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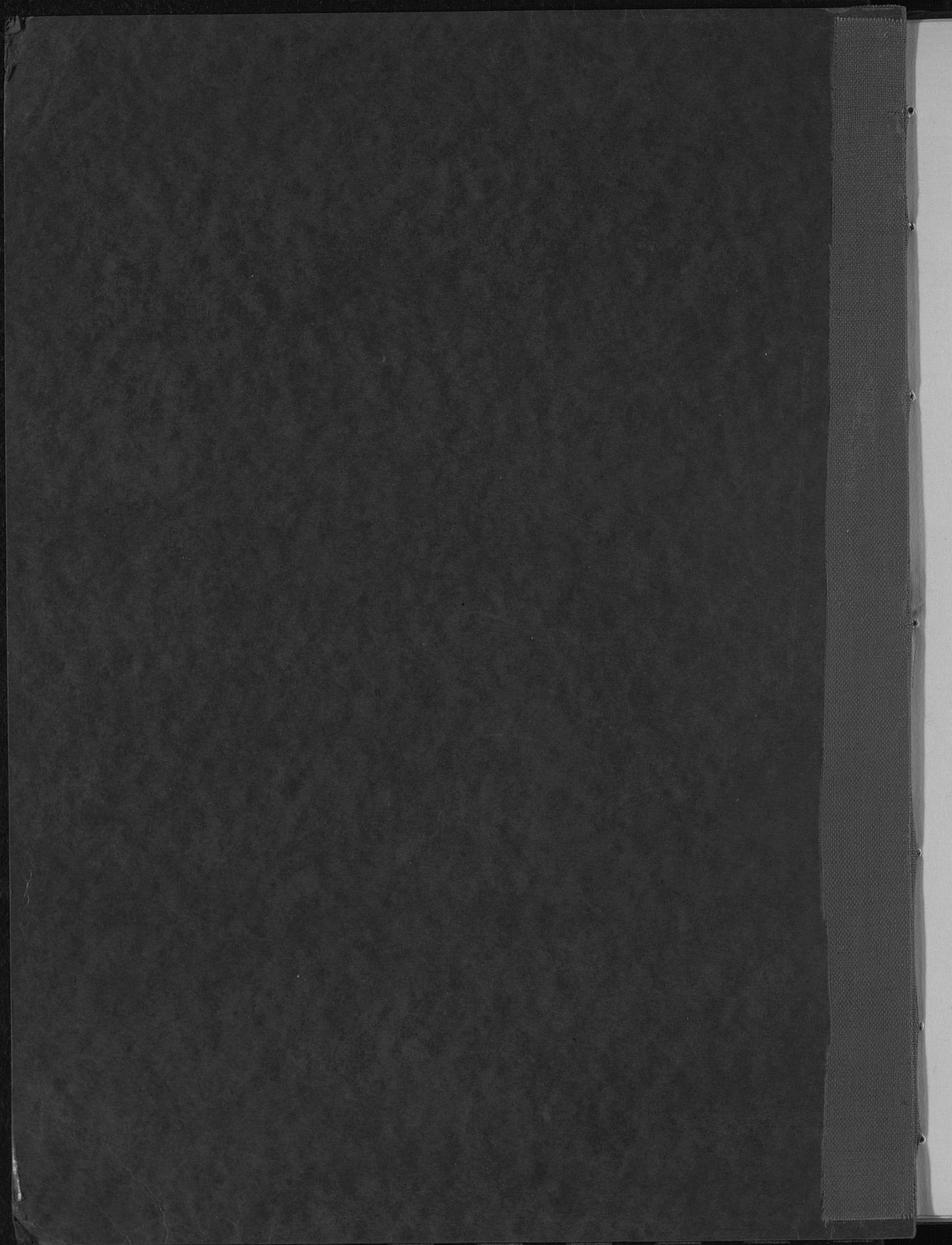


INVENTORY OF  
THE COUNTY ARCHIVES  
OF  
SOUTH CAROLINA

NO. 3  
ALLENDALE COUNTY

GOVERNMENT PUBLICATION

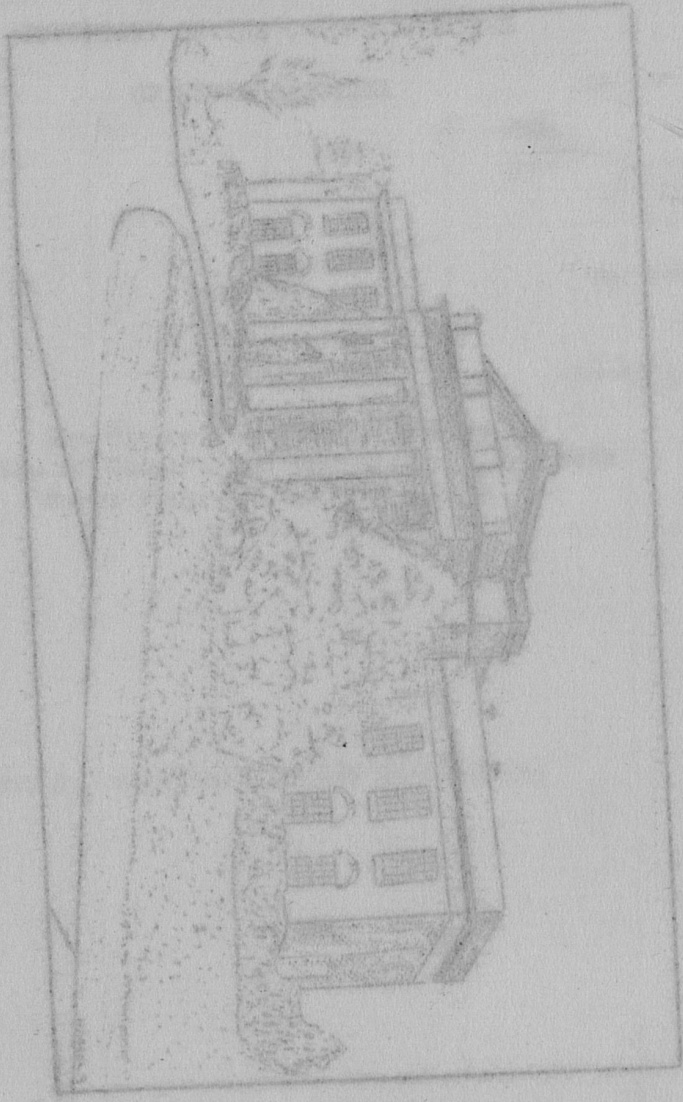
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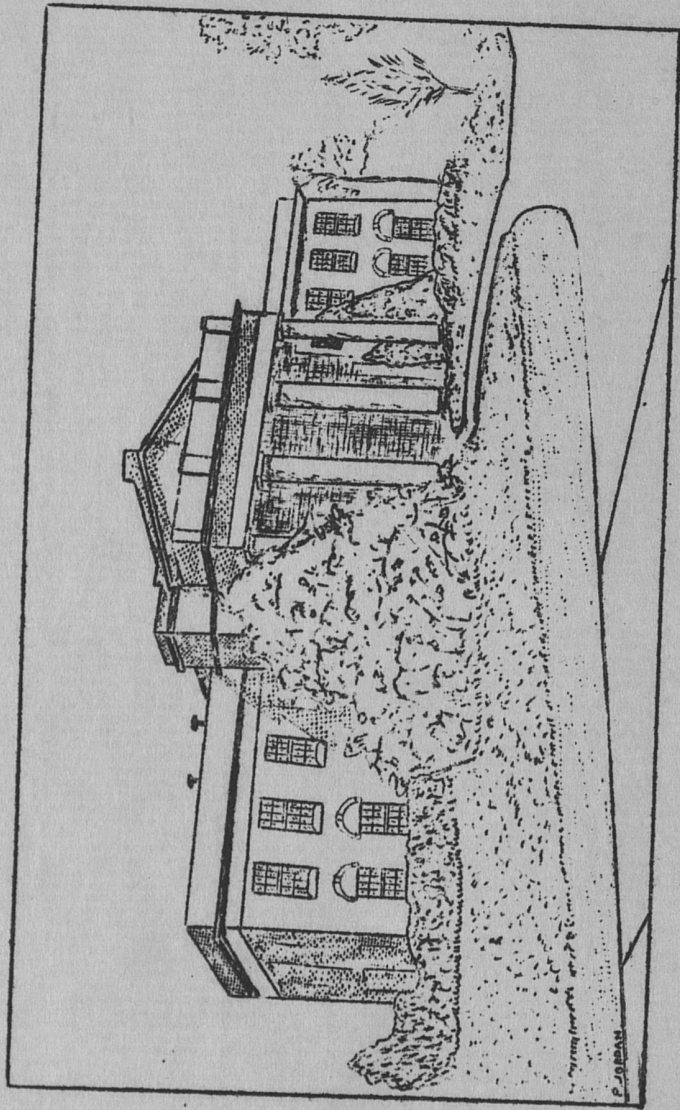
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ALLENDALE COUNTY COURTHOUSE



INVENTORY OF THE COUNTY ARCHIVES  
OF SOUTH CAROLINA

Prepared by

The Historical Records Survey  
Division of Women's and Professional Projects  
Works Progress Administration

No. 3. ALLENDALE COUNTY (ALLENDALE)

\*\*\*\*\*

Columbia, S. C.  
The Historical Records Survey  
August 1938

INVENTORY OF THE CURRY PAPERS

OF SOUTH CAROLINA

The Historical Records Survey

Luther H. Evans, National Director  
Anne K. Gregorie, State Director

Prepared by

The Historical Records Survey  
Division of Women's and Professional Projects  
Works Progress Administration

Division of Women's and Professional Projects

Ellen S. Woodward, Assistant Administrator  
Margaret D. Davies, State Director

WORKS PROGRESS ADMINISTRATION

\*\*\*\*\*

Harry L. Hopkins, Administrator  
Lawrence M. Pinckney, State Administrator

1935



## FOREWORD

The Inventory of County Archives of South Carolina is one of a number of bibliographies of historical materials prepared throughout the United States by workers on the Historical Records Survey of the Works Progress Administration. The publication herewith presented, an inventory of the archives of Allendale County, is number 3 of the South Carolina series.

The Historical Records Survey was undertaken in the winter of 1935-36 for the purpose of providing useful employment to needy unemployed historians, lawyers, teachers, and research and clerical workers. In carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political, economic, and social history. The archival guide herewith presented is intended to meet the requirements of day-to-day administration by the officials of the county, and also the needs of lawyers, business men and other citizens who require facts from the public records for the proper conduct of their affairs. The volume is so designed that it can be used by the historian in his research in unprinted sources in the same way he uses the library card catalog for printed sources.

The inventories produced by the Historical Records Survey attempt to do more than give merely a list of records - they attempt further to sketch in the historical background of the county or other unit of government, and to describe precisely and in detail the organization and functions of the government agencies whose records they list. The county, town, and other local inventories for the entire country will, when completed, constitute an encyclopedia of local government as well as a bibliography of local archives.

The successful conclusion of the work of the Historical Records Survey, even in a single county, would not be possible without the support of public officials, historical and legal specialists, and many other groups in the community. Their cooperation is gratefully acknowledged.

The Survey was organized and has been directed by Luther H. Evans, and operated as a nation-wide project in the Division of Women's and Professional Projects, of which Mrs. Ellen S. Woodward, Assistant Administrator, is in charge.

HARRY L. HOPKINS  
Administrator

## PREFACE

The Historical Records Survey began on a nationwide scale as a part of the Federal Writers' Project of the Works Progress Administration, and became in October 1936 an independent part of Federal Project No. 1. Under the national leadership of Dr. Luther H. Evans, formerly of Princeton, the Survey has inventoried state, county, city, church, and, to a limited extent, private records. At present, it is preparing for publication in a condensed form, descriptive lists of public records of the local units of government. In each state the counties are numbered in alphabetical order, and treated as separate units, each with an introductory section giving the historical background and a description of the present government and records system. All records are organized under the office of origin, which is carefully described as to history, functions, and required records. Each type of record is given a numbered entry showing the comprehensive dates for which it is extant, the quantity, an interpretation of contents, and details as to nature of recording, indexing and location. State, municipal, church, and other records will be described in separate publications.

The Historical Records Survey was begun in South Carolina on March 1, 1936. From the beginning it has had the active aid and cooperation of the University of South Carolina, through Professor Robert L. Meriwether, head of the department of history. His critical insight and scholarly counsel have been invaluable assets. Acknowledgments for administrative support and cooperation are also accorded to the officials of the South Carolina Works Progress Administration.

The survey of Allendale County records was begun on June 1, 1936, by Mrs. Rose M. Tobin, of Allendale, who completed the work by the end of the month. After rechecking every office, and surveying the other historical material in the town, Mrs. Tobin acted as area supervisor in the neighboring counties. The legal and historical research and the preparation of introductory material are the work of the state office under plans worked out in the national office. The condensed inventory was checked from the records September 20-24, 1937, by Miss Vivian Barnette of the state office staff,

The forty-six separate units of the Inventory of County Archives of South Carolina will be issued in mimeographed form for free distribution to state and local public officials and to a selected group of public and institutional libraries. Requests for information should be addressed to the state director, University of South Carolina, Columbia.

Anne K. Gregorie

Anne K. Gregorie  
State Director  
Historical Records Survey

September 27, 1937



ERRATA

Page 14, line 33: for recoding read recording.

Page 19, entry 25, line 3: for commision read commission.

Page 32, entry 66, line 4: for 26 read 67;  
entry 67, line 2: for 1931 read 1922;  
line 5: for 69 read 21;  
entry 72, line 3: for 9 read 19.

Page 33, entry 76, line 6: for arr. alph. by name of man  
read arr. alph. by name of man in first half of book,  
and by name of woman in last half, 1931--.

Page 47, line 20: for Varnville read Barnwell.

