black Creek and Little Black Creek unite; thence up Little Black Creek to the point where the "new road" crosses said Little Black Creek; thence northerly up the "new road" to the Monck's Corner public road, near

A. D. 1910. Mark Richardson's place; thence north ten chains to a pine; thence north 14 degrees east, thirty-eight chains to a stake; thence south 37 degrees 15 minutes east, forty-nine chains to stake; thence east 9.70 chains to a stake; thence north 39.50 chains to a stake; thence north 87 degrees east, thirty-four chains and ten links; thence north fifty-four and one-half (54½) chains to a stake; thence north 1 degree 30 minutes west, eighteen chains and sixty links to a stake; thence north 30 degrees west, thirty-one chains to a stake; thence north 8 degrees west, eleven chains to a cypress at the river road and Rock Creek Bridge; thence northeast along Rock Creek to where Rock Creek empties into the Santee River; thence up the Santee River to the mouth of Eutaw Creek, where the Orangeburg and Berkeley lines connect; thence southwest along the bounary line between Orangeburg and Berkeley Counties to the point of beginning.

Sec. 2. That the said territory transferred and annexed to Orangeburg County under this Act shall be divided into two townships, the dividing line between said townships being as follows: Beginning at a point where Sandy Run Swamp or Creek empties into Dean Swamp and thence following the run of Sandy Run Swamp along the present parish line to the present line of Orangeburg County. That portion of such territory lying to the east of said line shall be Eutaw Township, and the voting place for such township shall be at Eutawville; and that portion of such territory lying to the west of said line shall be Holly Hill Township, and the voting place for such township shall be at Holly Hill. Eutaw Township and Holly Hill Township are hereby declared to be bodies corporate, with such powers, duties, liabilities and incidents as now or may hereafter be provided by law for the other townships of Orangeburg County.

Sec. 3. Holly Hill Township shall comprise Magistrate District No. 10 of Orangeburg County, with one magistrate and one constable, whose salaries shall be one hundred dollars each per annum; and Eutaw Township shall comprise Magistrate District No. 11 of Orangeburg County, with one magistrate and one constable, whose salaries shall be one hundred dollars

A. D. 1910. each per annum. That the magistrate for each of said districts shall have such duties and powers and be subject to such restriction as are now provided by law for the magistrates of Orangeburg County. That the magistrate now residing in Holly Hill Township shall be the magistrate for District No. 10, and the magistrate now residing in Eutaw Township shall be the Magistrate for District No. 11 of Orangeburg County until their successors are appointed and duly qualified at such time and in such manner as the other magistrates of Orangeburg County.

Sec. 4. That the County Auditor of Berkeley County shall segregate from the tax returns for 1910 the returns for all taxable property and polls located in that portion of Berkeley County annexed under this Act to Orangeburg County, and he shall also prepare copies of the returns for 1909 of all taxpayers in said territory whose names appear on the tax duplicates of Berkeley County for 1909, and who have failed or neglected to make returns for 1910, and that the same shall be turned over by the Auditor of Berkeley County to the Auditor of Orangeburg County on or before April 1st, 1910; and upon satisfactory performance of the foregoing duties, and all other necessary duties to carry this Act into effect, the Auditor of Berkeley County shall be paid the sum of one hundred dollars by the County of Orangeburg. The Governor shall appoint three discreet electors for both Eutaw Township and for Holly Hill Township, who shall constitute a Board of Assessors for each of their respective townships, who shall hold office for one year; and they shall be appointed and have the same duties and compensation as provided by law for the Township Assessors of Orangeburg County; and the Chairman of each Board of Assessors aforesaid shall represent his township as a member of the County Board of Equalization of Orangeburg County, and they shall ascertain and furnish to the County Auditor of Orangeburg County the names of such persons residing in their respective townships that may be liable for the payment of poll tax and may not appear on the returns furnished to said Auditor by the Auditor of Berkeley County. If it be necessary for the proper adjustment of matters within the jurisdiction of the Township Assessors, the Chairman of either or both Town-

ship Boards may go to the county seat of Berkeley County for official information, and may make further investigation and inquiry as provided in this Act and as may be necessary under the direction of the County Auditor of Orangeburg County; and each shall be allowed three dollars per day and necessary expenses, for not exceeding five days, for such additional services. In case it shall be necessary for the proper adjustment of the tax valuations or other matters between the two counties for the County Auditor of Orangeburg County to go to the county seat of Berkeley County or to the territory annexed to Orangeburg County under this Act, he shall be allowed compensation therefor for not exceeding twenty days, at the rate of three dollars per day and his necessary expenses. The expenses authorized and incurred under this Act shall be paid by the Supervisor of Orangeburg County in like manner as other lawful claims against Orangeburg County are paid. The County Auditor of Berkeley County shall furnish to the County Auditor of Orangeburg County information regarding any bonded indebtedness outstanding against any school district included in the territory annexed to Orangeburg County under this Act, and all possible information regarding the formation and lines of the school districts of such section, and any other information or abstracts required of him by the Auditor of Orangeburg County.

