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L. G. Meritt

T. R. Sams

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RECENT LEGISLATION
A SUMMARY OF ENACTMENTS DURING THE 1953 SESSION OF THE GENERAL ASSEMBLY OF SOUTH CAROLINA

L. G. MERRITT AND T. R. SAMS

This summary is intended as a review of those enactments of the 1953 session of the General Assembly which are of importance or interest to the practicing attorneys of this state. Not all state-wide legislation falls within this category and much of it has been omitted. Local legislation of interest to members of the Bar in the particular counties affected thereby has been listed.

Since the Acts and Joint Resolutions of 1953 have not been published, the acts mentioned in this review have been cited by giving the ratification number of each and the date of its approval by the Governor. Resolutions proposing amendments to the State Constitution and acts ratifying constitutional amendments do not require the approval of the Governor; therefore, the dates given for these measures are ratification dates. All code section numbers refer to the Code of Laws of South Carolina, 1952.

Office Holders May Be Delegates To Constitutional Convention. — The only amendment\(^1\) of state-wide interest to the Constitution of this state which was ratified during the past session was an amendment to Section 2 of Article II. This section prohibits any person from holding two offices of honor or profit at the same time. The amendment states that this limitation shall not prohibit an office holder from being a delegate to a constitutional convention.

Pocket Supplement to Code. — An act\(^2\) was passed which provides for the publication of cumulative pocket supplements to the Code of Laws. The supplements provided for will contain all changes in the general and permanent laws as contained in the Code, and all changes in the Constitution of the United States, the Constitution of South Carolina, the Rules of the Supreme, Circuit and Probate courts, the rules and regulations issued by the various state agencies and departments, and will contain all decisions of the Supreme Court of South Carolina and of the Courts of the United States, subsequent to those referred to in the then existing Code of Laws,

1. Ratification No. 92, ratified March 17, 1953.
2. Ratification No. 229, approved April 17, 1953.
construing the General Statutory Law and the Constitution of South Carolina.

The act also provides that if the pocket supplement of any volume becomes too bulky for convenient use a revised volume shall be submitted to the Legislature for its approval and adoption as a part of the then existing Code of Laws.

**Change Of Basis For Tax On Self-Insurers Under Workmen's Compensation Law.** — An act\(^3\) amended Section 72-419 of the Code, relating to the maintenance tax on self-insurers under the Workmen's Compensation Law so as to change the basis for the assessment of this tax from an assessment against the self-insurer's payroll to an assessment against each self-insurer's actual cost incurred under the Workmen's Compensation Law.

**Dower Barred In Certain Land By Decree Of Divorce.** — An act\(^4\) amended Section 20-118 of the Code relating to the barring of dower upon the granting of a final decree of divorce so that it reads as follows:

"Section 20-118. On the granting of any final decree of divorce, the wife shall thereafter be barred of dower in lands formerly owned, then owned, or thereafter acquired by her former husband."

The change made by this amendment operates to bar the wife's dower in all lands owned by the husband at any time prior to the final decree of divorce. The change made by the amendment consists in the insertion of the words "formerly owned", which did not appear in the 1952 Code.

**Dower Of Wife Of Defaulting Taxpayer Barred.** — Another act\(^5\) relating to the barring of dower provides that when real property is sold for the failure to pay taxes thereon and a deed delivered by the proper authority, all inchoate rights of dower of the defaulting taxpayer's wife shall be forever barred.

**Sunday Employment.** — Two acts were passed relating to Sunday employment. One\(^6\) of these acts amended Section 64-4 of the Code, relating to employment in textile plants on Sunday, so as to permit work therein for national defense purposes and under government contract during periods of national emergencies. The act provides further that no employee may be required to work on Sunday.

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3. Ratification No. 118, approved March 27, 1953.
4. Ratification No. 331, approved April 28, 1953.
5. Ratification No. 159, approved April 2, 1953.
6. Ratification No. 253, approved April 24, 1953.
or be discriminated against if he refuses to work on that day because of conscientious or physical objections.

The other act amended Section 64-5 of the Code, relating to the employment of children and women in mercantile or manufacturing establishments on Sunday, so as to allow women to work on Sunday during times of national emergency if they are employed by industries engaged in producing goods for national defense and under government contracts and if the Commissioner of Labor has issued a permit to the industry authorizing the employment of women on Sunday. This act contains the same protection of the employee in case of her refusal to work on Sunday as is contained in the other act referred to above. This act provides further that Section 64-5 shall not apply to those manufacturing establishments described in Section 64-6. This provision operates to permit the employment of women and children on Sunday in manufacturing establishments in which the nature of the business involves chemical manufacturing processes which require continuous and uninterrupted operation.

**Certified Photostatic Copies Of Legal Papers Admissible In Evidence.** — Section 60-202 of the Code, relating to photostatic copies of legal papers in counties having a city containing a population of over sixty thousand, was amended so as to make it state-wide in application and so as to provide that duly authenticated photostatic copies of photo-recording copies of legal papers shall be sufficient compliance with the law relating to the recording of all legal papers and shall be admissible in evidence as such record.