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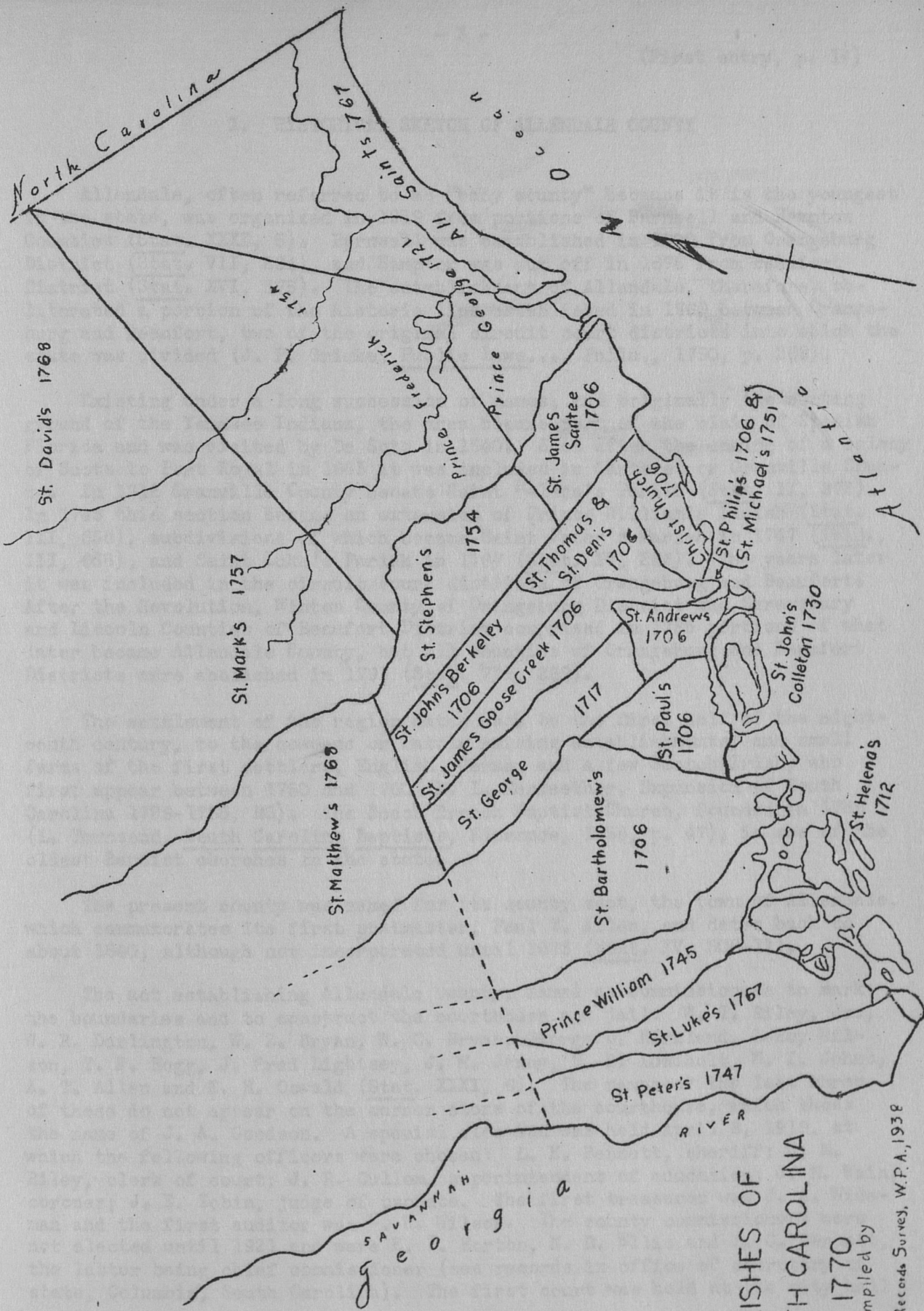


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PARISHES OF  
SOUTH CAROLINA

1770  
Compiled by

Historical Records Survey, W.P.A., 1938



## I. HISTORICAL SKETCH OF ALLENDALE COUNTY

Allendale, often referred to as "baby county" because it is the youngest in the state, was organized in 1919 from portions of Barnwell and Hampton Counties (Stat. XXXI, 5). Barnwell was established in 1800 from Orangeburg District (Stat. VII, 284), and Hampton was cut off in 1878 from Beaufort District (Stat. XVI, 375). The establishment of Allendale, therefore, obliterated a portion of the historic line established in 1769 between Orangeburg and Beaufort, two of the original circuit court districts into which the state was divided (J. F. Grimke, Public Laws..., Phila., 1790, p. 268).

Existing under a long succession of names, and originally the hunting ground of the Yemasee Indians, the area became part of the claim of Spanish Florida and was visited by De Soto in 1540. Soon after the coming of a colony of Scots to Port Royal in 1683 it was included in Carteret or Granville County. In 1712 Granville County became Saint Helena's Parish (Stat. II, 372). In 1745 this section became an extension of Prince William's Parish (Stat. III, 658), subdivisions of which became Saint Peter's Parish in 1747 (ibid., III, 668), and Saint Luke's Parish in 1767 (Stat. IV, 266). Two years later it was included in the circuit court districts of Orangeburg and Beaufort. After the Revolution, Winton County of Orangeburg District and Shrewsbury and Lincoln Counties of Beaufort District comprised in 1785 portions of what later became Allendale County, but all counties of Orangeburg and Beaufort Districts were abolished in 1791 (Stat. VII, 269).

The settlement of the region dates back to the first half of the eighteenth century, to the cowpens or cattle raising establishments, and small farms of the first settlers, English, German and a few Scotch-Irish, who first appear between 1750 and 1760 (R. L. Meriwether, Expansion of South Carolina 1729-1765, MS). The Beech Branch Baptist Church, founded in 1759 (L. Townsend, South Carolina Baptists, Florence, 1935, p. 47), is one of the oldest Baptist churches in the state.

The present county was named for its county seat, the town of Allendale, which commemorates its first postmaster, Paul H. Allen, and dates back to about 1840, although not incorporated until 1873 (Stat. XV, 508-11).

The act establishing Allendale County, named as commissioners to mark the boundaries and to construct the courthouse and jail: W. T. Riley, Jr., W. R. Darlington, W. Z. Bryan, W. C. Bryan, George D. Kirkland, LeRoy Wilson, T. F. Hogg, J. Fred Lightsey, J. W. Jenny, N. B. Loadholt, W. I. Johns, A. T. Allen and E. H. Oswald (Stat. XXXI, 6). The names of the last three of these do not appear on the corner stone of the courthouse, which shows the name of J. A. Goodson. A special election was held April 8, 1919, at which the following officers were chosen: L. K. Bennett, sheriff; J. M. Riley, clerk of court; J. R. Cullom, superintendent of education; J. H. Wain, coroner; J. E. Tobin, judge of probate. The first treasurer was J. A. Wideman and the first auditor was C. R. Wilson. The county commissioners were not elected until 1921 and were E. T. Horton, N. D. Ellis and L. O. Bennett, the latter being chief commissioner (see records in office of secretary of state, Columbia, South Carolina). The first court was held at the city hall

in Allendale, on April 10, 1919, with Judge H. F. Rice presiding. The courthouse was completed in 1922.

Allendale is in the southwestern part of the state. It lies below the fall line and is essentially an agricultural region. On the west the county is bounded by the Savannah River; on the northeast the Salkehatchie separates it from Bamberg County; on all other sides it is bounded by its parent counties, but the lines are irregular and in most cases artificial (Stat. XXXI, 5; Code 2978). The area is 435 square miles and the population about 16,000. The population of the town of Allendale is approximately 3,000.

## 2. GOVERNMENTAL ORGANIZATION AND RECORDS SYSTEM

The county in South Carolina is a civil subdivision of the state, created for administrative, judicial and political purposes. The early counties of 1682 functioned only to a limited degree and for a brief period in the coastal region, but their names advanced with settlement into the interior as far as the mountains, and remained in use until the Revolution in descriptions of the locations of land grants.

The constitution of 1778, under which Winton, Shrewsbury and Lincoln Counties were formed in 1785 (Stat. IV, 663-64), and the constitution of 1790 which was in effect when they were abolished (Stat. VII, 269), contained no provisions for the formation of units of local government. The constitutions which opened and closed the period of the Confederacy did not depart from these precedents. The constitution of 1868 standardized the county as both a judicial and election district, stated the general assembly's power at any time to organize new counties by changing the boundaries of old ones, and limited the area of both old and new counties to not less than 625 square miles (art. II, 3). In the same year by statute the county became a legal entity for specified purposes (Stat. XIV, 132). The constitution of 1895 named the county as a body corporate as well as a judicial and election district (art. VII, 9), and devoted an article of fourteen sections to standardized requirements for the formation of new counties, fixing the size at not less than 400 square miles, the taxable property at not less than \$1,500,000 and the population at not less than 1/124 of the total population of the state.

County government has developed directly from state government. Due to the small size of South Carolina, its colonial isolation on an international frontier, and, above all, its English origin, state government has become centralized in the legislature, which, while maintaining complete control, leaves the counties unhampered freedom in local matters.

Under British rule, the beginning of local government is found in the justices of the peace; the militia and patrol systems; and in the established church, whose parishes of the low country were theoretically extended to the back country as administrative units for elections, road work, free schools, and care of the poor. The inadequacy of this government was voiced in numerous petitions to the general assembly, for representation, for schools, churches,

For abbreviations and explanatory notes see pages 10, 11





courthouses and jails. The answer to these demands was the circuit court act of 1769. The next year local commissioners were named by the legislature to supervise the laying out of roads in the back country. Immediately after the Revolution, counties were laid out in accordance with the promise of the constitution of 1778 (art. XXXIX); and in 1785 both administrative and judicial duties were delegated to local justices of the peace, who sat together at stated periods as a county court which elected a sheriff, a coroner, a clerk of court, and a county attorney. The court supervised the erection of the courthouse, with its pillory and stocks, levied taxes, licensed taverns, authorized road work, cared for the poor, and kept records of deeds, contracts, and court business. In 1787 it assumed the duties of the court of ordinary. In 1788 it elected a county treasurer, who remitted his collections of fines and taxes to the state treasury. After the adoption of the state constitution of 1790, this system of local government was abolished in Orangeburg and Beaufort Districts.

With the beginning of the new century, local administration was resumed by the general assembly through local commissions, which were appointed as need arose, to build courthouses, to care for the poor, to work on roads, and to clear streams. Each commission was authorized to assess taxes for carrying out its local purposes, but only one annual state appropriation act was passed by the legislature. In 1811 local school commissioners were appointed to administer state appropriations for free schools. Judicial functions were carried on by the circuit law courts, by the court of equity, by the court of ordinary, and by the justices of the peace and of the quorum. The local officials were the sheriff; the coroner; the clerk of court, who was also the register of mesne conveyance for the registration of deeds and later the commissioner of location for the registration of surveys; the ordinary; and the commissioner in equity; all of whom were state officials, paid by a fee system and elected by the state legislature until it cared to delegate this duty to the restricted local electorate. The constitutions of 1861 and 1866 made no change in this system.

After the fall of the Confederacy, the constitution of 1868 restored local administration through a constitutional board of county commissioners. A county treasurer, a county auditor, and a county school commissioner were provided by statute. A plan for townships as units of government was also enacted (Stat. XIV, 143), but this was repealed in 1870 (*ibid.* 313). This system of county government did not develop along the lines intended, because the county commissioners lost constitutional status by an amendment in 1889, and the bar to local variations was thus removed. Road building, purchasing of supplies, and relief of the poor, were important functions of the county board; but the primary duty was in connection with county funds assessed by the auditor and collected by the treasurer. These three offices, together with county school commissioner, (because of his parallel position in regard to school funds) formed the administrative group in county government. Judicial functions remained in the constitutional circuit courts, which assumed equity jurisdiction; in the constitutional probate courts, which replaced the court of ordinary, and in the trial justices, who replaced the justices of the peace and of the quorum,

The constitution of 1895, under which the state now functions, made no change in administrative county government. The board of county commissioners

For abbreviations and explanatory notes see pages 10, 11.



as the executive unit of the county was not restored to constitutional status. The county senator and the county representative, as the legislative delegation in the general assembly, through legislative power to change the form of the governing board, and through control of county supplies, developed as an administrative unit of county government, until, in 1938, the constitutional limits of the delegation's executive powers were defined by the state supreme court. The county board in Allendale County consists of a chief commissioner and two county commissioners, all three appointed from the county at large by the governor upon recommendation of the legislative delegation. The board employs a clerk to keep the office open and to perform secretarial duties. The social security program (Acts 1937, pp. 496-517) will relieve the board from welfare duties. Since 1924 the state Children's Bureau (Stat. XXXIII, 1190; XXXV, 359; XXXVI, 1374) has had responsibility for destitute children. Since 1917 the state highway department (Stat. XXX, 321) has been taking county roads into the state system. The principal duty remaining to the county board is the auditing of claims, and the purchasing of supplies.

The money necessary for county expenses is raised by taxes assessed by the county auditor under direction of the legislative delegation. The collection of delinquent taxes was turned over to a tax collector in 1937. The county treasurer has the custody of all county funds, which he disburses upon warrants of the county board, of the school district boards of trustees, and of the county board of education, countersigned by the county superintendent of education.

The school system is a state system, and the teachers are state employees. The superintendent of education, as chairman and clerk of the county board of education, is the chief school official of the county. His duties are largely fiscal but are also supervisory, and, with the other two members of the board, he arbitrates controversial matters in the districts. He arranges the details of the biennial elections for school district trustees and declares the results. He also apportions school funds among the districts.

Justice is administered by six magistrates, one in each district; by the judge of probate, who also has jurisdiction in cases of juvenile delinquency; by the resident circuit judge, elected by the general assembly; and by the visiting circuit judges who preside at the regular terms of the state circuit courts. Appeals from the magistrates and the probate court may be taken to the circuit courts. In recent years the judicial functions of the circuit courts have decreased in relative importance through encroachments of the federal district courts. Records of the circuit courts are kept by the clerk of court, who also registers property titles, and many other records that are not connected with the courts. He is elected by the county electorate. The sheriff is the principal law enforcing official. His powers legally are shared by the coroner, who has now become a part time official whose major duty of holding inquests into cases of violent or mysterious death may be performed in his absence by a magistrate.

The scope of administrative county government is being steadily enlarged through state and federal subsidies for public health, social security, and conservation of natural resources.

Under the bureau of rural sanitation of the state health department,

For abbreviations and explanatory notes see pages 10, 11

public health services have been rendered since 1936 by the health district comprised of Allendale, Barnwell, Bamberg and Hampton Counties. These services are chiefly concerned with maternal and child health, and control of venereal diseases, tuberculosis, hookworm and malaria. A drainage district was once established at Fairfax in connection with public health work (1922, Stat. XXXII, 1308). Certificates of births and deaths are made by local registrars appointed by the bureau of vital statistics of the state board of health. The clerk of court is required to keep duplicate certificates and to certify the number to the state department before the registrars may be paid by the county treasurer.

The farm and home extension service, "the contact agency between the farm people, the state colleges of agriculture and home economics and the U. S. Department of Agriculture" is administered from headquarters at Clemson College. Home demonstration is carried on through Winthrop College, and Negro demonstration through the Colored Normal Industrial Agricultural and Mechanical College. (J. E. Hunter (ed.), Legislative Manual, Columbia, 1938, p. 238.) Since 1935 Allendale County has been a forest fire control district.

The records system of Allendale County is based upon the general plan of preserving the original papers of record in files, and making abstracts or transcripts in volumes. The small amount of business makes it possible to dispense with several records. The county board is required to furnish record books, supplies, and equipment adequate to the needs of each office (Code 3877). The quality of paper, ink, typewriter ribbons, and bindings, ensure permanence of the records.

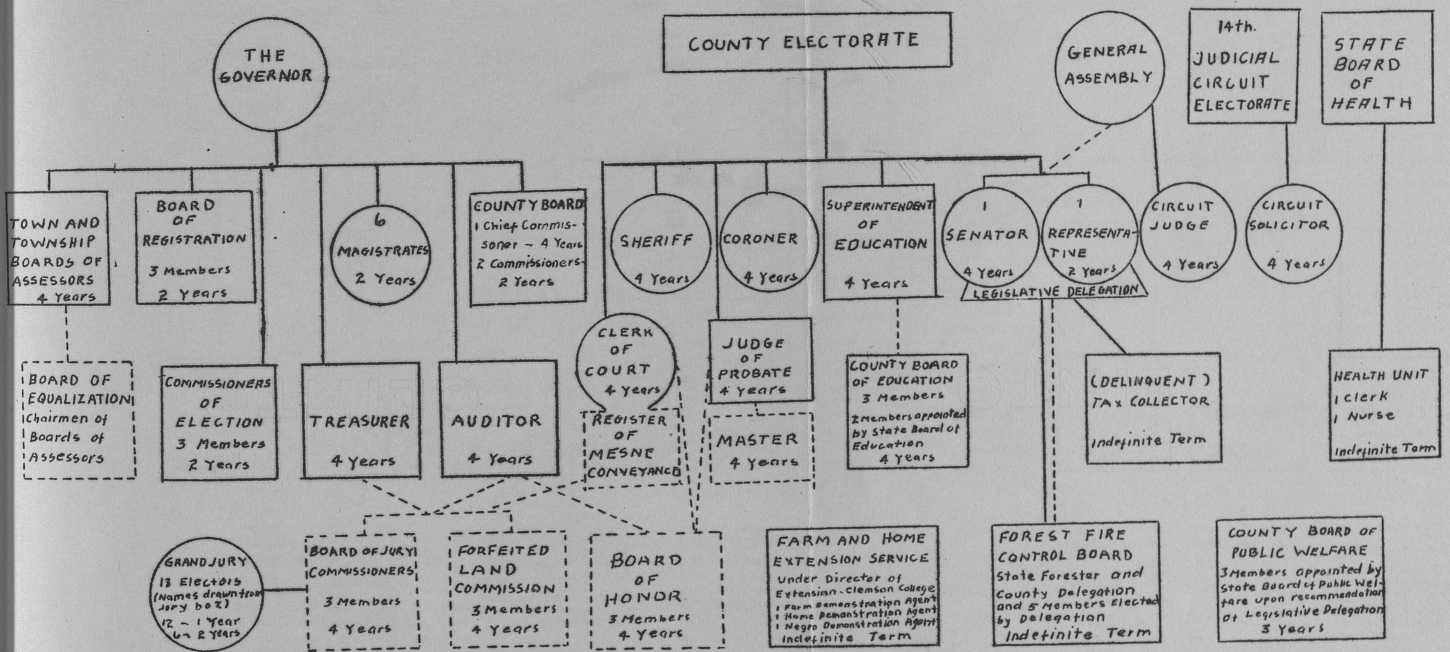
By law, returns for taxation may be destroyed after five years (Code 2733). Since tax liens expire in ten years (Code 2863), tax receipts (Code 2795) need not be preserved for a longer period. A general law of 1937 provides that when any county is confronted with the problem of caring for obsolete records, they may be removed to the University of South Carolina, at Columbia, (Acts, p. 402).