Sec. 5. That it shall be the duty of the County Superintendent of Education of Berkeley County to forthwith furnish to the County Superintendent of Education of Orangeburg County a statement of amounts of disbursements and balances on hand for each of the school districts or portions thereof in the territory annexed to Orangeburg 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 Berkeley 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 1909, and from any State or county dispensary funds, to which they may be now or hereafter entitled under the law, and as soon as possible he shall furnish a duplicate statement

A. D. 1910. thereof to the County Superintendent of Education of Orangeburg County. In case it shall be necessary for the County Superintendent of Education of Orangeburg County to visit the county seat of Berkeley County, for the purpose of adjusting any matter or matters referred to in this section or pertaining to his duties towards the public schools, he shall be allowed compensation therefor, for not exceeding five days, at the rate of three dollars per day and his necessary expenses. The Superintendent of Education of Berkeley County shall be paid the sum of twenty-five dollars by Orangeburg County upon satisfactory compliance with the provisions of this section.

Certain funds to be turned over to Orangeburg County.

SEC. 6. That the County Treasurer of Berkeley County shall pay over to the County Treasurer of Orangeburg 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 Berkeley County and annexed to Orangeburg County under this Act, together with any special road fund 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 said territory, and have not heretofore been expended on the public roads in said territory, and he shall furnish the County Treasurer of Orangeburg County a list of such commutation taxpayers; and the receipt of the County Treasurer of Orangeburg County shall be his legal discharge for the custody of said funds. It shall be the duty of the County Treasurer of Orangeburg County to hold and disburse any funds turned over to him under this section, as now provided by law.

Suits in territory annexed to be transferred to Orangeburg County.

SEC. 7. Where the defendants to any civil action now pending in the County of Berkeley reside in the territory annexed to Orangeburg County under this Act, or where such actions would have been brought in Orangeburg County after the passage of this Act, and all indictments now pending in Berkeley County where the offenses were committed in the territory annexed under this Act, they shall be transferred to the County of Orangeburg 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 Berkeley County shall receive a fee of fifty cents. A. D. 1910.

SEC. 8. The County Auditor of Berkeley County and the County Auditor of the County of Orangeburg, together with a disinterested third party to be appointed by the Governor, who shall not be a resident of either county, and who shall receive compensation of five dollars per day for not exceeding six days and necessary expenses, are hereby authorized and directed to ascertain and determine the proper proportion of the present existing indebtedness of Berkeley County, if any, of the section transferred under this Act to be assumed by Orangeburg County; and they shall report the same to the Governor prior to the next session of the General Assembly. In debtedness to be prorated.

SEC. 9. That this Act shall go into effect immediately upon its approval by the Governor.

Approved the 23d day of February, A. D. 1910.

No. 486.

AN ACT TO AUTHORIZE THE TRUSTEES OF SCHOOL DISTRICT No. 1, SALUDA COUNTY, TO LEVY AND COLLECT AN ADDITIONAL LOCAL TAX THEREIN FOR SCHOOL PURPOSES.

SECTION 1. *Be it enacted* by the General Assembly of the State of South Carolina, That in addition to the power the Trustees of School District No. 1, Saluda County, now have to levy and collect annually a three-mill local tax on all real and personal property returned in the said district, they are hereby authorized to levy annually on all the real and personal property returned in said district a special local tax not exceeding two mills on the dollar, as they may see fit, subject to the following provisions: That the said Board of Trustees shall, as soon as possible thereafter, submit the question of "Tax" or "No Tax" to the owners of both real and personal property, who are qualified electors residing within said district, and they shall have power to order an election, specifying the time, place and purpose of the same, and to make all necessary rules and regulations for governing the same. The said Board of Trustees shall appoint three managers at such election, who shall, without compensation, hold and conduct the same, at School District No. 1, Saluda County, may levy additional tax levy. Election.