**Certified Copies Of Certain Papers Relating To Foreign Corporations Admissible In Evidence.** — Section 12-708 of the Code, relating to the furnishing of copies of certain papers relating to foreign corporations was amended so as to provide that certified copies of such papers shall be admitted in the courts as competent evidence of all matters appearing thereon. This was the law prior to the recodification of the statutory law, at which time the provision relating to the admission of the copies in evidence was inadvertently omitted.

**Reports Now Required To Be Submitted To Highway Department Relating To Violations Of Statutes Relating To Driving Recklessly Or Under Influence Of Liquor Or Narcotics Made Admissible As Evidence Of Prior Conviction.** — Section 46-347 of the

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7. Ratification No. 254, approved April 24, 1953.
8. Ratification No. 231, approved April 17, 1953.
Code requires all clerks of court, magistrates, city recorders and other public officers in this state having responsibility with respect to convictions, entry of pleas of guilty or forfeiture of bail for the violations of the statutes relating to reckless driving and to driving under the influence of intoxicating liquor or narcotic drugs to report every such conviction, etc. to the Motor Vehicle Division of the Highway Department. An act\(^\text{10}\) was passed which makes photostatic or other copies of these reports, when they are certified by the Director of the Motor Vehicle Division, admissible as prima facie evidence of the information contained therein for the purpose of showing any previous convictions, plea of guilty or nolo contende or forfeiture of bond by the defendant in any other court. The act further specifies that the accused may stipulate with the solicitor that the charge constitutes a second or further offense, in which event the indictment shall not contain allegations of prior offenses nor shall evidence thereof be introduced.

ReferencE Or Hearing In Default Cases. — An act\(^\text{11}\) amended Section 10-1532 of the Code which provides for the reference of issues or the hearing of allegations and evidence at chambers in default cases, so as to provide for such reference or hearing whether the claim, demand or cause of action is on contract or in tort, liquidated or unliquidated.

Amount Of Recovery Limited In Actions For Defects In Streets Of Municipalities. — Section 47-70 of the Code relating to causes of action for defects in streets or other public ways in municipalities was amended\(^\text{12}\) so as to limit the amount which may be recovered to eight thousand dollars for personal injury or death and two thousand dollars for injuries to property. The act further provides that no such action shall be brought unless a claim duly certified is filed with the municipality concerned within three months of the date of the injury or unless an action is commenced within that time on a verified complaint. If the claim is filed within the proper time, the action must be commenced within one year of the date of filing or the action will be barred.

Notice Of Liquidation Of Corporations. — Section 12-63 of the Code relating to liquidation of corporations was amended\(^\text{13}\) so as to change the notice required for liquidation from that specified in

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10. Ratification No. 228, approved April 17, 1953.
11. Ratification No. 142, approved March 27, 1953.
12. Ratification No. 232, approved April 17, 1953.
13. Ratification No. 256, approved April 24, 1953.
Section 12-403, relating to obtaining new charters and to amendment of charters, to that specified in Section 12-642, relating to liquidation of corporations. So far as the writers of this review can determine, there is no difference in the notice required by these sections.

Counsel Provided Opportunity To Object To Charge Of Court Out Of Presence Of Jury.—An act\textsuperscript{14} was passed which gives counsel, in all cases tried before a jury other than in a magistrate's court or in a municipal court, an opportunity to make objections to the charge of the court out of the presence of the jury.

Condemnation Of Real Estate by Municipalities — This act\textsuperscript{15} provides an exclusive procedure whereby any municipal corporation may condemn real estate when it desires to become the owner of any real estate or to acquire any easement or right-of-way for any corporate or public purpose for which a municipality may now condemn real estate or an interest therein. A board of five freeholders shall fix the value of the real estate or rights condemned and either the municipality or landowner shall have the right of appeal to the Court of Common Pleas for the county in which the real estate is located.

Another act\textsuperscript{16} relating to condemnation of real estate by municipalities gives the municipalities the right to condemn real estate for corporate or public purposes even if such real estate is in a county adjoining the county in which the municipality is located.

Notice And Grounds Of Appeal From Decision Of Jury In Proceeding For Condemnation Of Property For Highway Purposes. — Time For Service Increased To Twenty Days. — The Code provided that when a jury assesses damages for the taking of property for highway purposes any person interested, including the State Highway Department, might appeal to the Court of Common Pleas from the decision, and notice and grounds of appeal were required to be served within ten days after the receipt of the resolution of condemnation.

An act\textsuperscript{17} was passed by the General Assembly which changed the time in which notice of appeal should be served from ten to twenty days. Accordingly, it is now required that notice and grounds of appeal...
appeal from a decision of a condemnation board shall be served within twenty days after receipt of the resolution of the board.

Weighing Devices For Which A Fee Is Paid Subject To The Standards And Inspection Required By The Commissioner Of Agriculture. — This act\textsuperscript{18} requires that when a fee is paid for service rendered by any weighing device, such weighing device shall be subject to the standards and inspection required by the Commissioner of Agriculture or his duly authorized representative.