The code requires indexing to be alphabetical, in most cases direct and cross. The Gott System of indexing, sub-indexed by family name, is used for mesne conveyance registrations, and is practically the only example of the use of loose leaf volumes. Penalties have been provided by law for the non-keeping of certain records (Code 8709, Circuit Court Rule 1), and officials are required to give surety bonds which may be sued upon by the public when aggrieved by the non-performance of duty (Code 3054). In general both the records and duties of county officers are prescribed by law and penalties are provided for certain violations (Code 1508, 1592). Each official receives a copy of the acts every year and a set of the code at each revision every ten years. As the county retains an attorney to give legal advice, every official may know what is required for his office. The state attorney general and the circuit solicitors are required to report any negligence of official duties (Code 3131).

There is no duplication of records, except as required by law.

For abbreviations and explanatory notes see pages 10, 11.





# CHART OF GOVERNMENT ALLENDALE COUNTY, SOUTH CAROLINA

1938

**LEGEND**

○ CONSTITUTIONAL OFFICES

□ STATUTORY OFFICES

--- EX OFFICIO CONNECTION

### 3. HOUSING, CARE AND ACCESSIBILITY OF THE RECORDS

Financed in 1922 by a bond issue of \$100,000 (Stat. XXXII, 545), the Allendale courthouse is constructed of stone and cream colored brick. All of the offices are on the lower floor of the building, the second story being devoted entirely to the court room and rooms for the judge and the jury. The floors of the offices are of wood but 75% of the records are in fireproof vaults that have concrete floors. Lighting and ventilation are excellent. The location of the courthouse in the outskirts of the town on a paved highway, renders it singularly free from soot and dust.

The county board has one room which serves also as an office for the purchasing agent. Metal cabinets provide the shelving for the records, and the equipment is adequate.

The clerk of court has an office and a vault. The latter, comfortable and free from dust and dampness, contains 95% of the records. The records are on metal shelves in cabinets; two tables and two stools are available for persons using the records. Three additional metal cabinets, two for volumes and one with file boxes, are needed.

The judge of probate, who is also master, has an office and a vault, the latter containing all of the records. The shelving is metal. The records are not crowded but new shelving will soon be needed.

The sheriff has one office, shared by the tax collector; it is equipped with a metal bookcase and a safe containing some file boxes. A metal filing cabinet is needed.

As the coroner has no office, he keeps his inquisition book in the vault of the clerk of court.

The auditor's office is equipped with metal cabinets which provide 56' of shelving. In addition there are 36' of wooden shelves, but twenty more feet of metal shelves are needed.

The treasurer's office has a vault, only 10' x 5' but it contains 25% of the records. There is one metal cabinet and one wooden cabinet. About 20' of shelving is needed for the vault and 15' for the office. Another large table also is needed.

The superintendent of education's office has shelving in wooden cabinets. The text books of the county schools, under the rental system recently installed, will probably be placed in this room and a considerable amount of additional shelving will be necessary.

The county nurse, who has the custody of the records of the health unit, has a small office, which is 9' x 12 $\frac{1}{2}$ '. There is one wooden cabinet, but a filing cabinet is needed.

Although no special accommodations have been provided for those who wish to use the records, there is ample space for all who care to come, and visitors are courteously received and made comfortable by the custodians.



4. LIST OF ABBREVIATIONS, SYMBOLS AND EXPLANATORY NOTES

<u>Acts</u> .....	<u>Acts and Joint Resolutions of the General Assembly of South Carolina</u>
admr.....	administrator
acct.....	account
alph.....	alphabetical or alphabetically
approx.....	approximate or approximately
arr.....	arranged or arrangement
art.....	article
atty.....	attorney
aver.....	average
bd.....	board
chron.....	chronological or chronologically
co.....	county
<u>Code</u> .....	<u>Code of Laws of South Carolina 1932</u>
comr., comrs.....	commissioner, commissioners
const.....	constitution of South Carolina
cont'd.....	continued
CWA.....	Civil Works Administration
dem.....	demonstration
ed.....	editor
educ.....	education
exor.....	executor
f. b.....	file box
f. d.....	file drawer
hdw.....	handwritten
<u>ibid</u> .....	ibidem, the same reference
<u>infra</u> .....	below, following page in this book
JCHA.....	Journal of Commons House of Assembly
JGA.....	Journal of General Assembly
JGC.....	Journal of Grand Council
ms.....	manuscript
n. d.....	no date given
n. p.....	no place of publication given
no., nos.....	number, numbers
numer.....	numerical or numerically
NYA.....	National Youth Administration
p., pp.....	page, pages
Phila.....	Philadelphia
pkg., pkgs.....	package, packages
PR.....	Public Records (see explanatory note)
sec.....	section
<u>SE</u> .....	<u>Southeastern Reporter</u>
sic.....	just as given
SJ.....	Senate Journal
<u>Stat</u> .....	<u>Statutes at Large of South Carolina</u>
<u>supra</u> .....	above, previous page in this book
supt.....	superintendent
supv.....	supervisor
treas.....	treasurer
twp.....	township

List of Abbreviations, Symbols and Explanatory Notes (First entry, p. 14)

U. S..... United States  
vol., vols..... volume, volumes  
WPA.....Works Progress Administration  
-- ..... current  
' ..... feet  
x ..... by

Dates assigned for origin of offices are sometimes arbitrary; the evolution in full is traced in Inventory of the County Archives of South Carolina No. 10, "Charleston County".

Exact titles of records are written in solid caps without parentheses. In the absence of titles, descriptive titles have been assigned, which are written in solid caps and enclosed in parentheses. If a record title is not descriptive of the contents of the record, an assigned explanatory title, written with initial caps and enclosed in parentheses, has been added.

Figures or letters in parentheses, following the number of volumes or file boxes, indicate the labeling of a record.

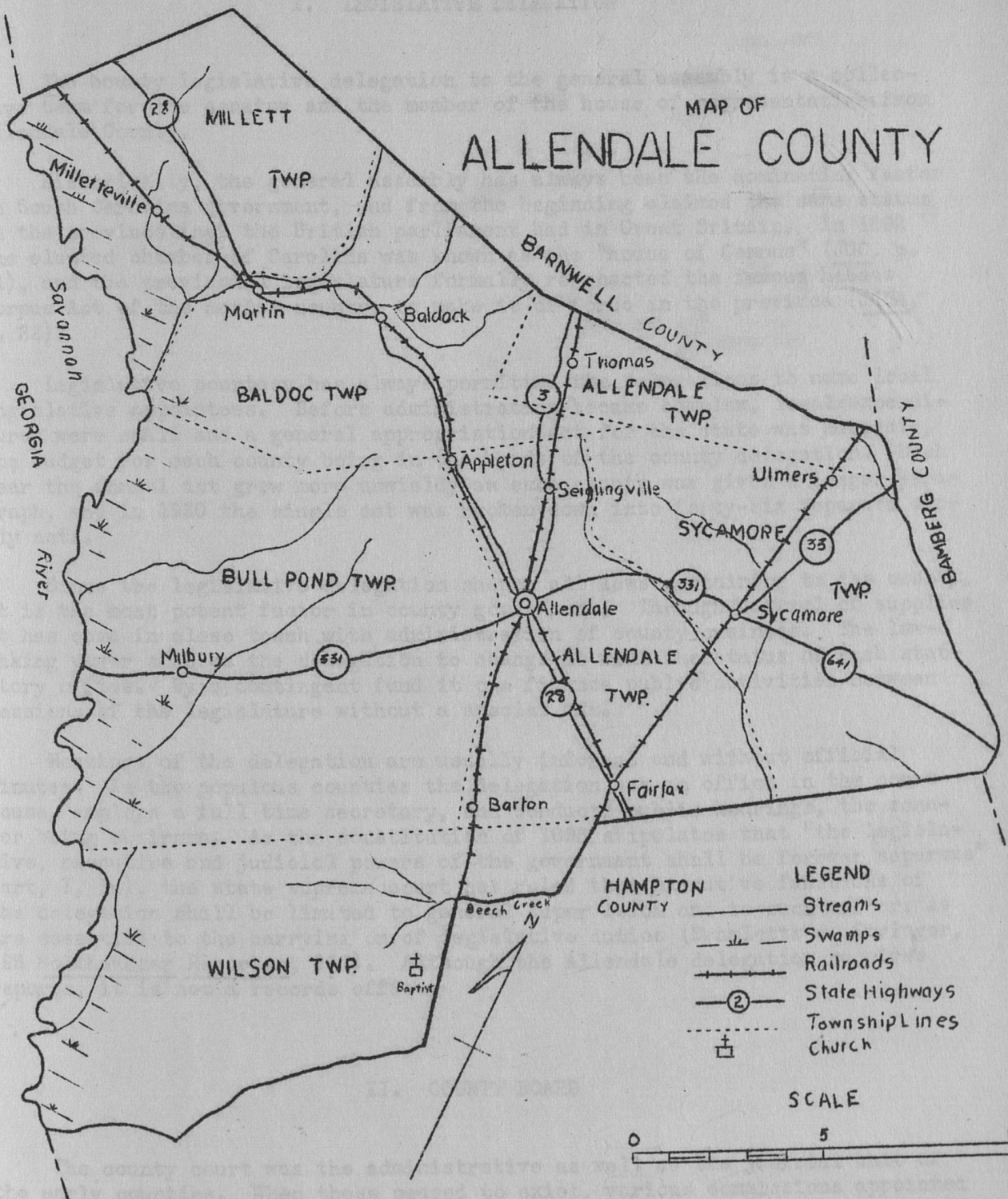
Unless otherwise specified it may be assumed that:  
All records are in good condition;  
All locations of records are in courthouse, with appropriate official;  
distinction is made between office and vault;  
All dimensions are in inches, in the sequence of height, width, thickness;  
All page numbers and book dimensions are average unless limits of variation are given;  
All indexing is alphabetical;  
All index entries follow immediately the material indexed;  
All dates are inclusive, but frequently overlap.

Citations from the code give numbers of sections unless volume and page are indicated; citations from the statutes are for first editions except vol. XII, a reprint of 1874. Citations in support of one statement are included within the punctuation of the sentence. Citations serving more than one sentence are punctuated as a separate sentence within parentheses.

Public Records are a series of transcripts, 1663-1782, in 36 volumes, in the office of the Historical Commission, World War Memorial, Columbia; the first three volumes have been published in facsimile by the Commission under the explanatory title Records in the British Public Record Office Relating to South Carolina (Atlanta, 1928, 1929, 1931).



# MAP OF ALLENDALE COUNTY



The county court was the administrative as well as the legislative body of the county. When these powers were separated by the legislature carried on local administration as regards roads, bridges, ferries, public buildings, and care of the poor. The county court of 1867 combined their functions in a single body of three members. In 1870, the county government was a statutory body by enactment of 1870, c. 24, 25, which became a statutory body by enactment of 1870, c. 24, 25. The county government act of 1894 provided for a board of commissioners composed of seven members.

## I. LEGISLATIVE DELEGATION

The county legislative delegation to the general assembly is a collective term for the senator and the member of the house of representatives from Allendale County.

Historically, the general assembly has always been the dominating factor in South Carolina government, and from the beginning claimed the same status in the province that the British parliament had in Great Britain. In 1692 the elected chamber of Carolina was known as the "house of Commons" (JGC, p. 41), and the provincial legislature formally re-enacted the famous Habeas Corpus Act of the mother country to make it of force in the province (JCHA, p. 22).

Legislative courtesy has always permitted the delegations to name local legislative appointees. Before administration became complex, local expenditures were small and a general appropriation act for the state was adequate, the budget for each county being in the hands of the county delegation. Each year the annual act grew more unwieldy as each county was given a longer paragraph, and in 1920 the single act was broken down into forty-six separate supply acts.

Since the legislative delegation shapes all laws pertaining to the county, it is the most potent factor in county government. Through control of supplies it has come in close touch with administration of county business. The law-making power enables the delegation to change at will the status of each statutory office. By a contingent fund it can finance public activities between sessions of the legislature without a special act.

Meetings of the delegation are usually informal and without official minutes. In the populous counties the delegation has an office in the courthouse, employs a full time secretary, and conducts public hearings, the senator being chairman. As the constitution of 1895 stipulates that "the legislative, executive and judicial powers of the government shall be forever separate" (art. I, 14), the state supreme court has ruled that executive functions of the delegation shall be limited to general supervision and to such matters as are essential to the carrying on of legislative duties (Bramlette v. Stringer, 195 Southeaster Reporter, 257). Although the Allendale delegation receives reports, it is not a records office.

## II. COUNTY BOARD

The county court was the administrative as well as the judicial unit of the early counties. When these ceased to exist, various commissions appointed by the legislature carried on local administration in regard to roads, bridges ferries, public buildings, and care of the poor. The constitution of 1868 combined their functions in a single board of three elected commissioners (art. IV, 19), who became a statutory body by amendment in 1890 (Stat, XX, 649). The county government act of 1894 provided for a board of commissioners consist-



County Board

ing of the chairman of the township boards of road commissioners, appointed by the governor, with an elected supervisor, who served as chairman and active executive of the county (Stat. XXI, 483). Numerous local variations from this plan developed among the counties during the decades preceding the creation of Allendale County.

The act establishing Allendale County named thirteen commissioners to mark the boundaries, build the courthouse and jail, and administer county affairs until other commissioners were elected (1919, Stat. XXXI, 6-8). The county board, the regular administrative body provided for in 1921 (Stat. XXXII, 109-14), and slightly altered in 1923 (Stat. XXXIII, 506) and again in 1931 (Stat. XXXVII, 347-50), is a board consisting of a chief commissioner, who serves a term of four years, and two commissioners who serve for only two years. All three are appointed by the governor on the recommendation of the legislative delegation. The chief commissioner has supervision over the roads and bridges of the county and his duties are similar to those of the supervisor in other counties. He examines and approves all claims before they are submitted to the board. He must be present when contracts of over \$20 are signed. He may assign certain road work to the other commissioners to supervise. The board has charge of all road working organizations, and the purchase of supplies. It apportions the road funds of the county, with the exception of the commutation tax, and it may change the names of townships (Code 3880). It is required to keep a book showing the assignments of road funds, and to file quarterly reports with the treasurer to be published, containing itemized sworn statements of money received and claims approved (Code 3941-43). The board is required to furnish the county officials with suitable offices and necessary equipment and supplies (Code 3877).

For aid in carrying on its various public duties the board employs a clerk (Code 3947), a purchasing agent, a county attorney, and a county physician (Acts 1937, p. 754).

