

Acts and Joint Resolutions

OF THE

GENERAL ASSEMBLY

OF THE

State of South Carolina

PASSED AT THE REGULAR SESSION OF 1934

PRINTED BY ORDER OF THE GENERAL ASSEMBLY AND DESIGNED TO
FORM A PART OF THE THIRTY-EIGHTH VOLUME OF THE
STATUTES AT LARGE, COMMENCING WITH THE ACTS
OF THE REGULAR SESSION OF 1933

PRINTED UNDER THE DIRECTION OF THE
JOINT COMMITTEE ON PRINTING
GENERAL ASSEMBLY OF SOUTH CAROLINA

be and the same is hereby amended by adding after the figure 4 on line 4 of said Section (1) the following: "Tillman's School District No. 5." That said section (1) be further amended by striking out on line 8 of said Section the following: "a high school district," and inserting in lieu of these words the following: "The Ridgeland Centralized High School District" so that said Section when so amended shall read as follows.

Section 1. That Ridgeland Special School District No. 1; Gillesonville Special School District No. 2; Malphus School District No. 4; Tillman's School District No. 5; Okeetee School District No. 6; Coosawhatchie School District No. 7; Gilmania School District No. 12; Great Swamp Special School District No. 9; of Jasper County, as now constituted, are hereby declared to be The Ridgeland Centralized High School District, that is to say a body corporate, and the trustees, as hereinafter provided for, are hereby declared to be the High School Board of Trustees, and as such are hereby authorized and empowered to establish a central high school for the eight school districts, at Ridgeland, South Carolina, and the consolidated high school, when so established shall be entitled to all the privileges and benefits of rural centralized high schools approved and accepted by the State Board of Education.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 24th day of January, 1934.

(649)

No. 634.

AN ACT to Create an Airport for the City and County of Anderson, to Give it the Right of Condemnation and to Define its Powers and Duties and Terms of Office of the Commissioners, and to Authorize the City and County to Make Certain Donations to Said Commission.

Section 1. Anderson Airport Commission—Members—Appointment.—Be it enacted by the General Assembly of the State of South Carolina: There is hereby created a Commission for the City and County of Anderson, to be known as the Anderson Airport Commission. This Commission shall consist of five members

to be selected as follows: Two by the City Council of the City of Anderson; two by the Anderson County Delegation in the General Assembly and one to be selected by a majority vote of the four selected as hereinabove provided.

§ 2. Members—Terms—Removal.—That the term of office of the members of this Commission shall be as follows: The two appointed by the Anderson County Delegation shall serve for a period of two years; the two appointed by the City Council shall serve for a period of four years, and the one selected by the Commission shall serve for a period of six years, and to the expiration of the terms of office of the Commissioners as hereinabove selected, the term of office of each commissioner shall be for a period of two years and until his successor is appointed and qualifies. The said respective appointive bodies having the right to remove their respective appointees at pleasure.

§ 3. Chairman.—The Commission herein appointed shall select one of its members as Chairman.

§ 4. Powers and Duties.—The Commission herein created is hereby vested with power to receive any gifts or donations from any source, and also to hold and enjoy property, both real and personal, in the County of Anderson, as granted to individuals under the laws of this State, for the purpose of establishing and maintaining aeroplane landing fields and such other purpose not inconsistent with the primary purposes of aeroplane landing fields in the County of Anderson, and to sell, rent or lease any part or parcel of lands acquired as site for airport provided same is not essential to the landing field and provided further that monies received from such sale be expended on maintenance, improvement and equipment for the airport, and to make such rules and regulations as may be necessary in the conduct and operation of said aeroplane landing fields and such other purpose not inconsistent with the primary purposes of aeroplane landing fields. That said Commission is hereby authorized and empowered to condemn, take and use any land or property it may deem necessary, for the purpose of establishing and protecting aeroplane landing fields; that such condemnations be had and done in the same manner as provided in Sections 7307, 7308, 7311, 7312, 7314, 7315, 7316, and 7317, Volume 3, Code of Laws of South Carolina, 1932.