Suits Against State Highway Department For Injuries On Roads Under Construction Not Allowed When The Department Is Protected By Indemnity Bond. — The effect of this act\textsuperscript{19} is to deny, to any person who has suffered injury to his person or damage to his property by reason of a defect in any state highway, the negligent repair of any state highway or the negligent operation of a vehicle or motor vehicle in charge of the State Highway Department while such vehicle or motor vehicle is actually engaged in the construction or repair of any such highway, the right to bring suit against the State Highway Department when the injury occurred on roads under construction when the department is protected by an indemnity bond.

Two Notices Required Of Any Public Hearing Concerning The Establishing And Enforcing Of Building And Zoning Regulations By Municipalities. — This act\textsuperscript{20} provides that the legislative body of a municipality shall provide for the manner in which zoning and building regulations and the boundaries of districts shall be determined, established and enforced, and from time to time amended, supplemented or changed. However, no such regulations, restrictions or boundaries shall become effective until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Two notices of such hearing shall be published in an official newspaper or newspaper of general circulation in the municipality. One notice shall be published at least thirty days prior to the hearing and the second notice at least fifteen days prior thereto. The Code, before it was amended by this act, required that only one notice be given which must have been published fifteen days prior to the public hearing.

Income Tax — Alimony Paid Deductible — Alimony Received Taxable. — This act\textsuperscript{21} provides that a husband or wife who is di-

\textsuperscript{18} Ratification No. 335, approved April 28, 1953.
\textsuperscript{19} Ratification No. 380, approved May 8, 1953.
\textsuperscript{20} Ratification No. 403, approved May 26, 1953.
\textsuperscript{21} Ratification No. 399, approved May 26, 1953.
or separated from either under a decree of divorce or separation, when such decree requires periodic alimony payments, may take such periodic payments made by him or her as a deduction in computing his or her income tax. The receipt of periodic alimony payments by either the husband or wife shall be taxable as income in computing the income subject to income tax.

The Distribution Of Milk And Cream Brought Into South Carolina Regulated.—This act prohibits the shipping, transporting, carrying, sending or bringing into the state any bulk, bottled or packaged milk or cream for fluid distribution without first having applied for and obtained from the Dairy Commission a permit therefore. It further prohibits the importation or transportation into the state or receiving from another state for the purpose of selling or offering for sale any bulk, bottled or packaged milk or cream unless a permit therefor is first obtained from the Dairy Commission.

Licensing Of Persons Engaged In The Manufacture, Distribution, Storage or Transportation Of Liquefied Petroleum Gas.—This act requires that persons engaged in the manufacture, distribution, sale, storage or transporting by tank truck or tank trailer or in cylinders, liquefied petroleum gases, or engaged in the physical installation, servicing, repairing, adjusting or connecting of appliances to liquefied petroleum gas systems, to make application to the Liquefied Petroleum Gas Board for a license to conduct such business in the state. The act further makes it unlawful for any person to physically install, service, repair, adjust, connect or disconnect any gas appliances to or from any liquefied petroleum gas system unless such person is certified as competent by a licensed gas dealer employing such person.

Method Of Computing License Fees Of Corporations Changed.—This act requires every corporation organized under the laws of South Carolina to do business for profit, doing business in the state or using a portion of its capital or owning, maintaining or operating one or more establishments or plants in the state, and every corporation organized to do business for profit under the laws of any other state, territory or country, doing business in the state or using a portion of its capital therein, or owning, maintaining or operating one or more establishments or plants in the state, except such corporations as are enumerated and excepted below, in addition to

22. Ratification No. 301, approved April 27, 1953.
23. Ratification No. 297, approved April 27, 1953.
any and all other license taxes or fees or taxes of whatever kind, to
pay an annual license fee of one mill upon each dollar paid to the
capital stock and paid in as surplus. When a corporation does busi-
ness in part within South Carolina and in part without the state, or
uses a part of its capital within South Carolina and uses a part of its
capital without the state, or owns, maintains or operates one or more
establishments or plants within South Carolina and owns, maintains
or operates one or more establishments or plants without the state,
the amount of the license fee as above set forth shall be measured
by a proportion of the dollars paid to the capital stock and paid in
as surplus of the corporation determined as follows:

(1) If the principal business of the corporation in South Caro-
lina is manufacturing, or if it is any form of collecting, buying, as-
sembling, or processing goods and materials within this state, the
proportion shall be computed on the basis of the arithmetical average
of the following two ratios: (a) the ratio of the value of the real
estate and tangible personal property in this state to the value of
the entire real estate and tangible personal property, with no deduc-
tion on account of encumbrances thereon; (b) the ratio of the total
cost of manufacturing, collecting, buying, assembling, or processing
within this state during the year to the total costs of manufacturing,
collecting, buying, assembling, or processing within and without the
state during such year.