The clerical duties of the office are carried on by the clerk (Code 3823), who files all original numbered claims (Code 3872), keeps the minutes of the board meetings (Code 3867), a file book of claims approved (Code 3872), stubs of warrants issued, and such cash books, journals, and ledgers for county accounts as may be prescribed by the comptroller general (Code 3876). All records of the office are open to inspection by the public (Code 3867). Since 1936 there has been a purchasing agent appointed by the board on the recommendation of the legislative delegation. Every month each county officer submits to the agent the requirements for his office and on getting the approval of the board the agent advertises for bids. He must keep a complete record of all bids and copies of the advertisements, and must make a monthly report to the legislative delegation and the county board of commissioners. (Stat. XXXIX, 1424-25.)

The county attorney is a practicing member of the local bar, who is paid an annual retainer for legal advice to the county officials. He is a part time county employee rather than an official (Code 3042). When the county has a case in court the commissioners engage counsel who may or may not be the county attorney, and whose bill is paid as any other claim.

Register of Mesne Conveyance

1. (MINUTES), 1921--. 1 vol. and 2 f. b. Missing: 1919-20, 1926-33. 1921-25, 1 vol., entitled Peoples National Fire Insurance. Record of transactions at meetings of the county board. Arr. chron. No index. Typed. Vol., 200 pp.  $16\frac{5}{4} \times 10\frac{1}{2} \times 1\frac{1}{2}$ ; f. b.,  $10 \times 8 \times 3$ . Office.
2. CLAIMS, 1919--. 4 f. d. and 3 cardboard boxes. Original claims approved for payment by county board, with itemized bills and affidavits of claimants. No arr., 1919-26; arr. chron., 1927--. No index. Hdw. on printed form. F. d.,  $12 \times 14 \times 24$ ; boxes,  $6\frac{1}{2} \times 10\frac{1}{2} \times 16\frac{1}{2}$ . Office.
3. CLAIMS AUDITED, 1919--. 5 vols. File book of claims, showing date of payment, number of claim, in whose favor, amount of claim and distribution to appropriation. Arr. by no. of claim. No index. Hdw. on printed ruled form. 200 double pp.  $16 \times 17 \times 2$ . Office.
4. (COUNTY EXPENSES), 1923-25. 3 vols. Discontinued because Claims Audited, entry 3, is sufficient. Ledger accounts showing appropriations and itemized expenditures for the various county offices and organizations. Arr. chron. under accounts for which appropriations have been made. Indexed by accounts. Hdw. on printed ruled form. 150 double pp.  $18 \times 15 \times 1\frac{1}{2}$ . Office.

III. CLERK OF COURT AS REGISTER OF MESNE CONVEYANCE

The beginning of this office in South Carolina goes back to the original plans of the lords proprietors for their province (Stat. I, 52). As a separate registry it dates from 1731 (Stat. III, 296).

The constitution of 1778 provided a register of mesne conveyance for each of the seven circuit court districts (art. XXIX), but apparently the office remained in Charleston. In 1785 clerks of the county courts were authorized to record deeds (Stat. VII, 232-34) until the county courts were abolished. In 1800 clerks of the circuit courts (except in three districts) became registers of mesne conveyance (ibid. p. 296). In 1896 the office of register of mesne conveyance was abolished in all counties except Charleston and Greenville and the duties were devolved upon the clerk of court (Stat. XXII, 122).

In Allendale County the clerk of the circuit courts has been the register of mesne conveyance since its beginning. He receives fees for recoding contracts, deeds and mortgages for real estate, chattel mortgages, statutory liens, renunciations of dower, marriage settlements, and all other sealed instruments relating to ownership of real or personal property (1928, Stat. XXXV, 1185; Code 3635, 8875). Before a deed for transfer of ownership of land may be recorded, it must be probated (Code 3632) and have the auditor's endorsement that it has been entered upon his records (Code 3634). It is the register's duty to enter satisfactions of judgments and mortgages (Code 3599), as well as renewals and satisfactions of executions (Code 3602). Chattel Mortgages for \$100 and Less are kept in index form only (1882, Stat. XVII, 1053),

For abbreviations and explanatory notes see pages 10, 11



as are crop liens (1878, Stat. XVI, 713-14), and chattel mortgages for crops (1911, Stat. XXVII, 154). He must also register mechanics' claims for unpaid wages or materials, which are thus made a statutory lien against the property upon which used (1816, Stat VI, 32; Code 8735). Since 1926, sheriffs when levying upon mortgaged property for unpaid taxes have been required to notify all mortgage owners who register their names for that service (Stat. XXXIV, 912) with the clerk of court. Cooperative marketing contracts have been registered since 1924 (Stat. XXXIII, 1072). The clerk also records the charters of corporations operating in the county (1901, Stat. XXIII, 713-14; Code 7718), and the bonds of county officers (1866, Stat XIII, 382; Code 3051). In 1930, affidavits as to the price of real estate were required to be filed when the sum was not named in the deed, in order that revenue stamps might be affixed (Stat. XXXVI, 1354-57).

### Real Property

#### Deeds and Plats

5. TITLES TO REAL ESTATE, 1919--. 11 vols. (1-10, 8A). Title varies: Master's Titles; Deeds.

Transcripts of contracts, agreements, deeds for title to real estate, timber rights, rights-of-way, and other sealed instruments, showing name of parties, witnesses, and where necessary, renunciations of dower. Arr. chron. Hdw. and typed, 1919-31; typed on printed form, 1931--. 500 pp. 18 x 12 x 3 $\frac{1}{2}$ . Vault.

6. GRANTORS INDEX TO DEEDS, 1919--. 4 vols.

Shows name of grantor, given name, grantee, book, page, year of instrument, year of record, number of acres, location. Arr. alph. by name of grantor. Sub-indexed in Cott system. Hdw. on printed ruled form. 353 pp. 9 $\frac{1}{2}$  x 15 x 3. Vault.

7. GRANTEES INDEX TO DEEDS, 1919--. 4 vols.

Shows name of grantee, given name, grantor, book, page, year of instrument, year of record, number of acres, location. Arr. alph. by name of grantee. Sub-indexed in Cott system. Hdw. on printed ruled form. 353 pp. 9 $\frac{1}{2}$  x 15 x 3. Vault.

8. PLAT BOOK, 1919--. 1 vol.

Record of maps of lands, showing name of surveyor, dates, location of land, dimensions, area and scale of drawing. Arr. chron. Indexed by name of property owner. Hdw. and blue print. 178 pp. 25 x 22 x 1 $\frac{1}{2}$ . Vault.

#### Mortgages

9. MORTGAGES OF REAL ESTATE, 1919--. 12 vols. (1-11, 8A).

Transcripts of mortgages of real estate, including Federal Land Bank and Home Owner's Loan Corporation mortgages, showing transfers, satisfactions, assignments, releases, renunciation of dower, and agreements. Arr. chron. Hdw., 1919-34; typed on printed form, 1935--. 490 pp. 18 x 12 x 3. Vault.

For other assignments and mortgages, see entry 17.

10. MORTGAGOR INDEX TO MORTGAGES OF REAL ESTATE, 1919--. 4 vols. Shows surname of mortgagor, given name, mortgagee, book, page, year of instrument, year of record, number of acres, location, satisfied. Arr. alph. by name of mortgagor. Sub-indexed in Cott system. Hdw. on printed ruled form. 350 pp.  $9\frac{1}{2}$  x 15 x 3. Vault.

11. MORTGAGEE INDEX TO MORTGAGES OF REAL ESTATE, 1919--. 4 vols. Shows surname of mortgagee, given name, mortgagor, book, page, year of instrument, year of record, number of acres, location, satisfied. Arr. alph. by name of mortgagee. Sub-indexed in Cott system. Hdw. on printed ruled form. 350 pp.  $9\frac{1}{2}$  x 15 x 3. Vault.

Personal Property

12. CHATTEL MORTGAGES, 1919--. 41 vols. (1-41). Title varies: Bill of Sale; Note and Bill of Sale; Crop Lien & Chattel Mortgages. Transcripts of mortgages on personal property, including promissory notes and conditional sales contracts, with satisfactions. Vols. 7 and 21 are unused. Vols. 34, 35, 38 and 39 contain emergency crop and seed loan mortgages. Arr. chron. Hdw., 1919-34; typed on printed form, 1934--. 529 pp. 9 x 14 x 3 to 18 x 12 x  $3\frac{1}{2}$ . Vault.

For other chattel mortgages, see entry 17.

13. DIRECT INDEX TO CHATTEL MORTGAGES \$100 AND OVER, 1919--. 3 vols. Shows hour filed, date, mortgagor, mortgagee, book and page. Arr. alph. by name of mortgagor. Hdw. on printed ruled form. 750 pp. 18 x 12 x 4. Vault.

14. CROSS INDEX TO CHATTEL MORTGAGES \$100 AND OVER, 1919--. 3 vols. Shows hour filed, date, mortgagee, mortgagor, book and page. Arr. alph. by name of mortgagee. Hdw. on printed ruled form. 750 pp. 18 x 12 x 4. Vault.

15. FEDERAL CROP MORTGAGES, March-May 1930. 1 bundle. Copy of federal crop mortgages filed for record. No arr. No index. Typed on printed form.  $8\frac{1}{2}$  x 14 x  $\frac{1}{2}$ . Vault.

For other crop mortgages, see entry 17.

16. INDEX TO CHATTEL MORTGAGES \$100 AND LESS (Record), 1919--. 5 vols. Record in abstract of mortgages for sums of less than \$100, showing date of presentment for record, mortgagor, mortgagee, date of mortgage, date of maturity, amount, character of debt, date of settlement, description of chattel pledged. Arr. alph. by name of mortgagor. Hdw. on printed ruled form. 600 pp. 18 x 12 x 4. Vault.

17. MISCELLANEOUS RECORD, 1922--. 2 vols. Transcripts of assignments, reports of grand jury, statements of fines and license collections 1921-22, bankrupt discharges, agreements, conditional sales contract, federal crop mortgages, leases, certificates of incorporation, sales agreements, and bill of sale. Arr. chron. No index. Hdw. and typed. 640 pp. 18 x 12 x 3. Vault.

For other assignments and mortgages, see entries 9, 12, 15; for the grand jury, see pp. 25-26; for treasurer's record of fines, see entry 100; for other charters, see entry 21.



Statutory Liens

18. MECHANICS LIEN, 1930--. 1 f. b.  
Original claims filed against real estate for unpaid bills for labor or building materials. Arr. chron. No index. Typed.  $10\frac{1}{2} \times 5 \times 13\frac{1}{2}$ . Office.

19. MECHANICS LIEN, 1930--. 1 vol.  
Record upon which are filed transcripts of claims constituting statutory liens against real property for labor or materials used thereon, showing accounts 'owed' and affidavits in proof. Arr. chron. Indexed by name of plaintiff. Hdw. 611 pp.  $18 \times 12 \times 2\frac{1}{2}$ . Vault.

Attachments of Real Estate

20. RECORD OF SHERIFF'S DELINQUENT TAX NOTICES, 1926--. 1 vol.  
List of mortgage owners to receive delinquent tax notices when the mortgaged property is levied upon, showing name of mortgagee, address of owner of mortgage, name of grantor or mortgagor, kind of instrument, book of record, page recorded, date filed with sheriff, sheriff's receipt, clerk's certificate of sheriff's notice to mortgagee. Arr. chron. No index. Hdw. on printed ruled form. 199 double pp. (17 used)  $16 \times 11 \times 2$ . Vault.

Business Registrations

21. CHARTER BOOK, 1924--. 1 vol. Last entry 1935.  
Transcripts of certificates of incorporation of corporations operating in the county, showing name and location of corporation, proposed business, amount of capital, names of incorporators, dates of charter and of recording. Arr. chron. Indexed by name of corporation. Hdw. and typed on printed form. 200 pp. (32 used)  $18 \times 12 \times 2\frac{1}{2}$ . Vault.

For other charters, see entry 17.

22. THE CONTRACT BOOK SOUTH CAROLINA COTTON GROWERS' COOPERATIVE ASSOCIATION, 1924--. Last entry 1930.  
Abstract of contracts made by South Carolina Cotton Growers' Cooperative Association with cotton growers, showing name of member, number of contract, address, date of contract, date recorded. Arr. alph. by name of member. No index. Hdw. on printed ruled form. 200 pp.  $11\frac{5}{8} \times 8\frac{1}{2} \times 1\frac{1}{2}$ . Vault.

Surety Bonds

23. BOND BOOK, 1919--. 1 vol.  
Transcripts of bonds of county officers, and a few receivership bonds, showing names of sureties and principal, condition and amount of obligation, names of witnesses. Arr. chron. Indexed by name of person bonded. Hdw. 611 pp.  $17 \times 13 \times 2\frac{1}{2}$ . Vault.

24. CONSTABLE BOND, 1934--. 1 f. b.  
Original bonds of constables, showing names of sureties and principal, condition and amount of obligation, names of witnesses. Arr. chron. No index. Typed.  $10\frac{1}{2} \times 5 \times 13\frac{1}{2}$ . Office.

#### IV. CLERK OF COURT

The office of clerk of court began in South Carolina as the clerk of the crown and peace of the ancient English court system (JGC, 1692, p. 11). When the circuit courts opened in Beaufort and Orangeburg Districts in 1772, the clerks of the crown and pleas were appointed by the governor (Grimke, Public Laws, p. 272; Stat. IV, 325). The clerks of the county courts of 1785 were elected by the justices, to hold office during good behavior (Stat VII, 221). In 1800 the clerks of the circuit courts were appointed and commissioned by the governor during good behavior, upon recommendation of the legislative delegation from each district (ibid., p. 292). In 1812 the office became elective "by joint ballot of both branches of the Legislature" for a term of four years (Stat. V, 674). Three years later the office was made elective by the voters of each district (Stat. VI, 12). Under the constitution of 1868 the clerk of the court of common pleas became clerk of all other courts of record, subject to provisions of the general assembly (art. IV, 27). The present constitution of 1895 continues this without change, and the clerk of court, after nomination in the primary (Code 2365), is elected in each county for a four year term (art. V, 27).

As clerk of the state circuit court of common pleas he is ex officio clerk of the court of general sessions, and is a state officer as well as a county official. He is custodian of all papers filed in civil or criminal actions, he is required to be present when the courts meet and to keep a record of all judgments, sentences, and orders. He administers the oath of office to magistrates and constables (1839, Stat. XI, 78; Code 3603); he collects and delivers to the county treasurer all fines, forfeitures, and money for licenses (1875, Stat. XV, 845; Code 3611); and he makes written monthly reports to the auditor and the treasurer, giving accurate statements of his collections (1878, Stat. XVI, 753; Code 3612). When the office of clerk of court is vacant, the judge of probate is authorized to perform the duties until the vacancy is filled (Code 3643).

The clerk of court is also the official custodian of a number of miscellaneous enrollments and registrations: the roll of magistrates (1819, Stat. VI, 116) and constables (1839, Stat. XI, 78; Code 3586), of notaries public (1911, Stat. XXVII, 139; Code 3461), of county officers (1905, Stat. XXIV, 964; Code 3622), of physicians and surgeons (1905, Stat. XXIV, 939; Code 5153), of certified public accountants (1915, Stat. XXIX, 157; Code 7093), of Confederate veterans (1902, Stat. XXIII, 1033; Code 3623), and enlisted men discharged from the services of the United States (1923, Stat. XXXIII, 98; Code 8893). He keeps a record of public bond issues (1916, Stat. XXIX, 922; Code 8891); he was formerly required to register automobile ownership (Acts 1906, p. 79; 1917, p. 320); and he issues licenses to peddlers (1876, Stat. XVI, 64; Code 7120), dealers in lightning rods (1920, Stat. XXXI, 1022; Code 7126), pawn brokers (1900, Stat. XXIII, 427; Code 7129), and to circuses and showmen (1875, Stat. XV, 845; Code 6322). Since 1914 (Stat. XXIX, 29), by order of the state board of health, he has been custodian of birth and death certificates filed by local registrars. By law he is responsible for the registration books of qualified electors when the records are not in the custody



Clerk of Court - County Officers; Professional Registrations; Military Records; Voters and Elections

(25-29)

of the board of registration, which may keep them "as long as may be necessary to enable them to perform their duties" (1896, Stat. XXII, 44; Code 2285). Since 1915, he has had the custody of the Democratic club rolls (Stat. XXIX, 167; Code 2359). The principal records of the clerk of court are common pleas, entries 49-60, general sessions, entries 35-48, and mesne conveyance, entries 5-24.