§ 5. City and County of Anderson May Donate to Commission.—The City and County of Anderson are hereby empowered

and authorized to appropriate and donate to said Commission such sums of money as they may deem expedient and necessary for the purpose aforesaid.

§ 6. Further Powers.—That in case the property acquired by the Commission as aforesaid shall prove inadequate for the purposes herein provided, then all of the said property, both real and personal, may be by the Commission sold and converted into cash or equities and said proceeds shall be re-invested in a more adequate airport, but in case of total abandonment the proceeds shall be equally divided between the City of Anderson and the County of Anderson, and to that end the said Commission is hereby authorized by such officers as it may designate to make, execute and deliver deed or deeds of conveyance to any and all of said property.

§ 7. This Act shall take effect immediately upon its approval by the Governor.

Approved the 5th day of February, 1934.

(652)

No. 635.

AN ACT to Authorize the Legislative Delegation of Allendale County to Declare Vacancies in Case of Officers Mentally Disabled and to Provide for Filling such Vacancies.

Section 1. Jasper County Legislative Delegation May Declare Office of County Commissioner Vacant When Incumbent Mentally Disabled.—Be it enacted by the General Assembly of the State of South Carolina: That from and after the approval of this Act the Legislative Delegation of Allendale County, consisting of the Senator and Representative, is hereby authorized and empowered, in its discretion, to declare vacant the office of any member of the County Board of Commissioners of Allendale County in any case in which the incumbent, by reason of mental disability, shall have become, or may hereafter become incapable of performing the duties of such office, and to recommend for appointment the successor to such officer in the manner now provided by law.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 5th day of February, 1934.

Acts and Joint Resolutions

OF THE

GENERAL ASSEMBLY

OF THE

State of South Carolina

REGULAR SESSION OF 1957

First Part

of Fiftieth Volume of Statutes at Large

(The Acts and Joint Resolutions of 1958 will
Constitute the Second Part)

PRINTED UNDER DIRECTION OF
STATE BUDGET AND CONTROL BOARD

St. Philip's Parish, St. Michael's Parish, and North Charleston Public Service Districts is hereby designated a bird sanctuary and it shall be unlawful for any person to trap, hunt, molest or attempt to molest in any manner any bird or wild fowl, or to molest any bird or wild fowl nest within such sanctuary.

SECTION 2. Penalties.—Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1957.

(R113, H1269)

No. 76

An Act To Amend Sections 2-221 And 2-222, Code Of Laws Of South Carolina, 1952, Relating To The Appointment Of Members Of The Airport Commission Of Anderson County And The Removal Of Such Members, So As To Provide That The Members Shall Be Appointed Or Removed By A Majority Vote Of The County Delegation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2-221, 1952 Code, amended—Anderson Airport Commission—members—appointment.—Section 2-221, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 2-221. The Anderson Airport Commission shall consist of five members to be appointed by the Governor upon the recommendation of a majority of the county legislative delegation.”

SECTION 2. Section 2-222, 1952 Code, amended—Anderson Airport Commission—terms and record of members.—Section 2-222, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 2-222. The term of office of each commissioner shall be for a period of two years and until his successor is appointed and

qualified. The members of the commission may be removed from office by a majority vote of the county delegation including the Senator."

SECTION 3. Act not to affect terms of present members.—The provisions of this act are not intended to affect the terms of any of the present members of the commission.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of March, 1957.

(R111, H1305)

No. 77

An Act Relating To The Board Of Trustees Of Pickens County School District A; To Provide For Its Members, Their Election, Terms Of Office And Duties; And To Repeal Section 21-3802 Of The 1952 Code, Act No. 19 Of The 1953 Acts And Act No. 296 Of The 1955 Acts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Board of Trustees of Pickens County School District A—members—terms—elections.—(a) The Board of Trustees of Pickens County School District A shall consist of fifteen members, three of whom shall be residents of the area now or formerly Easley High School Attendance Area; three of whom shall be residents of the area now or formerly Liberty High School Attendance Area; three of whom shall be residents of the area now or formerly Pickens High School Attendance Area; three of whom shall be residents of the area now or formerly Dacusville High School Attendance Area; and three of whom shall be residents of the area now or formerly D. W. Daniel High School Attendance Area. The three D. W. Daniel Area Trustees shall consist of one a resident of the area formerly Six Mile Attendance Area, one a resident of the area formerly Clemson Attendance Area and one a resident of the area formerly Central Attendance Area.