(2) If the principal business of a corporation in South Carolina
is selling, distributing, or dealing in tangible personal property with-
in this state, the proportion shall be computed upon the basis of the
arithmetical average of the following two ratios: (a) the ratio of
the value of the real estate and tangible personal property in this
state during the year, to the value of the entire real estate and tangible
personal property, with no deductions on account of encumbrances
thereon; (b) the ratio of the total sales made within this state dur-
ing the year which were principally secured, negotiated or effected
by employees, agents, consignees, officers, or branches of the taxpayer
resident or located in the state, to the total sales made everywhere
during the said year.

(3) If the principal profits or income of the corporation in South
Carolina is derived from sources other than manufacturing, collect-
ing, buying, assembling, or processing; or from sources other than
the selling, distributing, or dealing in tangible personal property, the
proportion shall be computed on the basis of the ratio of gross re-
cceipts in this state during the year to the total gross receipts for such
year within and without the state.
Every railroad company, express company, street railway company, navigation company, water works company, power company, light company, gas company, telegraph company, telephone company, parlor, dining and sleeping car companies, tank car company, refrigerating car company, fruit growers express car company and all privately operated car lines, in lieu of the license fees above described shall pay a license fee of three mills upon each dollar of the value of property owned and used within South Carolina in the conduct of the business of the company. In addition to the aforementioned three mills tax upon each dollar of the value of the property owned and used within the state there is levied upon the above described railroads and other companies an annual license fee of three mills upon the entire gross receipts from business within South Carolina during the calendar year preceding.

The following Acts may also be of interest:

An Act\textsuperscript{25} to authorize the Purchasing and Property Division of the State Budget and Control Board to purchase supplies and equipment for the counties of the State when requested.

An Act\textsuperscript{26} to provide for the registration of, and participation in certain elections by, members of the Armed Forces of the United States, members of the Merchant Marine of the United States, persons serving with the American Red Cross or with United Service Organizations, and members or employees of any department of the United States serving overseas.

An Act\textsuperscript{27} to create and establish a four year School of Dentistry as a part of the Medical College of South Carolina, and to provide for the construction and equipment thereof.

An Act\textsuperscript{28} to amend Sections 21-839 and 21-839.1, Code of Laws of South Carolina, 1952, relating to the selection, qualifications and compensation of school bus drivers, so as to further provide for their selection and qualifications and to increase their compensation.

An Act\textsuperscript{29} to create and establish a South Carolina Law Enforcement Training School for the training of policemen, law enforcement officers and others; to devolve upon the Director of the Extension Division of the University of South Carolina the duties of supervising and directing the school; to prescribe such duties; and to pro-

\textsuperscript{25} Ratification No. 431, approved May 9, 1953.
\textsuperscript{26} Ratification No. 456, approved May 26, 1953.
\textsuperscript{27} Ratification No. 334, approved April 28, 1953.
\textsuperscript{28} Ratification No. 364, approved May 8, 1953.
\textsuperscript{29} Ratification No. 349, approved April 28, 1953.
provide for the appointment of a Board of Governors to act in an advisory capacity.

An Act\textsuperscript{30} to amend Chapter 14 of Title 21, Code of Laws of South Carolina, 1952, by adding a new article to the designated Article 3.2, so as to provide for the procuring of insurance on school buses owned by the State or by County or District Boards of Education and on school buses leased by or operated under contract with County or District Boards of Education; to specify the insurance benefits; to provide for the rights of parties and the bringing of actions hereunder.

A Joint Resolution\textsuperscript{31} to create a committee to investigate and consult with the Rate Fixing Authority of the State for Workmen's Compensation Insurance so as to maintain equitable rates and to provide funds for the expenses thereof.

An Act\textsuperscript{32} to amend Sections 65-1405 and 65-1430, Code of Laws of South Carolina, 1952, relating to returns made by the taxpayer under the Sales and Use Tax, so as to provide that a return be considered timely filed if mailed and post-marked on or before the date the return is required by law to be filed.

An Act\textsuperscript{33} to amend Section 60-307, Code of Laws of South Carolina, 1952, which excepts certain mortgages from the provisions of Sections 60-305 and 60-306, Code of Laws of South Carolina, 1952, (which relate to the notice given by the recording of chattel mortgages and the method for extending the effect of such recording), so as to include within the provisions of Section 60-307 any mortgage or similar instrument given to secure any indebtedness to the United States of America, or any agency or instrumentality thereof, incurred under the Rural Electrification Act of 1936, as amended.

An Act\textsuperscript{34} to amend Sections 72-151 and 72-152, Code of Laws of South Carolina, 1952, relating respectively to weekly compensation for total disability and weekly compensation for partial disability under the South Carolina Workmen's Compensation Law, so as to increase the maximum weekly compensation in each case from twenty-five dollars to thirty-five dollars; and to amend Section 72-180, Code of Laws of South Carolina, 1952, relating to compensation to dependents of any employee covered under the Workmen's Compensation Law who is killed, so as to increase from twenty-five dollars to thirty-five dollars the maximum weekly compensation which may

\textsuperscript{30} Ratification No. 428, approved May 26, 1953.
\textsuperscript{31} Ratification No. 201, approved April 10, 1953.
\textsuperscript{32} Ratification No. 182, approved April 9, 1953.
\textsuperscript{33} Ratification No. 117, approved March 27, 1953.
\textsuperscript{34} Ratification No. 111, approved March 27, 1953.
be paid to such dependents and to amend Section 72-171 so as to alter
date on which compensation shall commence.