County Officers

25. ROLL OF NOTARIES PUBLIC, ETC., 1919--. 1 vol.

Register of notaries public, and other commissioned officers of Allendale County, showing names; office; date of commission, qualification and recording; by whom appointed; genuine signature; expiration of term. Arr. alph. by name of person commissioned. No index. Hdw. on printed ruled form. 154 double pp. 16 x 11 x  $1\frac{1}{2}$ . Vault.

Professional Registrations

26. REGISTER OF PHYSICIANS AND SURGEONS, 1919--. 1 vol.

Shows date of filing, name of physician, residence, place of birth, practicing, authority for practicing: practicing by diploma or license, date issued, by whom granted, before whom verified by oath or affirmation. Arr. alph. by name of practitioner. No index. Hdw. on printed ruled form. 100 double pp. 17 x 14 x 2. Vault.

Military Records

27. SOLDIERS AND SAILORS DISCHARGE RECORD WORLD WAR, 1920--. 2 vols. (1, 2). Subtitle: White; Colored.

Record of enlistments and honorable discharges from United States military and naval service. Arr. chron. Indexed by name of soldier or sailor. Hdw. on printed form. 244 pp. 18 x 12 x 2. Vault.

Voters and Elections

28. REGISTRATION BOOK (Precinct), 1920--. 38 vols. and 7 duplicates.

Record of registered voters by precincts, showing number of registration certificate; name, age, place of residence of qualified elector; remarks. Part arr. alph. by name of voter, part arr. numer. by certificate no. (mixed). No index. Hdw. on printed ruled form. 30 to 60 pp.  $14\frac{1}{2}$  x  $9\frac{1}{2}$  x  $\frac{1}{2}$  to  $16\frac{3}{4}$  x  $13$  x  $\frac{1}{4}$ . Vault.

29. (REGISTRATION BOOK, COUNTY), 1928--. 1 vol.

Compilation from precinct books of registered voters in Allendale County, showing number of certificate; name, age, residence and polling precinct of

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each voter. Arr. alph. by name of voter. No index. Hdw. on ruled form. 280 pp. 17 x 14 x 1. Vault.

30. DEMOCRATIC CLUB ROLL, 1920--. 1 roll and 12 vols. Missing: 1922-26 and all except 1 roll for 1920.

Signatures of members of Democratic clubs enrolled for primary elections, showing date of enrollment, applicant's signature or mark (witnessed), age, occupation, address. Arr. alph. by name of voter. No index. Hdw. on printed ruled form. 26 pp. 18 x 14 x  $\frac{1}{2}$ . Vault.

#### Bonds

31. REFUNDING BOND, 1921--. 1 f. b.

Transcripts of proceedings in connection with county bonds of 1927 for refunding courthouse and jail bonds of 1921, and highway improvement bonds. Arr. chron. No index. Typed.  $10\frac{1}{2}$  x 5 x  $13\frac{1}{2}$ . Office.

#### Vital Statistics

32. VITAL STATISTICS - BIRTH, 1919--. 10 vols. (1-9, 11).

Duplicate birth certificates, showing race, date of birth, name of child, name of mother and father, with certificate of attending physician or midwife. Arr. alph. Hdw. on printed standard U. S. form. 200 to 800 pp.  $7\frac{1}{2}$  x 9 x  $1\frac{1}{2}$  to 4. Vault.

33. VITAL STATISTICS - DEATH, 1919--. 9 vols. (1-9).

Duplicate death certificates, showing place of death, full name, race and age of deceased, name of father and mother, birthplace of parents, date of death, cause of death, place of burial or removal, undertaker, date of burial, signatures of physician and local registrar. Arr. alph. Hdw. on printed standard U. S. form. 750 pp.  $7\frac{1}{2}$  x 9 x 4. Vault.

34. INDEX TO VITAL STATISTICS, 1919--. 1 vol.

Divided into two sections, one for births, one for deaths, each showing given name, name of father, maiden name of mother, race, date of birth or death, number of book, page, township. Arr. alph by family name. Typed on printed ruled form. Looseleaf, 800 pp. 17 x 15 x 4. Vault.

#### V. CIRCUIT COURT OF GENERAL SESSIONS

The state circuit courts are the criminal court of general sessions and the civil court of common pleas (Const. 1895, art V, 1). These are English in origin and sat in Charleston only until the circuit court act of 1769 divided the province into seven judicial districts (Grimke, Public Laws, p. 268). This law became effective in 1772, after the completion of courthouses and jails. Each district had regular sittings of the courts of general sessions and common pleas, but the court in Charleston alone kept the records and was

For abbreviations and explanatory notes see pages 10, 11



empowered to issue processes. Upon the outbreak of the Revolution, the judges of the law courts refused to exercise their functions (Stat. I, 130); and the constitution of 1776, therefore, provided for continuation of pending cases (art. XVIII) and for election of judicial officers by joint ballot of the general assembly and of the legislative council (art. XX). The constitution of 1778 merely altered the terminology for the elective bodies to senate and house of representatives (art. XXVII). In 1780, when Charleston surrendered to the British, courts were discontinued, until revived in 1783 with all former powers and jurisdiction (Stat. VII, 206-7).

In 1789, the circuit courts were given "complete, original and final jurisdiction", authorized to issue processes, and to keep records, but the clerks of court were enjoined to send abstracts of judgment to Charleston (Stat. VII, 253-57). This had scarcely been passed, when the adoption of the federal constitution necessitated the state constitution of 1790, which vested judicial power in such superior and inferior courts of law and equity as the legislature might establish, with judges commissioned during good behavior (art. III, 1). In consequence, the judicial system was reorganized in 1791 by a comprehensive law, under which two new circuit court districts were laid off; and in all nine districts the courts were on a parity, with complete, original and final jurisdiction as courts of record (Stat. VII, 260-65).

On January 1, 1800, the nine law court districts were replaced by twenty-five new districts (1798, Stat. VII, 283-89; 1799, pp. 290-300). The system then instituted continued without basic change until swept away in the 1860's by war and reconstruction.

When reorganized under the constitution which was drafted by the Republican Party in 1868, law and equity were combined into one circuit court system (art. IV, 1, 15, 17, 18). A generation later, after the Democratic Party had consolidated its power, a new constitution in 1895 continued the circuit courts on identical lines (art. V, 1, 15, 17, 18).

Each of the fourteen judicial circuits of the state has a resident judge and a resident solicitor. Allendale County is in the fourteenth judicial circuit (Code 50). The judge is a constitutional state officer, elected by the general assembly for a term of four years (Const. 1895, V, 13, 14), and may hold court in any county (Code 38, 39). He determines the issue and is responsible for the law in each case, explaining its application in his charge to the petit jury when it considers the facts brought out in the trial (Const. 1895, V, 26).

After the grand jury has returned a true bill, the accused is tried before a petit jury of twelve men; and the case is prosecuted in the name of the state by the circuit solicitor, who brings out, if possible, the facts in the case.

The court of general sessions handles criminal cases exclusively.

The principal records are the original papers of record in each case, namely, the indictment, the arrest warrant, the verdict and the sentence, which are assembled in a package, numbered, and filed as a "roll", according to immemo-

For abbreviations and explanatory notes see pages 10, 11

rial practice and terminology of the court. Coroners' inquisitions (Code 3564), magistrates' returns (Code 944), appeals (Code 1026), recognizances (Code 1075, 1090) and sheriffs' returns (Code 3585) are among the other papers filed. The principal volumes are the sessions index, the miscellaneous index, the dockets, the court journal, and record of fines and forfeitures, which have been standardized since 1839 (Stat. XI, 71-73). Record of pardons was added in 1896 (Stat. XXII, 122; Code 3586) and record of persons tried for crime in 1900 (Stat. XXIII, 442; Code 3586). Reports of county officers, which should be submitted to the court for the grand jury, are seldom found, and have probably been replaced by the audits which the legislative delegation authorizes from time to time. The record of forfeited weapons dates from 1913 (Stat. XXVIII, 198), but is seldom kept.

The records of this state court always remain in the courthouse of the county to which they pertain, in the custody of the clerk of court.

Sessions Cases

35. CRIMINAL CASES TRIED, 1919--. 10 f. b.

Original papers concerning cases tried in court of general sessions, including affidavits, indictments, arrest warrants, appearance bonds, recognizances, and sentences. Arr. chron. No index. Typed on printed form.  $10\frac{1}{2} \times 5 \times 13\frac{1}{2}$ . Office.

36. CRIMINAL CASES CONTINUED, 1932--. 1 f. b.

Temporary file of original papers in cases to be brought up again at ensuing term of court. Arr. chron. No index. Typed on printed form.  $10\frac{1}{2} \times 5 \times 13\frac{1}{2}$ . Office.

37. CRIMINAL CASES NOL PROSSED, 1919--. 6 f. b.

Warrants and indictments of cases not prosecuted by the state, having been thrown out by the grand jury, or removed from the contingent docket. Arr. chron. No index. Typed on printed form.  $10\frac{1}{2} \times 5 \times 13\frac{1}{2}$ . Office.

38. NO BILL, 1935--. 1 f. b.

Original indictments of criminal cases in which no bill was found. Arr. chron. No index. Typed on printed form.  $10\frac{1}{2} \times 5 \times 13\frac{1}{2}$ . Office.

39. COMMITMENT BOOK, 1935--. 1 vol.

Record of persons tried for crime, as reported by clerk of court to attorney general, showing date, name of party, age, color, race, committed to (penitentiary or chain gang), title of cause, sentence, name of judge. Arr. alph. by name of convict. No index. Hdw. on printed ruled form. 332 pp.  $16 \times 12 \times 1\frac{1}{2}$ . Vault.

40. INQUISITIONS, 1919--. 1 f. b.

Original papers of coroner's inquisitions, consisting chiefly of verdicts signed by the jurors, with some testimony, and recognizances for appearance in court of general sessions. Arr. chron. No index. Hdw. and hdw. on printed form.  $10\frac{1}{2} \times 5 \times 13\frac{1}{2}$ . Vault.

For transcripts, see entry 87.



Dockets

41. SESSIONS DOCKET, 1919--. 1 vol.

List of criminal cases to be tried at ensuing term of court, showing number of cause, number of term, names of parties, cause of action, name of prosecutor, defendant's attorney, order of last court, event of suit. Arr. by no. of cause under term of court. No index. Hdw. on printed ruled form. 200 double pp. 17 x 12 x 2 $\frac{1}{2}$ . Vault.

42. CONTINGENT DOCKET, 1925--. 1 vol.

Record of causes in which no arrests have been made, but which have not been nol prossed and which may be called on motion of solicitor, showing number of cause, number of term, names of parties, cause of action, name of prosecutor, defendant's attorney, order of last court, event of suit. Arr. chron. by no. of cause under term of court. No index. Hdw. on printed ruled form. 168 double pp. 16 x 11 x 1 $\frac{1}{2}$ . Vault.

Minutes

43. SESSIONS JOURNAL, 1919--. 2 vols. (1, 2).

Record of proceedings in court of general sessions, showing names of grand and petit jurors, true bills, verdicts, reports and presentments; reports of magistrates; sentences and orders of the court. Arr. chron. Indexed by name of defendant. Hdw. 615 pp. 16 x 11 x 2 $\frac{1}{2}$ . Vault.

Records of Clemency

44. PARDONS, 1932--. 1 f. b. Last paper 1934.

Original pardons and commutations of sentence by the governor for persons convicted in Allendale County, received by clerk from secretary of state. Arr. chron. No index. Typed on printed form. 10 $\frac{1}{2}$  x 5 x 13 $\frac{1}{2}$ . Office.

45. RECORD OF PARDON, 1919--. 1 vol. Last entry 1934.

Record of clemency by the governor, showing name of convict, sentence, date of conviction, date of pardon, offense for which convicted, remarks. Arr. chron. Indexed by name of convict. Hdw. on printed ruled form. 206 double pp. (1 used) 18 x 12 x 2. Vault.

Reports

46. SHERIFF MONTHLY REPORT LIQUORS SEIZED, 1923-25. 1 vol.

Monthly report of seized and confiscated alcoholic liquors, showing date of seizure, amount seized, name and address of person or persons from whom seized. Arr. chron. No index. Hdw. on printed ruled form. 200 pp. 16 $\frac{1}{2}$  x 10 $\frac{1}{2}$  x 1 $\frac{1}{2}$ . Vault.

Jurors and Court Costs

47. JURORS PAY BILLS, 1919--. 5 vols.

Stubs of pay bills for jurors, showing date, name of juror, time served, mileage and total. Arr. chron. No index. Hdw. on printed form. 250 pp. 17 1/4 x 14 x 1 1/2. Vault.

48. (WITNESS PAY BILLS), 1919--. 2 vols.

Stubs of pay bills issued by clerk to state witnesses in criminal cases, showing date, name of witness, name of case, time in attendance, mileage, and total. Arr. chron. No index. Hdw. on printed form. 250 pp. 17 1/4 x 14 x 1 1/2. Vault.

VI. CIRCUIT SOLICITOR

The counties of Allendale, Beaufort, Colleton, Hampton and Jasper constitute the fourteenth judicial circuit (Code 50), whose voters at each general election elect a circuit solicitor, "an officer of the executive department" (Code, I, 1083, citing State v. Singleton, 84 S. E. 989) of the state government.

During the early years of South Carolina, the prosecution of indictments at each session of court was conducted by an "attorney generall" appointed by the court (1692, JGC, pp. 44, 59; Stat. I, 440). He was authorized in 1769 to appoint deputies, when the circuit court act of that year extended his duties to six courthouses outside of Charleston (Grimke, Public Laws, pp. 268-73). Revision of the court system in 1791, provided for three circuit solicitors "to do the duty of the State's Attorney" on three circuits of the state, to give their counsel and advice to the governor and other state officers in matters of public concern, to assist the attorney general in all suits or prosecutions in behalf of the state, and to attend the sessions of the legislature to draft and engross the bills and acts (Stat. VII, 274). At the same time the attorney general was given the right to require their assistance in behalf of the state in any case where he thought proper. In 1808 the attorney general and the solicitors were required to defend the rights of the state in all cases wherein its rights might be involved (Stat. V, 571). An act of 1812, which remained in force until after the Civil War, provided for the election of solicitors by joint ballot of the senate and house, and fixed a surety bond (ibid., 675). In 1837 the attorney general and the solicitors were given the duty of examining into and reporting upon the condition of district offices (Stat. VI, 577). When the constitution of 1868 went into effect, the solicitor became a constitutional state official, elected by the voters of his circuit for a term of four years (art. IV, 29). At the discretion of the attorney general, he might be present at any trial and take over the management of the prosecution (1868, Stat. XIV, 87; Code 3116).

Under the present constitution of 1895, the status of the solicitor is unchanged, but in the event of his failure to attend court, the ancient right of the court to appoint pro tem a member of the bar in his place has been confirmed (art. V, 29). Should the solicitor cease to reside in his circuit, the office becomes vacant (1876, Stat. XVI, 152; Code 3125). Whenever duty does



not require him to prosecute, the solicitor enjoys full liberty to defend any prisoner (1791, Stat. VII, 275; Code 3126).

The legal business of the state has greatly increased in volume and complexity, and is now handled by the attorney general, two assistant attorney generals, and fourteen solicitors, whose duties in civil and criminal matters are practically unchanged from those of 1791 when originally instituted. The obligation of 1837 to inquire into and report upon the condition of offices has practically become obsolete, although still in force (Code 3131).

## VII. GRAND JURY

Although grand jurors are not county officers (Code 973, note), the grand jury is drawn in each county every year as an essential part of the state court of general sessions.

The grand jury is an ancient English institution which came to South Carolina with the common law. In Allendale County it dates from the formation of the county in 1919.