(b) The elections for trustees shall be held on the fourth Saturday in February of each year, at which time one trustee shall be elected

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First Part

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Constitute the Second Part)

PRINTED UNDER DIRECTION OF
STATE BUDGET AND CONTROL BOARD

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

This act was presented to the Governor the 12th day of June, A. D., 1957, and was not returned by him to the House in which it originated within three days, the General Assembly being in session.—Code Commissioner.

(R519, S396)

No. 353

An Act To Amend Section 2-221, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Appointment And Number Of Members Of The Anderson County Airport Commission, So As To Increase The Membership Of Such Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2-221, 1952 Code, amended—Anderson Airport Commission—members—appointment.—Section 2-221, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows :

“Section 2-221. The Anderson Airport Commission shall consist of seven members to be appointed by the Governor upon the recommendation of a majority of the county legislative delegation.”

SECTION 2. Not to affect terms of present members.—The provisions of this act are not intended to affect the terms of any of the present members of the commission.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are hereby repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

This act was presented to the Governor the 12th day of June, A. D., 1957, and was not returned by him to the House in which it originated within three days, the General Assembly being in session.—Code Commissioner.

Acts and Joint Resolutions

OF THE

GENERAL ASSEMBLY

OF THE

State of South Carolina

REGULAR SESSION OF 1962

Second Part

of Fifty-second Volume of Statutes at Large

(The Acts and Joint Resolutions of 1961
Constituted the First Part)

PRINTED UNDER DIRECTION OF
LEWIE GRIFFITH MERRITT
CODE COMMISSIONER

(R1150, H2661)

No. 946

An Act To Provide For A Legal Advisor For Darlington County And To Repeal Act No. 684 Of The Acts Of 1960 And Section 7 Of Act No. 677 Of The Acts Of 1954, Relating To The Legal Advisor For Darlington County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Legal advisor to be appointed for Darlington County.—A majority of the Darlington County Legislative Delegation, including the Senator, shall appoint a county legal advisor who shall be a member of the Darlington County Bar. Such appointment shall be for a period of one year and the appointee shall perform such duties and receive such compensation as may be fixed by the county manager. The attorney so appointed shall handle all legal business of the county.

SECTION 2. Act 684 of 1960 and Section 7 of Act 677 of 1954 repealed.—Act No. 684 of the Acts of 1960 and Section 7 of Act No. 677 of the Acts of 1954 are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1155, H2632)

No. 947

An Act To Amend Sections 2-221 And 2-222, As Amended, And Sections 2-223 Through 2-226, Code Of Laws Of South Carolina, 1952, Relating To The Anderson Airport Commission, So As To Change The Name To The Anderson County Airport Commission; To Change The Method Of Removing Members Of The Commission; To Further Provide For The Officers Of The Commission; To Further Provide For The Powers And Duties Of The Commission; To Delete The Authority Of The City Of Anderson To Make Contributions To The Commission; To Remove The Authority Of The Commission To Sell Its Property And Reinvest The Proceeds In An Adequate Airport; And To Change The Method Of Distribution Of Assets In The Case Of Dissolution And Liquidation Of The Commission Or Airport.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2-221, 1952 Code, amended—Anderson County Airport Commission — members — appointments—Section 2-221 of the 1952 Code, as amended, is further amended by striking it out and inserting in lieu thereof the following :

“Section 2-221. The Anderson County Airport Commission shall consist of seven members to be appointed by the Governor upon the recommendation of a majority of the Anderson County Legislative Delegation, including the Senator.”

SECTION 2. Section 2-222, 1952 Code, amended—terms and removal of members.—Section 2-222 of the 1952 Code, as amended, is further amended by striking the last sentence in its entirety and inserting in lieu thereof the following: “The Governor with the approval of a majority of the Anderson County Delegation, including the Senator, shall have the right to remove a member of the commission for cause.”, so that when further amended the section shall read as follows:

“Section 2-222. The term of office of each commissioner shall be for a period of two years and until his successor is appointed and qualified. The Governor with the approval of a majority of the Anderson County Delegation, including the Senator, shall have the right to remove a member of the commission for cause.”