An Act\textsuperscript{35} to amend Section 38-61, Code of Laws of South Caro-
lina, 1952, so as to increase the number of petit jurors drawn for
each week of any regular or special term of Circuit Court from
thirty-six to forty.

An Act\textsuperscript{36} to amend Section 33-229, Code of Laws of South Caro-
lina, 1952, relating to suits against the Highway Department and the
extent of recovery, so as to increase the amount which may be re-
covered in case of personal injury or death from four thousand dollars
($4,000.00) to eight thousand dollars ($8,000.00) and to make the
increase applicable to any suit brought after the passage of this act.

An Act\textsuperscript{37} to amend Section 65-464, Code of Laws of South Caro-
lina, 1952, relating to transfers in contemplation of death under the
State Inheritance Tax Law, so as to reduce the period from five to
two years prior to death when such transfers will be considered to
be in contemplation of death.

An Act\textsuperscript{38} to amend Section 65-271 which sets forth the basis for
determining gain or loss under the State Income Tax Law, so as to
prescribe a basis for the computation by an owner on the sale and
purchase of a home. This act was later superseded by an act\textsuperscript{39}
which amended the income tax law relating to all capital gains and
losses so as to further provide for capital gains and losses, involun-
tary conversions of property, gains and losses on sales or exchanges
of residential property and sales or exchanges of property other than
capital assets. A third act\textsuperscript{40} was passed which repealed the second
act and reenacted all laws affected thereby. The repeal provision of
the third act was made retroactive in an attempt to erase any mark
made by the second act, the provisions of which were considered detri-
mental to the financial structure of the state; however, the second
act was in effect for about one month and it is possible that the re-
pealing act did not divest any rights which vested during that period.

**LOCAL ACTS**

The following local Acts should be of interest to the members of
the Bar in the particular counties affected thereby:

An Act\textsuperscript{41} to provide for the maintenance and establishment of a

\textsuperscript{35} Ratification No. 53, approved March 9, 1953.

\textsuperscript{36} Ratification No. 63, approved March 9, 1953.

\textsuperscript{37} Ratification No. 129, approved March 27, 1953.

\textsuperscript{38} Ratification No. 85, approved March 13, 1953.

\textsuperscript{39} Ratification No. 211, approved April 10, 1953.

\textsuperscript{40} Ratification No. 404, approved May 9, 1953.

\textsuperscript{41} Ratification No. 246, approved April 23, 1953.
Bureau of Vital Statistics for Bamberg County and to define its duties and powers.

An Act\textsuperscript{42} to require vital statistics reports in Newberry County, now filed in the Clerk of Court's office, to hereafter be filed with the County Health Department.

An Act\textsuperscript{43} to empower the Registrar of the Board of Health of Barnwell County to issue certified copies of certificates of vital statistics.

An Act\textsuperscript{44} to authorize the Laurens County Health Department to issue Birth Certificates and to provide fees therefor.

An Act\textsuperscript{45} to establish a County Court for the County of Orangeburg; to define its jurisdiction and to provide for its operation under the amendment to Section 1 of Article V of the Constitution, relating to this court.

An Act\textsuperscript{46} to provide a court inferior to the Circuit Court, and to be known as "The Civil Court of Horry"; to define its jurisdiction, powers and procedure.

An Act\textsuperscript{47} to establish a Civil Court for a certain portion of Darlington County; to prescribe its jurisdiction, powers and duties; to provide for its officers and their compensation; to impose upon the Judge of such court the duties of the Office of Master; and to repeal Act No. 798 of the Acts and Joint Resolutions of the General Assembly, 1952, relating to the Civil and Criminal Court of Darlington County.

An Act\textsuperscript{48} to amend Section 15-1002, Code of Laws of South Carolina, 1952, permitting the establishment of municipal courts in cities with a population of between fifteen hundred and twenty thousand, so as to permit such courts in cities with a population of between one thousand and twenty thousand.

An Act\textsuperscript{49} to amend Section 15-1293, Code of Laws of South Carolina, 1952, relating to the rules of procedure in the domestic relations court of Laurens County, so as to provide for the disposition of certain juvenile cases and to amend the Code of Laws of South Carolina, 1952, by adding a new section to be Section 15-1281.1 to transfer the jurisdiction of new juvenile cases from the Probate Court to the Domestic Relations Court.