The constitution of 1895 provides that no person may be tried for crime beyond the jurisdiction of a magistrate except upon presentment or indictment of the grand jury of the county where the crime was committed (art. I, 17). The present jury law is based upon an act of 1902 (Stat. XXIII, 1066). By the constitution of 1895 the jury list may include only qualified electors between the ages of twenty-one and sixty-five (art. V, 22), of good moral character, sound judgment, free from all legal exceptions, and in the ratio of one to three of the total number in the county (Code 608). All names on the list are written on uniform slips of papers, which are folded and placed in the jury box. Drawings are public, in the office of the clerk of court, after ten days' notice of the place, date, and hour (Code 611); and the clerk of court then issues writs of venire facias, to the sheriff to summon the persons whose names have been drawn. Grand jurors are drawn, summoned, and returned in the same manner as trial jurors, and if they are drawn at the same time, the first twelve are returned as grand jurors (Stat. XIV, 694; Code 976). To these are added six drawn from the grand jury of the preceding year (Code 973).

Except as an adjunct to the court of general sessions, the grand jury has lost much of its ancient importance. Reports of county officers have almost ceased to be made to it, but the foreman is still required to witness the annual settlement of financial officers (Code 2839).

The grand jury is not required to keep records. Presentments of the grand jury are made in an advisory capacity, and may or may not result in improved conditions; they are entered upon the Sessions Journal, entry 43. Indictments of the grand jury are made in a mandatory capacity, and bring the accused to trial; they are filed in Criminal Cases Tried, entry 35. No Bills are filed separately, entry 38. Pay bills for grand jurors are issued by the clerk of

court, entry 47. Reports of the grand jury upon county offices are transcribed upon Miscellaneous Record, entry 17.

#### VIII. BOARD OF JURY COMMISSIONERS

In South Carolina the board of jury commissioners dates from 1871 (Stat. XIV, 690) and in Allendale County from the formation of the county in 1919. The present board is organized under an act of 1902, to consist ex officio of the county auditor, the county treasurer, and the clerk of the court of common pleas (Stat. XXIII, 1066; Code 607), with the provision that vacancies at the time for preparing the jury list or for drawing the juries, should be filled by the county superintendent of education, the sheriff, or an appointee of the presiding judge, in the order named (Code 622). The board serves without compensation (Code 624), and is not a records office.

#### IX. CIRCUIT COURT OF COMMON PLEAS

As a circuit court of South Carolina, this court, like its counterpart the court of general sessions, dates from 1769. When its sessions began in Allendale in 1919, the county was a unit of the second circuit (Stat. XXXI, 9), but is now in the fourteenth circuit (Code 50).

The court of common pleas, for civil cases only, must sit in each county at least twice a year (Const. 1895, art. V, 15, 16). It convenes immediately after the court of general sessions and is presided over by the same judge. The judge determines the issue to be tried, and declares the law which is applicable. The petit jury examines the evidence as to facts brought out at the trial, and after deliberation gives its verdict. The judge then signs his judgment or decree, and the sheriff enforces the terms.

The principal records (Code 3586) are the judgment rolls or original papers of record in each suit, the direct and cross indices to judgments, abstract of judgments, pleadings and judgments, confessions of judgment (1821, Stat. VI, 161), the rules book, the calendars, and the court journal, which have been standardized since 1839 (Stat. XI, 71-73). The record of estrays has been inherited from the colonial justices (1743, Stat. III, 603; 1803, V, 465), and although still required (Code 3586), has become obsolescent. Since 1790, the state circuit courts have been capable of jurisdiction in proceedings for naturalization (Annals of Congress, II, 2205-6; U. S. Code 1934, title 8, sec. 357). Book of orders appointing receivers of judgment debtors dates from 1870 (Stat. XIV, 494; Code 3586). Index to undertakings is kept under the second rule of the circuit court (Code I, 1241). Filing of undertakings (Stat. XIV, 521) and of lis pendens (Stat. XIV, 455), have been required since 1870. Accounts of derelict estates have been kept by the clerks of court since 1873 (Stat. XV, 413; Code 8980); reports of the judge of probate as public guardian have been filed since 1880 (Stat. XVII, 464; Code 8627, 8630). Masters' reports are kept under the sixteenth rule of the circuit court (Code I, 1246).



The records of this state court always remain in the courthouse of the county to which they pertain, in the custody of the clerk of court.

#### Judgments

49. (JUDGMENT ROLLS), 1919--. 55 f. b. (1-52, 3 nos. repeated; rolls numbered 1 forward in each box).  
Original papers of record for cases wherein judgment has been signed, including complaints, answers, reports of referee or master, and orders in dower and partition. Arr. numer. by box and roll nos. Indexed in Judgment Book, entry 50. Typed, and hdw. and typed on printed form.  $10\frac{1}{2}$  x  $4\frac{1}{2}$  x 12. Vault.

50. JUDGMENT ROLL, 1919--. 1 vol.  
Abstract of judgments, which serves also as an index to judgment rolls, entry 49, showing bundle (box) number, roll number, names of defendant, and plaintiff, cause of action, plaintiff's attorney, date of judgment, date of entry, amount of judgment, date of interest, how obtained, date of issue, sheriff's return, when renewed, satisfaction. Arr. alph. by name of defendant. Hdw. on printed ruled form. 251 double pp. 17 x 14 x 2. Vault.

51. PLEADINGS AND JUDGMENTS, 1919--. 1 vol.  
Transcripts of satisfactions and assignments of judgments, master's and referee's reports, orders renewing judgment, complaints, release and transfer of judgment, confessions of judgment, and receipts. Arr. chron. Indexed by name of defendant. Hdw. 615 pp. (162 used) 18 x 12 x 3. Vault.

52. PLEADINGS, 1930--. 1 vol.  
Transcripts of complaints and answers in foreclosure proceedings, petition, summons for relief, notice, affidavit of default, report of referee, testimony and notice of pendency of action. Arr. chron. Indexed by name of defendant. Typed. 600 pp. 18 x 12 x 3. Vault.

For file book of pendency of action, see entry 58.

#### Calendars

53. COMMON PLEAS CALENDAR 1, 1919--. 1 vol.  
List of cases involving issues of fact to be passed on by a jury, showing number of cause, number of term, plaintiff, defendant, cause of action, date of note of issue, plaintiff's and defendant's attorneys, disposition at last court, event of suit. Arr. by no. of cause under term of court. No index. Hdw. on printed ruled form. 200 double pp. 17 x 12 x  $2\frac{1}{2}$ . Vault.

54. COMMON PLEAS CALENDAR 2, 1919--. 1 vol.  
List of cases involving issues of law to be passed upon by the court, showing number of cause, number of term, plaintiff, defendant, cause of action, date of note of issue, plaintiff's and defendant's attorneys, disposition of last court, event of suit. Arr. by no. of cause under term of court. No index. Hdw. on printed ruled form. 200 double pp. 17 x 12 x  $2\frac{1}{2}$ . Vault.

For abbreviations and explanatory notes see pages 10, 11

Circuit Court of Common Pleas - Registers of  
Initiatory Proceedings; Legal Notices;  
Minutes; Estate Records

(55-60)

55. COMMON PLEAS CALENDAR 3, 1919--. 1 vol.

Docket of cases not defended, in which judgment goes by default, showing number of cause, number of term, plaintiff, defendant, cause of action, date of note of issue, plaintiff's attorney, defendant's attorney, disposition of last court, event of suit. Arr. by no. of cause under term of court. No index. Hdw. on printed ruled form. 200 double pp. 17 x 12 x 2 $\frac{1}{2}$ . Vault.

Registers of Initiatory Proceedings

56. (PAPERS FILED), 1919--. 41 f. b. (A-RR, 1 forward in each box).

Original summonses and complaints, answers, orders, sheriff's returns, affidavits, reports of master, decree, testimony; papers for civil cases, some of which are pending and others settled out of court. Arr. numer. by box and pkg. nos. No index. 10 $\frac{1}{2}$  x 5 x 13 $\frac{1}{2}$ . Office.

57. FILE BOOK (Rules Book), 1919--. 2 vols.

Records of legal papers filed in civil actions, showing nos. of file, and package, plaintiff vs defendant, plaintiff's and defendant's attorneys, date, kind of paper filed and fee. Arr. chron. Indexed by name of defendant. Hdw. on printed ruled form. 403 pp. 19 x 13 x 2 $\frac{1}{2}$ . Vault.

Legal Notices

58. NOTICE OF PENDENCY OF ACTION, 1919--. 1 vol.

Record constituting legal notice of pending action affecting title to real estate, showing number of roll, names of defendants and plaintiffs, date of filing. Arr. alph. by name of defendant. No index. Hdw. on printed ruled form. 300 pp. 17 x 12 x 1 $\frac{1}{2}$ . Vault.

For notice of pendency of action, see also entry 52.

Minutes

59. COMMON PLEAS JOURNAL, 1919--. 6 vols. (1-6). Title varies:  
Common Pleas Calendar.

Record of transactions of court of common pleas, including transcript of judge's commission, orders, decrees, rules to show cause, proceedings in bankruptcy, discharge, and judgments by default. Arr. chron. Indexed by name of defendant. Hdw. 645 pp. 16 x 11 x 2 $\frac{1}{2}$ . Vault.

Estate Records

60. HOMESTEAD PROCEEDINGS, 1924--. 1 vol. Last entry 1931.

Record of proceeding for exemption from attachment (within statutory limits) of real and personal property of insolvent debtors. Arr. chron. Indexed by name of defendant. Hdw. 300 pp. (19 used) 19 x 12 x 2 $\frac{1}{2}$ . Vault.

For abbreviations and explanatory notes see pages 10, 11



## X. MASTER

The master is a statutory official of the court of common pleas, who assists the judge by hearing and reporting on matters referred to him.

The office in South Carolina was originally attached to the court of equity, probably even before 1721, when the master is mentioned in the act reorganizing that court after the overthrow of the proprietary government (Stat. VII, 163).

In 1868, the trial of civil cases by referee was provided for in all counties (Stat. XIV, 135). In 1878, after the old regime had resumed its control of local government, laws were passed to restore the office of master in ten counties (Stat. XVI, 608-10, 766).

In 1923 the office of master was established in Allendale County with the proviso that it be "attached to the office" of the judge of probate. The master's hearings are under court order and concern cases praying equitable relief, all equity cases arising in the county being "within the jurisdiction of the Probate Judge as Referee". (Stat. XXXIII, 202; Code 3681.) He grants orders for the partition of estates and the admeasurement of dower when such are not contested. All of his orders are subject to revision by the presiding judge at the succeeding term of court or by the resident judge at chambers (Code 3696, 3698). The judge of probate as master attends the sittings of the court of common pleas in all cases in which he has acted officially and makes such sales as the court orders in granting equitable relief (Code 3692). He makes an annual report to the court on the estates in his hands, with full account of the moneys he has received and paid out, showing vouchers for them (Code 3701). He is required to keep a record of his proceedings in all references held by him and also a ledger for the accounts of the funds in his hands (Code 3702). By special provision the judge of probate as master in Allendale is permitted to practice law (1932, Stat. XXXVII, 1240) when it does not conflict with his official duties.

For referee's reports, see entries 51 and 52; for master's reports, see entries 51 and 56.

61. MASTER'S SALES AND ACCOUNT BOOK, n. d. 1 vol. Current records kept on scratch pads in vault and not accessible. Accounts for sales of property, showing headings for title of case, attorneys, term and date of decree, interest of parties, amount of sale, costs, fees, etc., master in account with this cause. Arr. chron. No index. Hdw. on printed ruled form. 600 pp. (5 used) 18 x 12 x 3. Judge of probate, vault.

For published notices of master's sales, see entry 79.

62. MASTER'S RECEIPT BOOK, 1925---. 1 vol. Last entry 1926. Receipts from master for money paid out. Arr. chron. No index. Hdw. on printed form. 288 pp. (12 used) 16 x 9 x 1 $\frac{1}{4}$ . Judge of probate, vault.

For abbreviations and explanatory notes see pages 10, 11

## XI. JUDGE OF PROBATE

This office began in South Carolina in 1671, when wills were proved by oath before the governor as ordinary, presiding over the grand council as a court of orphans (JGC, pp. 42, 49). The governor remained the sole ordinary until the outbreak of the Revolution, when the general assembly elected an ordinary for the office in Charleston (JGA, March-April 1776, Columbia, 1906, p. 7). The constitution of 1778 directed that each of the seven circuit court districts should have an ordinary (art. XXIV), but these offices did not open until 1782. Five years later they were abolished and the duties were devolved upon the county courts (1787, Stat. VII, 246), until they in turn were abolished at the close of 1799 (*ibid.*, p. 291). On January 1, 1800, ordinaries elected by the general assembly for indefinite terms, took office in each of the twenty-five circuit court district (Stat. VII, 294). In 1812 the term was fixed at four years (Stat. V, 674). In 1815 the office became elective by the people of each circuit court district (Stat. VI, 11-13). Under the constitution of 1868 the court of ordinary was replaced by a constitutional probate court (art. IV, 20), which combined the functions of the defunct court of ordinary in matters testamentary and of dower with those of the defunct court of equity in regard to guardians and trustees. In 1868, by legislative enactment, the probate court became a civil court of record (Stat. XIV, 76). The constitution of 1895 made the probate court dependent upon the general assembly in all counties except Charleston, where alone it remains a constitutional court (art. V, 19).

The judge of probate is a statutory official elected for a term of four years (Code 3640). His title is derived from his duty to prove or test the genuineness of the wills brought to his office, and he officially approves them before they may be recorded. His duties are concerned with transmission of property and with domestic relations. The court over which he presides is a civil court of record with original jurisdiction in matters testamentary and of administration, in business pertaining to minors and allotment of dower, in cases of idiocy and lunacy, and persons not able to take care of their own affairs. All proceedings are instituted by petition; and the rules of practice are made by the state supreme court in all cases not provided by law. Upon petition, and after publication of citation, a surety bond is signed by a representative of the estate, and the judge issues letters authorizing the fiduciary to perform his duties. When no other guardian can be found, the judge of probate must act as public guardian (1880, Stat. XVII, 463; Code 8627, 8630). When an estate is "derelict" because no executor or administrator qualifies, he must appoint the clerk of court to act as fiduciary (1873, Stat. XV, 413; Code 8980). He must file all original papers and keep an alphabetical index in a book so that they may be located (1839, Stat. XI, 48). He must make transcripts of all papers pertaining to estates, and index each book (Code 3648). He must send to the state tax commission a copy of the fiduciary's statement of the names of the heirs and the value of each estate (1922, Stat. XXXII, 807; Code 2489), and he files a copy with other estate papers, after recording it upon a register. Since 1882, he has been required to keep an Index to Lands Devised, with a full description of the property, in order that tracing of land titles may be simplified (Stat. XVIII, 131; Code 3648). In 1824 he was

For abbreviations and explanatory notes see pages 10, 11



authorized to order sale or division of real estate not to exceed \$1000 (Stat. VI, 248-51). In 1882 partition of real estate was placed under the jurisdiction of the court of common pleas (Stat. XVII, 982), but the judge of probate may order sale as an asset in debt (Code 211) or to pay inheritance taxes (Code 2487) and he is still required to keep a record of division and sale of real estate (Code 3648). At all times his cash book, showing his accounts with individual estates, is open to inspection as a public record (1839, Stat. XI, 48).

In addition to records for the transmission of property, he is required to keep a file book for papers filed in any suit in his court (Probate Court Rules, I), a calendar or docket of cases (*ibid.*), a journal for every judgment, sentence, act, or order in his official capacity (1839, Stat. XI, 48); and an index to every decree for the payment of money, which he must enroll with the court of common pleas to give it the force of a judgment against the estate concerned (1840, Stat. XI, 118; 1878, Stat. XVI, 711; Code 3648).