SECTION 3. Section 2-223, 1952 Code, amended—officers—compensation—bond of treasurer.—Section 2-223 of the 1952 Code is amended by adding at the end thereof the following: “The chairman shall be the executive head of the commission. The commission shall choose from among its members a vice-chairman and a secretary and a treasurer and assistant secretary who may or may not be members of the commission. The treasurer shall give such bond as the commission may require. The officers and members of the commission shall serve without compensation.”

SECTION 4. Section 2-224, 1952 Code, amended—powers and duties.—Section 2-224 of the 1952 Code is amended by striking it out and inserting in lieu thereof the following :

“Section 2-224. 1. The commission shall have the following duties :

(a) To hold, manage, further develop and control the Anderson County Airport and to adopt such rules and regulations for the operation of the airport as the commission shall deem advisable.

(b) To control itself by the vote of a majority of those voting in a meeting duly called and held. At all meetings of the commission a majority of its members shall constitute a quorum.

(c) To adopt bylaws governing its operations, fixing the duties of its officers and their terms of office, and the method of handling its affairs. The bylaws shall not be in conflict with any laws governing the commission.

(d) To make annual reports to the Anderson County Legislative Delegation.

2. The commission shall have power:

(a) To sue and be sued in all courts.

(b) To engage such agents and employees as the business of the commission requires.

(c) To make contracts.

(d) To receive any gifts and donations from any sources for the purpose of maintaining, operating, extending and improving the Anderson County Airport.

(e) To acquire in the name of Anderson County Airport Commission property, real and personal, by purchase, and Anderson County Airport Commission may condemn any land, easements or personalty, the commission may deem necessary for the purpose of developing the airport and for protecting its airplane landing field. The condemnations shall be executed in the same manner as provided in Sections 25-101 through 25-140.

(f) To rent or lease any property, real or personal, in its care, and to use all funds received from such transactions to carry out purposes for which the commission was established."

SECTION 5. Section 2-225, 1952 Code, amended—appropriations.—Section 2-225 of the 1952 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 2-225. The County of Anderson may appropriate and donate to the commission such sums of money as a majority of the Anderson County Legislative Delegation, including the Senator, may deem necessary for the purposes of the commission."

SECTION 6. Section 2-226, 1952 Code, amended—in case of dissolution assets to belong to Anderson County.—Section 2-226 of the 1952 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 2-226. In case of the dissolution and liquidation of the commission and airport, all assets of the commission, after paying its obligations, shall belong to Anderson County."

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1156, H2722)

No. 948

An Act To Increase The Civil Jurisdiction Of Magistrates In Laurens County To Two Hundred Dollars.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Civil jurisdiction of magistrates in Laurens County.—Notwithstanding the provisions of Section 43-51 of the 1952 Code or any other law to the contrary the civil jurisdiction of all magistrates in Laurens County shall extend to cases where the amount in controversy does not exceed two hundred dollars, provided such jurisdiction shall not extend to cases where the title to real estate is in question or to cases in chancery.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1962.

(R1162, H2639)

No. 949

An Act To Amend Act 875 Of 1960, As Amended, Relating To The Criminal, Juvenile And Domestic Relations Court Within York County So As To Provide For The Appointment Of An Assistant Judge Or Assistant Solicitor In The Event Of A Temporary Absence Of Short Duration Of The Judge Or Solicitor Of The Court, And To Provide That The Court Shall Have Concurrent Jurisdiction With The Circuit Court In Matters Relating To Annulment.

Be it enacted by the General Assembly of the State of South Carolina :

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State of South Carolina

REGULAR SESSION OF 1963

First Part

of Fifty-third Volume of Statutes at Large

(The Acts and Joint Resolutions of 1964
Will Constitute the Second Part)

PRINTED UNDER DIRECTION OF
LEWIE GRIFFITH MERRITT
CODE COMMISSIONER

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of Berkeley County Magistrates.—Notwithstanding the provisions of Section 43-1 of the 1962 Code, terms of office of Magistrates in Berkeley County shall be four years.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1963.