\textsuperscript{42} Ratification No. 88, approved March 20, 1953.
\textsuperscript{43} Ratification No. 177, approved April 2, 1953.
\textsuperscript{44} Ratification No. 234, approved April 17, 1953.
\textsuperscript{45} Ratification No. 55, approved March 9, 1953.
\textsuperscript{46} Ratification No. 124, approved March 27, 1953.
\textsuperscript{47} Ratification No. 148, approved March 27, 1953.
\textsuperscript{48} Ratification No. 351, approved April 28, 1953.
\textsuperscript{49} Ratification No. 497, approved May 26, 1953.
An Act\(^50\) to extend, until May 8, 1954, the provisions of Act No. 596 of the Acts of 1947, as last extended by Act No. 1068 of the Acts of 1952, relating to the establishment and operation of the Juvenile and Domestic Relations Court of Catawba-Ebenezer Townships, York County, South Carolina.

An Act\(^51\) to authorize the Town Councils of each town in Chesterfield County to exempt manufacturing or industrial plants locating in the towns from municipal taxes for a certain period; and to authorize the County Board of Commissioners of Chesterfield County to exempt manufacturing or industrial plants locating in the county from county taxes for a certain period.

An Act\(^52\) to amend Subsections (2) and (4) of Section 15-274, Code of Laws of South Carolina, 1952, relating to terms of court in Fairfield and York Counties, so as to provide for a term of Court of Common Pleas on the second Monday in March in Fairfield County and a term of General Sessions Court on the third Monday in March in York County.

An Act\(^53\) to amend Section 15-277, Code of Laws of South Carolina, 1952, prescribing the terms of court in the Eighth Judicial Circuit, so as to alter the terms of Court of Common Pleas for Greenwood and Laurens Counties.

An Act\(^54\) to amend Subsection (2) of Section 15-286, Code of Laws of South Carolina, 1952, relating to the terms of court in Beaufort County, so as to provide for an additional term of the Court of Common Pleas to be held on the second Monday in September for one week.

An Act\(^55\) to amend Subsection (2) of Section 15-263, Code of Laws of South Carolina, 1952, relating to the terms of court in Bamberg County, so as to discontinue the June term of Court of General Sessions.

An Act\(^56\) to amend Section 15-267, Code of Laws of South Carolina, 1952, which provides for the automatic calling off of the May Term of Court in Dillon County in certain cases, so as to include the September Term of court under the provisions thereof.

An Act\(^57\) to amend Subsection (2) of Section 15-266, Code of Laws of South Carolina, 1952, relating to terms of court in the Fourth

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50. Ratification No. 472, approved May 18, 1953.
51. Ratification No. 14, approved February 9, 1953.
52. Ratification No. 269, approved April 23, 1953.
53. Ratification No. 325, approved April 25, 1953.
54. Ratification No. 474, approved May 26, 1953.
55. Ratification No. 22, approved February 19, 1953.
56. Ratification No. 28, approved February 19, 1953.
57. Ratification No. 37, approved February 20, 1953.
Circuit, by providing for one additional term of the Common Pleas Court for Dillon County to begin the third Monday in October.

An Act\(^6\) to amend Subsection (1) of Section 15-262, Code of Laws of South Carolina, 1952, relating to the terms of court in Calhoun County, so as to change the term of Court of Common Pleas from the first Monday in November to the first Monday in December.

An Act\(^9\) to amend Section 15-278, Code of Laws of South Carolina, 1952, prescribing the terms of court in the Ninth Judicial Circuit, by providing an increase of two weeks for non-jury hearings.

An Act\(^6\) to amend Subdivision (1) of Section 15-264, Code of Laws of South Carolina, 1952, relating to the terms of court in Clarendon County, as last amended by Act No. 779 of the Acts of 1952, so as to provide for a term of the Court of Common Pleas in Clarendon County which shall begin the fourth Monday in June.

An Act\(^6\) to amend Paragraph (3) of Section 15-269, Code of Laws of South Carolina, 1952, relating to terms of court in the Fifth Circuit, so as to provide that the Chief Justice may select Special Judges to preside over certain additional terms of court to hear equity matters.

An Act\(^6\) to amend Section 15-426, Code of Laws of South Carolina, 1952, relating to the duties and functions of the Clerk of the Probate Courts in certain counties, so as to extend the provisions of the section to include the Clerk of the Probate Court of Orangeburg County.

An Act\(^6\) to amend the Code of Laws of South Carolina, 1952, by adding a new section to be Section 20-30.1, so as to make special provisions for the Judge of Probate for Jasper County with respect to marriages and marriage licenses.

An Act\(^6\) to amend Section 60-205, Code of Laws of South Carolina, 1952, relating to the recording of plats in Charleston County, so as to further provide for the procedure and fees for recording plats in Charleston County.

An Act\(^6\) to repeal Section 14-1856, Code of Laws of South Carolina, 1952, relating to the publication of claims against Edgefield County.

58. Ratification No. 39, approved February 20, 1953.
60. Ratification No. 173, approved April 2, 1953.
61. Ratification No. 184, approved April 9, 1953.
62. Ratification No. 226, approved April 17, 1953.
63. Ratification No. 309, approved April 25, 1953.
64. Ratification No. 131, approved March 27, 1953.
65. Ratification No. 140, approved March 27, 1953.
An Act\textsuperscript{66} to amend Section 43-881, Code of Laws of South Carolina, 1952, so as to provide an additional magistrate for Lexington County.