Under certain conditions, he may commit insane persons to the State Hospital (1870, Stat. XIV, 436); and incorrigible children to reformatories (1912, Stat. XXVII, 764; Code 247). Since 1911 he has been required to issue marriage licenses and to keep a marriage register (Stat. XXVII, 131-33; Code 8557-61). In 1919, he was made clerk to the county pension board, disbursing state pensions to Confederate veterans, and their widows (Acts 1919, p. 277; Code 4981). In 1937 this became a duty of the state comptroller general (Acts p. 639), but in 1938, the duty was returned to the judge of probate. Under an act of 1917 (Acts pp. 70-71), he issued liquor permits from the time of the national repeal of the 18th amendment in 1933, until a state law of 1935 repealed state prohibition (Acts 1935, p. 325).

### Transmission of Property

#### Papers of Record and Indexes

63. (ESTATES), 1919--. 18 f. b. (1-36).  
Original papers relating to estates admitted to probate, including wills, bonds, petitions, orders, letters, warrants of appraisement, inventories, sales, dower proceedings, and special proceedings in committeehip, lunacy and custody of children. Arr. chron. Hdw., typed, and hdw. and typed on printed form. 10½ x 5 x 14. Vault.

For other lunacy papers, see entry 74.

64. GENERAL INDEX, 1919--. 1 vol.  
An index to original papers in files, showing name of estate, class, names of guardian, trustees, administrators or executors; date of filing, number of package and number of bundle. Arr. alph. by name of estate. Hdw. on printed ruled form. 450 pp. 14 x 17 x 3½. Vault.

#### Transcripts

65. RECORD OF WILLS, 1919--. 1 vol.  
Transcripts of wills admitted to probate, with certificate of probation by the

For abbreviations and explanatory notes see pages 10, 11

judge. Arr. chron. Indexed by name of estate. Hdw. 604 pp. (187 used) 18 x 12 x 3. Vault.

66. ADMINISTRATION BOND BOOK, 1919--. 1 vol. Last entry 1931. Transcripts of surety bonds filed by administrators to ensure performance of fiduciary duties. Arr. chron. Indexed by name of administrator. Hdw. on printed form. 317 pp. (26 used) 18 x 12 x 3. Vault.

67. GUARDIAN BOND AND ADMINISTRATION BOND WITH WILL ANNEXED, 1919--. 1 vol. Last entry 1931. Transcripts of surety bonds filed by guardians, and of administration bonds with will annexed filed by administrators appointed when executors fail to qualify. Arr. chron. No index. Hdw. on printed form. 317 pp (69 used) 18 x 12 x 3. Vault.

68. LETTERS TESTAMENTARY AND PROBATE OF WILLS, 1922--. 1 vol. Last entry 1931. Transcripts of letters authorizing executors to perform duties; and probate of wills, with statements and costs. Arr. chron. No index. Hdw. on printed form. 800 pp. (42 used) 18 x 12 x 4. Vault.

69. LETTERS OF ADMINISTRATION AND PETITIONS TO PROVE WILLS, 1925--. 1 vol. Last entry 1931. Transcripts of letters of administration, petitions to prove wills, orders for citation to issue, description of real estate and approximate value, and qualifications of administrators. Arr. chron. No index. Hdw. on printed form. 400 pp. 18 x 12 x 3. Vault.

70. LETTERS OF ADMINISTRATION AND LETTERS OF ADMINISTRATION WILL ANNEXED, 1919--. 1 vol. Last entry 1920. Transcripts of letters authorizing administrators to perform fiduciary duties. Arr. chron. No index. Hdw. on printed form. 800 pp. (59 used) 18 x 12 x 4. Vault.

71. WARRANT OF APPRAISEMENT, 1925--. 1 vol. Last entry 1925. Transcripts of warrants of appraisement, oaths of appraisers, inventories and appraisements of personal property of deceased. Arr. chron. No index. Hdw. on printed form. 151 double pp. (3 used) 18 x 12 x 1 $\frac{1}{2}$ . Vault.

#### Court Procedure

72. JOURNAL SPECIAL PROCEEDINGS AND ORDERS, February-May 1931. 1 vol. Record of petitions, orders, and affidavits in special proceedings of probate court. Arr. chron. Indexed by name of estate. Hdw. 600 pp. (9 used) 18 x 12 x 3. Vault.

73. JOURNAL, 1937--. 1 vol. Transcript of order protesting will. Arr. chron. Indexed by name of estate. Hdw. 650 pp. (2 used) 18 x 12 x 3. Vault.

For abbreviations and explanatory notes see pages 10, 11



Judge of Probate - Commitments; Marriage;  
Pensions; Liquor Permits

Commitments

74. LUNACY, 1919--. 1 f. b.  
Original commitments to South Carolina State Hospital, also discharges from hospital when patients are sent home. Arr. chron. Indexed in General Index, entry 64. Hdw. on printed form.  $10\frac{1}{2}$  x 5 x 14. Vault.  
For other lunacy papers, see entry 63.

Marriage

75. MARRIAGE LICENSES, 1919--. 5 f. b.  
Original marriage licenses, showing affidavits of eligibility by contracting parties, and certificate of officiating officer that marriage was performed. Arr. by license no. Indexed in Marriage Register, entry 76. Hdw. on printed form.  $10\frac{1}{2}$  x 5 x 14. Vault.

76. MARRIAGE REGISTER, 1919--. 2 vols.  
Record in abstract of marriages, serving also as index to original licenses returned, entry 75, showing file number, name, residence, age, and race of man; name, residence, age, and race of woman; date of issue, name and title of minister or officer officiating at marriage, date of marriage, date of return of certificate and remarks. Arr. numer. by license no., 1919-37; arr. alph. by name of man, 1931--. Hdw. on printed ruled form. 303 double pp. 18 x 12 x 3. Vault.

Pensions

77. LIST OF CONFEDERATE PENSIONS FOR ALLENDALE COUNTY, 1920. 3 sheets.  
List of then living Confederate veterans and widows, showing names, residences and amounts of pensions. First sheet shows board of honor, composed of three veterans, that submitted list to comptroller general. Arr. alph. by name of pensioner. Typed. 14 x 10. Vault.

Liquor Permits

78. RECORD OF LIQUOR PERMITS ISSUED, April-June 1919. 1 vol.  
1614 permits.  
Record of permits for bringing in by common carrier from other states one quart of intoxicating liquor per month, (issued after national prohibition and for which no legal authorization can be found), showing date, certificate number, name of applicant or consignee, office, carrier, amount and kind of liquor, remarks. Arr. alph. by name of applicant. Hdw. on printed ruled form. 200 pp. 18 x 12 x 2. Vault.

79. THE ALLENDALE COUNTY CITIZEN, 1931--. Approx. 350 unbound newspapers.  
File of a weekly newspaper, founded 1919, published at Allendale. This voluntary record is kept because it contains the notices of master's sales, and notices published by the judge of probate. Arr. chron. No index. Printed. 22 x 16. Vault.

For record of master's sales, see entry 61.

For abbreviations and explanatory notes see pages 10, 11

## XII. MAGISTRATES

The magistrate is an ancient English institution for local administration, which came to South Carolina with the first settlers. Magistrates as justices of the peace were the first local representatives of law in what is now Allendale County and they probably arrived with the pioneers.

Under the constitution of 1776 (art XIX), justices of the peace were nominated by the general assembly and commissioned by the state president during his pleasure. Under the constitution of 1778, they were nominated by the senate and house jointly and commissioned by the governor (art. XXVI). In 1785 they began to preside over the county court. The constitution of 1790 continued them without change (art. VI, 2), but in 1791 they lost their seats in the county court (Stat. VII, 266-68). The constitution of 1868 required that they be elected by the qualified electors of each county and be commissioned by the governor (art. IV, 21). Under the constitution of 1895, they are appointed and commissioned by the governor with the advice and consent of the senate for a term of two years (art. V, 20), and they are usually nominated in the primary (Code 2365).

In Allendale there are six magistrates, one for each of the following districts: Allendale, Fairfax, Baldock, Ulmers, Milletts and Wilson (Code 3750).

Each magistrate is required to be a resident of the district for which he is appointed. Each has exclusive jurisdiction within his district in all criminal cases triable by him and limited to punishments not exceeding \$100 fine or thirty days imprisonment. Each has jurisdiction throughout the county in minor civil matters and when acting as an examining court for cases cognizable by the court of general sessions (Code 3709). Proceedings in criminal cases are instituted by information under oath (Code 930). Trial may be by a jury of six (Code 3710-11), and cases may be appealed to the circuit court (Code 286, 1024). In certain cases he may act as coroner (Code 3562). He is authorized to administer oaths, to take depositions, renunciation of dower, and testimony, to compel the attendance of witnesses, and to punish for contempt (Code 3713, 3715-17).

Magistrates are required by law to keep two books, one for civil and the other for criminal cases, in which he records the disposition of each case, warrants issued, and fees and fines collected. These are subject to inspection by the circuit solicitor (ibid. 3717). Magistrates receive a salary in lieu of fees for criminal cases (Code 3718), and all fines must be turned over to the county treasurer (Code 3723).

Each magistrate appoints a constable, who serves his warrants (Code 3734). The constables have authority throughout the county (Code 3737).

For abbreviations and explanatory notes see pages 10, 11



80. MAGISTRATE'S CRIMINAL DOCKET, 1933--. 1 vol.

Record of criminal cases tried in magistrate's court of Allendale, showing date, title of case, offense, witnesses, jurors, officer, magistrate's costs, fines, constable's costs, verdict of jury, and disposition of case; also receipts from county treasurer for fines turned in to him. Arr. chron. No index. Hdw. on printed ruled form. 250 pp. 18 x 12 x 3. Allendale Hardware Company.

81. MAGISTRATE'S CIVIL DOCKET, 1933--. 1 vol.

Record of civil cases tried in magistrate's court of Allendale, showing date, title of case, witnesses, jurors, magistrate's costs, verdict of jury, and disposition of case. Arr. chron. No index. Hdw. on printed ruled form. 250 pp. 18 x 12 x 3. Allendale Hardware Company.

XIII. SHERIFF

In early South Carolina the sheriff's title was applied to the chief justice (Stat. I, 50; PR II, 37), and the sheriff's duties were performed by a marshall (1671, JGC, p. 11). The circuit court act of 1769 abolished the office of provost marshall of the province, and established a sheriff elected by the general assembly for each of the circuit court districts (Grimke, Public Laws, 270). Under the state constitutions of 1776 (art. XXI), 1778 (art. XXVIII), the 1790 (art. VI, 2), the sheriff was a constitutional officer elected by the state legislature for terms varying from two to four years. In 1808 the office was made elective by voters in each district for a term of four years (Stat. V, 569). The constitution of 1868 continued this (art. IV, 30).

By the constitution of 1895 (art. V, 30), the sheriff is elected for a term of four years. He is allowed to appoint as many deputies as he may require (1870, Stat. XIV, 332; Code 3486, 3489), subject to the approval of the legislative delegation. The sheriff is required to attend every session of the circuit courts (Code 3519), and he has charge of the jail and all prisoners (ibid. 1938). He or his deputy serves and executes all processes, writs, precepts, and orders issued by the courts, and directed to him (ibid. 3520). It is his duty to see that the peace of the county is preserved, and if necessary in so doing, he may call to his aid any person (ibid. 1952). He collected delinquent taxes under execution until 1936, when the office of tax collector was created to take over that duty (ibid. 2853-56; Stat. XXXIX, 1450-53). He makes judicial sales (Code 3542), and once a month he has a "sales day" at the courthouse (ibid. 9073). Every sixty days he has a settlement with the county treasurer (ibid. 2856, 3547), and once a month he makes written statements to the auditor and to the treasurer of fines and moneys collected (ibid. 3544).

By law he is required to keep the writ book, execution book, the sale book (1839, Stat. XI, 37; 26-27; Code 3511), and until 1936, tax execution book (duty since 1839, Stat. XI, 37; 1900, XXIII, 305; Code 2861, 3546), which has now been transferred to the tax collector (Stat. XXXIX, 1450).

For abbreviations and explanatory notes see pages 10, 11

## 82. WRIT BOOK, 1919--. 2 vols. (1, 2).

Record of mesne processes received by sheriff, showing names of parties, officer issuing process, kind of process, kind of action, when lodged; by whom, how, and when served; miles traveled and sheriff's costs. Arr. chron. Indexed by name of plaintiff. Hdw. on printed ruled form. 242 double pp. 17 x 12 x 2. Office.

## 83. EXECUTIONS, 1919--. 1 vol.

Record of final processes received by sheriff, showing kind of process, when lodged, original entry, names of parties, debt, interest and costs, attorneys, amount received, date of levy, receipts. Arr. chron. Indexed by name of defendant. Hdw. on printed ruled form. 303 double pp. 18 x 12 x 2 $\frac{1}{2}$ . Office.

## 84. SALES BOOK, 1919--. 1 vol.

Record of sheriff's sales, showing name of party, description of property sold, when sold, to whom sold, amount of sale, names of sureties, etc., bond due, how applied. Arr. chron. Indexed by name of defendant. Hdw. on printed ruled form. 241 double pp. 17 x 12 x 2. Office.

## 85. SHERIFF'S TAX EXECUTION BOOK, 1920-36. 18 vols. Transferred to tax collector 1936.

Record of sheriff's collections of delinquent taxes, showing name of taxpayer, date of payment, itemized real and personal property, total value, penalties, polls, penalty on polls, capitation road tax, total taxes and penalties, executions collected and paid to county treasurer, executions nulla bona, treasurer's costs, sheriff's costs, remarks. Arr. alph. by name of taxpayer under school district. No index. Hdw. on printed ruled form. 150 double pp. 18 x 12 x 2. Office.

For treasurer's parallel record, see entry 99; for tax collector's record, see entry 106.

## 86. JAIL BOOK, 1919-29. 1 vol. Discontinued.

Shows name of prisoner, offense, by whom committed to jail, sentence, date released. Arr. chron. No index. Hdw. on printed ruled form. 150 pp. 14 x 12 x 2. Jail.

## XIV. CORONER

The office of coroner came from England to South Carolina with English law. In 1692 it was held in combination with that of the clerk of the crown and peace (JGC, p. 11). Formerly the office was of great importance in civil as well as criminal procedure and overlapped with the sheriff's, whose duties he was required to perform in all cases wherein the sheriff was personally interested (Stat. XI, 54). None of the state constitutions has made any basic change in the office, and it is circumstances rather than constitutions or statutes that have reduced him to a part time official.

The coroner is a constitutional officer elected for a term of four years (Const. 1895, art. V, 30). He is charged to inquire into the cause of violent

For abbreviations and explanatory notes see pages 10, 11



or mysterious deaths (Code 3561); he is not permitted to act under any order or appointment of the sheriff (Code 3559); he must act as sheriff when that official is interested in a case (Code 3566) or when there is a vacancy in the office (Code 3567); and he is the only county official who legally may arrest the sheriff.

The coroner is required to keep a book in which inquisitions are recorded, and to file original inquisitions with the clerk of court (Code 3563-65).

87. CORONER'S RECORD BOOK, 1921--. 1 vol. Last entry 1935. Abstract of findings at inquiry into mysterious or violent deaths, with testimony of witnesses and affidavits of physician and sheriff. Arr. chron. Indexed by name of deceased. Hdw. on stamped form. 404 pp. (79 used) 16 x 12 x 2. Vault, clerk of court.

For original papers of inquisitions, see entry 40.

#### XV. AUDITOR

The office of county auditor, for the assessment of taxes, dates from 1868, when it was created as part of the state financial system set up after the Civil War (Stat. XIV, 28-67).