(R199, S259)

No. 112

An Act To Amend Section 2-224 Of The 1962 Code, As Amended, Relating To The Anderson County Airport Commission, So As To Make Further Provision For The Powers Of The Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2-224.2(f), 1962 Code, amended—powers and duties.—Section 2-224.2 (f) of the 1962 Code is amended to read as follows:

“(f) To rent, lease, mortgage or sell any real or personal property in its care, to borrow money secured by assignments and pledges of income, and to use all funds so procured to carry out the purposes for which the commission was established. Any document executed pursuant to the powers of this subsection shall have endorsed thereon the written approval of a majority of the members of the county legislative delegation.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1963.

(R200, H1006)

No. 113

An Act To Ratify The Amendment To Paragraph (a) Of Section 4 Of Article II Of The Constitution Of This State, Relating To Residence Requirements For Suffrage, So As To Lower The Residence Requirements.

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~~(d) The entire net income of resident insolvent or incompetent individuals, whether or not any portion thereof is held for the future use of the beneficiaries, when the fiduciary has complete charge of such net income.~~

~~The tax imposed upon a fiduciary by this chapter shall be a charge against the estate or trust."~~

~~**SECTION 2. Time effective.**—This act, upon approval by the Governor, shall be effective for taxable years beginning after December 31, 1962.~~

~~Approved the 24th day of May, 1963.~~

(R422, H1432)

No. 246

An Act To Amend Section 2-224 Of The 1962 Code, As Amended, Relating To The Powers And Duties Of The Anderson County Airport Commission, So As To Grant The Commission Additional Powers.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 2-224, 1962 Code, amended—powers and duties.—Section 2-224 of the 1962 Code, as last amended by Section 4 of Act 947 of 1962, is further amended by adding at the end thereof the following:

"(g) To borrow money to secure loans by assignments and pledges of income and other personal property and by mortgages of real estate or personal property under the management, control and possession of the commission.

(h) To sell, transfer and convey any property constituting part of the real estate or personalty of the Anderson County Airport Commission.

(i) To agree upon the terms of loans, pledges, assignments, sales, transfers and conveyances.

As a condition precedent to the exercise of any of the powers provided in items (g) (h) (i), each loan, pledge, mortgage, sale, conveyance, assignment and transfer shall have the written approval of a majority of the members of the Anderson County Legislative Delegation, including the Senator, endorsed upon the paper evidencing the exercise of the power."

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R424, H1649)

No. 247

An Act To Amend Sections 21-3423 And 21-3424 Of The 1962 Code, Relating To Tax Levies In Lexington County, So As To Increase From Twenty To Twenty-Five Mills The Uniform Tax Levy For School Purposes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 21-3423, 1962 Code, amended—tax levy for schools.—

Section 21-3423 of the 1962 Code is amended by striking the word "twenty" on lines 2 and 11 and inserting in lieu thereof "twenty-five". The section when amended shall read as follows:

"Section 21-3423. The auditor of Lexington County may levy annually a uniform tax of twenty-five mills on all real and personal property in Lexington County for the purpose of operating the county schools. The receipts from the tax shall be divided among the five districts of the county on a per pupil basis by the county superintendent of education. The division shall be based upon the legal enrollment of Lexington County pupils for the previous year in the schools of the respective districts. Where pupils of adjoining counties are legally enrolled in the schools of Lexington County and where the area in which such students reside levies and pays over to the treasurer of Lexington County a twenty-five mill levy, then the distribution of the twenty-five-mill levy shall be based upon the legal enrollment of all students attending schools within the districts. Any district which receives money from an adjoining county resulting from a county uniform tax in said adjoining county for children of said adjoining county attending schools in Lexington County shall transmit said funds to the county Superintendent of Education, which funds shall be added to the uniform tax imposed hereunder and distributed as provided for the uniform tax. The children from the adjoining county or counties from which the funds are received shall be included in the legal enrollment of Lexington County pupils for the purposes of distribution of the receipts collected hereunder."

SECTION 2. Section 21-3424, 1962 Code, amended—trustees to notify auditor amount of millage received. Section 21-3424 of