An Act\textsuperscript{67} to amend Section 72-456, Code of Laws of South Carolina, 1952, relating to the employees covered by the State Workmen's Compensation Fund, so as to exempt members of Boards in Newberry County from the provisions thereof.

An Act\textsuperscript{68} to authorize the Clerk of Court of Horry County to destroy the record of certain chattel mortgages.

An Act\textsuperscript{69} to authorize the Clerk of Court of Richland County to keep a separate alphabetical index of State Tax Lines; to provide for the discharge, release and satisfaction of such tax liens and to relieve the Clerk of Court of Richland County from entering same in Judgment Books.

An Act\textsuperscript{70} to require the Clerk of Court of Lexington County to keep a separate alphabetical index of state tax liens; to provide for the discharge, release and satisfaction of such tax liens and to relieve the Clerk of Court of Lexington County from entering same in Judgment Books.

An Act\textsuperscript{71} to authorize the Clerk of Court of Orangeburg County to keep a separate alphabetical index of state tax liens; to provide for the discharge, release and satisfaction of such tax liens and to relieve the Clerk of Court of Orangeburg County from entering same in Judgment Books.

An Act\textsuperscript{72} to prohibit Fairfield County Officers from receiving fees for the service of process, to require the Treasurer of Fairfield County to collect all fees allowed for the serving of process by County Officers, and to set the schedule of such fees, and to otherwise provide for the serving of papers in the county.

An Act\textsuperscript{73} to amend Section 27-81, Code of Laws of South Carolina, 1952, relating to fees of the Clerk of Court in Dillon County, so as to further provide for such fees.

An Act\textsuperscript{74} providing for the costs of the Clerk of Court in all cases in the Court of Common Pleas for Horry County.

\textsuperscript{66} Ratification No. 57, approved March 9, 1953.
\textsuperscript{67} Ratification No. 87, approved March 20, 1953.
\textsuperscript{68} Ratification No. 271, approved April 23, 1953.
\textsuperscript{69} Ratification No. 120, approved March 27, 1953.
\textsuperscript{70} Ratification No. 277, approved April 24, 1953.
\textsuperscript{71} Ratification No. 283, approved April 24, 1953.
\textsuperscript{72} Ratification No. 248, approved April 23, 1953.
\textsuperscript{73} Ratification No. 54, approved March 9, 1953.
\textsuperscript{74} Ratification No. 83, approved March 13, 1953.
An Act\textsuperscript{75} providing for the costs of the Clerk of Court in all cases in the Court of Common Pleas for Jasper County.

An Act\textsuperscript{76} to amend Sections 43-1017 and 43-1018, Code of Laws of South Carolina, 1952, relating to the fees and costs in civil and criminal cases in magistrates' courts in Spartanburg County, so as to provide a different schedule.

An Act\textsuperscript{77} to authorize and direct the Sheriff and Deputy Sheriffs of Edgefield County, in addition to their other duties, to serve warrants for magistrates and to serve tax warrants and executions for the County Treasurer or Tax Collector.

An Act\textsuperscript{78} to amend Section 53-519, Code of Laws of South Carolina, 1952, relating to the jurisdiction and duties of rural police in Fairfield County, so as to further define their powers and duties in civil actions.

An Act\textsuperscript{79} to amend Section 53-616, Code of Laws of South Carolina, 1952, relating to the duties of rural police in Marlboro County, so as to further define their powers and duties in civil actions.

An Act\textsuperscript{80} to amend Section 53-592, Code of Laws of South Carolina, 1952, relating to the powers and duties of rural police in Lee County, so as to further define their powers and duties in civil actions.

An Act\textsuperscript{81} to amend Section 38-408, Code of Laws of South Carolina, 1952, which exempts certain counties from the provisions of Section 38-407, permitting the foreman of the Grand Jury to swear witnesses, so as to permit the foreman in Pickens County to so do.

An Act\textsuperscript{82} to amend Subsections (4) and (6) of Section 38-308, Code of Laws of South Carolina, 1952, relating to compensation of jurors in Circuit Courts, so as to further provide for compensation of jurors in Saluda County.

An Act\textsuperscript{83} to require the Clerk of Court of Common Pleas for Fairfield County, notwithstanding Section 38-61, Code of Laws of South Carolina, 1952, to issue his venire facias for petit jurors summoned to attend the Court of General Sessions requiring their attendance on the second day of the week for which they have been drawn.

An Act\textsuperscript{84} to require the Clerk of Court of Common Pleas for Newberry County, notwithstanding Section 38-61, Code of Laws of

\textsuperscript{75} Ratification No. 2, approved January 30, 1953.
\textsuperscript{76} Ratification No. 363, approved May 12, 1953.
\textsuperscript{77} Ratification No. 72, approved March 9, 1953.
\textsuperscript{78} Ratification No. 112, approved March 27, 1953.
\textsuperscript{79} Ratification No. 70, approved March 9, 1953.
\textsuperscript{80} Ratification No. 44, approved March 2, 1953.
\textsuperscript{81} Ratification No. 34, approved February 20, 1953.
\textsuperscript{82} Ratification No. 178, approved April 9, 1953.
\textsuperscript{83} Ratification No. 75, approved March 13, 1953.
\textsuperscript{84} Ratification No. 195, approved April 9, 1953.
South Carolina, 1952, to issue his venire facias for petit jurors summoned to attend the Court of General Sessions requiring their attendance on the second day of the week for which they have been drawn.

An Act\(^85\) to amend Section 1 of an act entitled "An Act to amend Section 38-61, Code of Laws of South Carolina, 1952, so as to increase the number of petit jurors drawn for each week or any regular or special term of Circuit Court from thirty-six to forty", bearing Ratification Number 53, approved March 9, 1953, so as to increase the number of petit jurors in Sumter County from thirty-six to forty.

An Act\(^86\) to provide for the appointment of an assistant to the Solicitor of the Seventh Judicial Circuit; to designate his term of office, to define his duties, and to fix his salary.

An Act\(^87\) providing that any person operating a truck or other motor vehicle, which breaks down or damages in any way a bridge in Horry County, shall report the fact to the County Board of Commissioners of the County, and to provide a penalty for the violation thereof.

An Act\(^88\) to authorize and empower certain municipal corporations to furnish fire protection to properties beyond the corporate limits of such municipalities, and to contract for the furnishing of such fire protection.

An Act\(^89\) to amend Section 47-61, Code of Laws of South Carolina, 1952, relating to the general powers and liabilities of cities and towns in this State so as to extend the police power of certain cities bordering on the high tide line of the Atlantic Ocean.

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The following Constitutional Amendments of a local nature were ratified:

An Amendment\(^90\) to increase the jurisdiction in civil cases of magistrates in York County to where the value of property in controversy or amount claimed is not more than three hundred dollars.

An Amendment\(^91\) to provide for a County Court for Orangeburg County.

An Amendment\(^92\) to increase the term of office of magistrates in Allendale County from two years to four years.

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85. Ratification No. 180, approved April 9, 1953.
86. Ratification No. 432, approved May 9, 1953.
87. Ratification No. 321, approved April 25, 1953.
88. Ratification No. 295, approved April 25, 1953.
89. Ratification No. 509, approved May 18, 1953.
90. Ratification No. 16, ratified February 10, 1953.
91. Ratification No. 45, ratified February 26, 1953.
92. Ratification No. 93, ratified March 17, 1953.
An Amendment to fix new limitations upon the bonded indebtedness of Kershaw County.

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UNAPPROVED ACTS

The acts listed or discussed below have not yet been approved by the Governor. These acts had not been in the hands of the Governor for the three days allowed under Section 23 of Article IV of the Constitution at the time the General Assembly adjourned sine die. He has until the second day of the next session of the General Assembly to return these measures with his veto. After that time, in the absence of a veto, they become effective without his signature. He may, of course, approve them before that time.

Charitable Trusts — Reports Required of Trustees. — This act provides that the trustees of charitable trusts shall file a certified copy of the trust instrument with the Attorney General within sixty days after the creation of the trust or within ninety days after the effective date of the act, whichever is the later date. The trustees are required to submit an annual report to the Attorney General which shall include a complete financial statement relating to the trust property, and the Attorney General is required to bring an action, when necessary, to compel the trustees to discharge their duties. This act does not apply to trusts or trustees of churches, cemeteries, orphanages operated in conjunction with churches, hospitals, colleges or universities, and school districts, nor does it apply to banking institutions which act as trustees under the supervision of the State Board of Bank Control or under the supervision of Federal Banking Agencies.

The Feeding of Garbage to Swine Regulated. — This act requires any person who feeds garbage to swine, except one who feeds only his own household garbage to them, to secure a permit from the Clemson College Livestock Sanitary Department or from the county agent of the county in which he proposes to feed garbage to swine. The act requires that all garbage, other than that excepted, shall before being fed to swine, be heated to at least 212°F. for at least thirty minutes.

93. Ratification No. 340, ratified April 24, 1953.
94. Ratification No. 361, ratified April 29, 1953.
95. Ratification No. 369, ratified April 29, 1953.
The Labeling Of Economic Poisons Regulated. — The purpose of this act is to require that the contents of any container of economic poisons and devices shall be as its label proclaims, and to require the registration of any such poison or device with the South Carolina State Crop Pest Commission by any person distributing, selling or offering it for sale within this state.

Insurance. — This act amends Section 37-158, relating to group plans of insurance, so as to provide for their further regulation, amends Section 37-122, relating to license fees on premiums of foreign insurance companies, so as to exempt premiums credited to policy-holders and premiums received for annuity contracts, and added Section 37-169.1 to the Code so as to provide that when proceeds of a life insurance policy are left with an insurance company under a trust or other agreement, the benefits accruing thereunder shall not be transferable, nor subject to commutation or incumbrance, nor to legal process except in an action to recover for necessaries, if the parties so agree.

96. Ratification No. 462, ratified May 2, 1953.