The auditor is a combination state and county official, two-thirds of his salary being paid by the state and one-third by the county (Code 2700). He is nominated in the Democratic primary (Code 2365) and appointed by the governor with the consent of the senate for a term of four years (Code 2698). Since 1871 the auditor has received the returns of taxpayers (1882, Stat. XIV, 623; Code 2703). From these, after careful corrections by the boards of assessors and of equalization, and by the auditor from his records of sales of real estate (1874, Stat. XV, 761), he makes up the new tax schedules in duplicate, for himself and the treasurer (Code 2713). He sends an abstract of taxable property in each district (Code 2712) to the comptroller general, who prescribes the system of bookkeeping (Code 2731) and has the printed form made up into books for the auditor's and treasurer's duplicates. These are forwarded to the county offices and must be examined at least once each year by the comptroller general (Code 2732). Upon his duplicate, the auditor enters each taxpayer's name and schedule of property, assigning every taxpayer a number which appears upon the treasurer's record also, and again upon the tax receipt or the tax execution, as the case may be. At the time of the annual balancing of accounts, known as the "settlement", the auditor receives from the treasurer all cancelled warrants, coupons, and other vouchers of disbursements, which he files by year as settlement papers. The settlement sheets are signed in duplicate by the county treasurer with each official whose accounts are balanced; one copy goes to the comptroller general and the other is filed by the auditor (1893, Stat. XXI, 401; Code 2841). The auditor also keeps a permanent record of all abatements of taxes (1900, Stat. XXIII, 307; Code 2734). In 1903, the auditor was required to file quarterly reports of sales by dealers in explosives (Stat. XXIV, 125; Code 1304).

For abbreviations and explanatory notes see pages 10, 11

88. (RETURNS FOR TAXATION), 1927--. 84 vols.

Original sworn returns of taxpayers, showing itemized taxable personal and real property, poll, road and dog tax, date, and estimated value. Also shows changes in valuation made by boards of assessors and of equalization. Arr. alph. by name of taxpayer under school district. Hdw. on printed form. 300 to 1100 pp. 9 x 14 x 2 $\frac{1}{2}$  to 6. Office.

89. TAX COMMISSION CHARGES, 1927--. 10 pkgs.

Returns of banks, railroads and various corporations in county, showing assessments set by the state tax commission. Arr. chron. No index. Typed on printed form. 8 $\frac{1}{2}$  x 4 x 1. Office.

90. AUDITOR'S DUPLICATE, 1919--. 36 vols.

Schedule of taxable real and personal property, showing name of taxpayer, itemized real property in town and in county, with value and assessment of each; itemized personal property, with value and assessment of each; poll tax, road tax, dog tax, etc. Arr. alph. by name of taxpayer under school district. No index. Hdw. on printed ruled form. 179 double pp. 19 x 24 x 2. Office.

For treasurer's corresponding record, see entry 98.

91. (ABSTRACTS OF DUPLICATE), 1926--. 1 desk drawer.

Copies of abstract of duplicate of real and personal property in each school district, showing state tax mills, county tax mills for ordinary purposes, school tax mills, total mills for state, county and school purposes, number of polls assessed, dog and road taxes, aggregate of taxes for all purposes. Arr. chron. No index. Hdw. on printed ruled form. 4 x 10 x 15. Office.

92. ABATEMENT PAPERS, 1927--. 1 desk drawer.

Original abatement papers, showing receipt number, additional tax returns of taxpayer, date, post office, school district, itemized real and personal property, amount, signature of auditor. Arr. chron. No index. Hdw. on printed form. 5 x 26 x 17. Office.

93. ABATEMENT BOOK, 1925--. 8 vols.

Record of correction of errors in assessment of taxes, showing name of taxpayer, fiscal year, page, line, land, lots, buildings value, personal property, total taxable property, state, county, school and special taxes, total taxes charged, abatement date, number, abatement allowed, total taxes, polls abated by county auditor and remarks, stating reasons for asking and granting. Arr. alph. by name of taxpayer under school district. Hdw. on printed ruled form. 100 double pp. 17 x 14 x 1. 7 vols., 1926--, office; 1 vol., 1925, treasurer's office.

94. RECORD OF CONVEYANCE, 1919--. 1 vol.

Record of current conveyances of real property, showing dates of sale and entry, names of seller and purchaser, property outside of cities and towns: number of acres and buildings, price paid, assessed value, percentage of valuation; property in cities and towns: lots, houses, price paid; remarks. Arr. chron. under twp. No index. Hdw. on printed ruled form. 308 pp. 16 x 21 x 1 $\frac{1}{2}$ . Office.

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95. AUTOMOBILE REGISTRATION CARDS, 1929--. 6 f. b.

Motor vehicle certificates sent from the state highway department, showing state license number, make of vehicle, fee, name and address of owner, school district. Arr. numer. by no. of certificate. No index. Typed on printed form. 2 x 5 x 14. Office.

96. LETTERS AND DATA, 1930--. 8 letter files.

General correspondence, including that with tax commissioners and comptroller general. Arr. alph. by name of correspondent. No index. Typed and hdw. 12 x 12 x 3. Office.

97. VOUCHERS (County and School), 1919--. 3 f. d.

Vouchers of treasurer's disbursements, consisting of cancelled school and county warrants, bonds, bond coupons, notes, pay bills, and supplemental tax returns, cancelled by auditor and credited to treasurer in annual settlement. Arr. numer. No index. Hdw. on printed form. 10 x 14 x 24. Treasurer's office.

For settlement records see entries 102, 103; for duplicate school warrants, see entry 107.

#### XVI. BOARD OF EQUALIZATION

The county board of equalization dates from 1868, when it was composed of the county commissioners, the auditor, and the treasurer (Stat. XIV, 48). In its present form, it was instituted in 1899, and is composed of the chairmen of the town and township boards of assessors (Stat. XXIII, 3, 116, 285; Code 2737). The board in Allendale County took office in 1919. After the tax returns are in, the board holds an annual meeting in the office of the auditor, who is required to keep an accurate journal of all orders and proceedings (1868, Stat. XIV, 49; Code 2747). The members, having taken an oath to perform their duties impartially, proceed to review and equalize the property valuations fixed by the boards of assessors, so that taxation in the county as a whole may be on an equitable basis. Upon direction of the chairman or of a majority of the members, the board may meet whenever necessary and may hear the appeals and grievances of taxpayers (Code 2747).

For changes made by this board, see entry 88.

#### XVII. TREASURER

Although various county court minutes show that the justices appointed county treasurers in 1788, the forerunner of the county treasurer was the tax collector, who was named for each parish or vaguely defined tax district by the general assembly in the annual appropriation act. He inquired into the taxable possessions of his neighbors, and assessed and collected the taxes, which he remitted to the state treasury. He levied upon defaulting taxpayers

For abbreviations and explanatory notes see pages 10, 11

by warrant to the sheriff (or the coroner) and held distress sales at the district or the county courthouse (Stat. VII, 276-77). His tenure was renewable during good behavior, until 1791, when it was limited to the pleasure of the legislature (Stat. V, 192); and in 1812 it was fixed at four years (ibid., p. 674). In 1836 the office became elective by the voters (Stat. VI, 558); and it passed out under the financial system set up after the Civil War, when the office of county treasurer was created (Stat. XIV, 67).

The county treasurer is both a state and a county officer, two-thirds of his salary being paid by the state and one-third by the county (Code 2700). He is nominated in the primary (Code 2365), and is appointed by the governor with the consent of the senate for a term of four years (Code 2789). His office is open from September 15 to December 31 for the receipt of taxes without penalty (Code 2795). He disburses upon warrants from the authorized officials all money of the county from whatever source derived. In 1926 he became ex officio a member of the forfeited land commission (infra., p. 42).

Since the treasurer has the responsibility for the safety of the county's money, he is under the most rigid regulations of all the county officers, and the governor may require such surety bond as he may deem advisable from the treasurer (Code 2789). The comptroller general prescribes the system of bookkeeping to be used in the office (Code 2844), makes up the printed form of the books, and examines them at least once a year (Code 2732). On the first of each month the county treasurer sends the state comptroller general a complete statement of the total collections to date (Code 2802); he reports to the county commissioners the amount and character of funds collected for the county; and he reports to the county superintendent of education the collections and disbursements of poll tax and other school funds (Code 2801).

The Treasurer's Duplicate has been required since 1872 (Stat. XV, 201; Code 2717). The Tax Execution Book, which dates from 1882 (Stat. XVII, 1027) was discontinued in 1933 because extra columns were added to the Duplicate. Since tax liens expire in ten years (Code 2863), the treasurer's carbon copies of tax receipts (Code 2795) need not be preserved for a longer period. On these receipts appear the numbers given to the taxpayers on the county auditor's Duplicate. Upon the reverse of these receipts the same numbers appear again on the tax execution form, which is printed there for use in case the taxes are not paid. Unpaid tax executions were made permanent records in 1896, (Stat. XXII, 255).

In 1892 the treasurer was required to keep a General Cash Account of school funds (Stat. XXI, 80; Code 2799). He now keeps a School Settlement Book, a County Settlement Book, and a Cash Book. He collects state taxes, which he remits to the state treasurer, and files the state treasurer's receipts (Code 2800).

Each year the county treasurer safeguards as his vouchers of disbursements, the current paid coupons, warrants, and school claims, until he can deliver them to the county auditor at the annual settlement in May (Code 2840; see Vouchers, entry 97).



Tax Collections

98. TREASURER'S TAX DUPLICATE, 1919--. 27 vols.

Record of taxable property in the county, showing name and residence or post office address of taxpayer, date of payment, items and value of all taxable real estate, value of all taxable personal property, total of all taxable property, total tax (poll tax, capitation road tax, dogs), total for collection, date of payment, total tax and penalty, executions turned over to sheriff, date paid, nulla bona, remarks - the last four being columns for Treasurer's Tax Execution Book, 1934--, entry 99. Arr. alph. by name of taxpayer under school district. No index. Hdw. on printed ruled form. 175 double pp. 18 x 12 x 2. Office.

For auditor's parallel record, see entry 90.

99. TREASURER'S TAX EXECUTION BOOK, 1919-33. 14 vols. 1934-- in Treasurer's Duplicate, entry 98.

Record of delinquent taxes turned over to the sheriff for collection, showing number and name of taxpayer, date of payment, items and value of realty, and of personalty, total value, total taxes, and penalties itemized, executions collected and paid county treasurer, executions nulla bona, treasurer's cost, sheriff's cost, remarks. Arr. alph. by name of taxpayer under school district. No index. Hdw. on printed ruled form. 199 double pp. 18 x 12 x 2. Office.

For sheriff's parallel record, see entry 85; for tax collector's record, see entry 105.

Accounts

100. CASH BOOK - TREASURER, 1919--. 5 vols. (1-5).

Shows daily collections for state, county, school, special local school, poll and dog taxes, penalties, fines and total amounts. Vol. 4 pertains only to special school district taxes, showing names of parties from whom collected and banks wherein money is deposited - not a general cash book, as it only shows taxes collected. Arr. chron. No index. Hdw. on printed ruled form. 286 pp. 16 x 11 x 1 $\frac{1}{2}$ . Office.

101. LEDGER, 1920--. 1 vol.

Record of receipts and disbursements, showing collection of general, special, poll and dog taxes; penalties, and highway road tax refunded; interest paid, notes out, notes for schools, notes paid; court, sinking fund and school district vouchers paid. Arr. by accounts for county funds, and by school districts for school funds. No index. Hdw. on ruled form. 444 pp. 16 x 12 x 2. Office.

For supt. of education's parallel record, see entry 108.

102. CASH DISTRICT SCHOOL FUND, 1919--. 8 vols. (1-8).

Settlement book of county treasurer with different school districts, showing date of warrant, date of payment, date of approval by superintendent of education, school district number, school trustees' numbers, superintendent of education's number, treasurer's check number, name of payee, name of person presenting, and amount of warrant. Arr. chron. under school district. No index. Hdw. on printed ruled form. 121 double pp. 18 x 13 x 1. Office.

For school warrants, see entries 97 and 107.

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103. RECORD OF COUNTY TAXES AND SETTLEMENT, 1919-23. 1 vol.  
Discontinued.

List of warrants or county checks cashed by treasurer out of county taxes, showing date, name, number, and amount. Arr. chron. No index. Hdw. on ruled form. 600 pp. 18 x 12 x 3. Office.

For cancelled county warrants, see entry 97.

104. MONTHLY REPORT OF COUNTY TREASURER, 1919--. 1 f. d.

Copies of treasurer's monthly reports to comptroller general, showing receipts, disbursements, and balance on hand. Arr. chron. No index. Hdw. on printed ruled form. 10 x 14 x 24. Office.

XVIII. TAX COLLECTOR

The office of tax collector was created in 1936. He is appointed by the legislative delegation and is subject to removal at their discretion. He collects delinquent taxes under execution from the county treasurer, a duty which previously had been performed by the sheriff (supra, p. 35). He has the authority to seize property but only the sheriff can give a deed of title to a person purchasing it. The tax collector is required to keep a record of all tax executions turned over to him and to list them in a tax execution book. He is also required to take charge of and to keep a record of land bid in by the county auditor for the state and county. Twice a month he is required to make a sworn statement of collections to the sheriff and to the treasurer. (Stat. XXIX, 1450-53.)

For other delinquent tax records, see entries 20 and 85.

105. EXECUTIONS, 1929--. 7 f. b.

Tax executions turned over to the tax collector by the sheriff and the treasurer. Arr. numer. by execution no. under school district. No index. Hdw. on printed form. 6 x 11 x 27. Sheriff's office.

106. TAX COLLECTOR'S CASH BOOK, 1936--. 2 vols.

Record of cash received by the tax collector for delinquent taxes, showing execution number, name, school district, amount, year, cost, total. Arr. chron. No index. Hdw. on printed ruled form. 125 double pp. 18 x 12 x 2. Sheriff's office.

For sheriff's record, see entry 85; for treasurer's record, see entry 99.

XIX. FORFEITED LAND COMMISSION

In 1926 a forfeited land commission for each county, consisting of the auditor, the treasurer, and the clerk of court as register of mesne conveyance, took over duties previously performed by the state sinking fund commission (Stat.

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XXXIV, 920-22). The auditor buys in at distress sales all lands for which no bid is offered sufficient to pay the amount of taxes due (Acts 1926, p. 921; 1929, p. 126; 1933, p. 212). The commission may rent out these lands, but they are sold again as soon as it can be done advantageously, in order that they may be returned to the tax books and again yield revenue. (Acts 1935, p. 42; Code 2167.)

As in most counties, no separate records are kept by this commission. Sales are in the sheriff's Sales Book, entry 84. Land titles are recorded with other Titles to Real Estate, entry 5.

## XX. COUNTY SUPERINTENDENT AND BOARD OF EDUCATION

When the state free school system was instituted in 1811, from three to thirteen school commissioners were named for each election district for a term of three years (Stat. V, 639-41). The constitution of 1868 provided for a county school commissioner (art. X, 2) as the immediate predecessor of the county superintendent of education. Under the present name he has existed only since 1896 (Stat. XXII, 156). In Allendale County the office dates from 1919 (Stat. XXXI, 8).

The county superintendent of education is nominated in the primary (Code 2365) and elected in the general election for a term of four years (Code 5308). He is required to visit each school in the county and to make recommendations on various matters, but he is essentially a fiscal officer. He attends the settlement of the county treasurer with the comptroller general, and apportions the school tax among the districts (Code 5312). Duplicates of warrants for teachers' salaries, with the accompanying attendance reports, are filed in his office (Code 5375). He is required to keep a register of all claims approved by him (Code 5324) and to report them to the court of general sessions (Code 5321). He also makes an annual report to the state superintendent of education containing very complete statistics (Code 5313) on the school affairs of the county.

The county board of education consists of the county superintendent and two members appointed by the state board of education for the term of four years, but they may be removed before their term expires. The county board of education divides the county into school districts, passes on the qualifications of teachers, appoints school trustees and acts as a tribunal on matters of school law. Appeals can be made from its decisions to the state board of education. The county superintendent is chairman and clerk of the board and keeps a record of all proceedings and of teachers certificates. (Code 5348-50.) Since Allendale assumed a share of the debts of its parent counties (Acts 1919, p. 10) the Bond and Note Register, entry 111, antedates the creation of the county.

107. SCHOOL CLAIMS (Warrants), 1922---. 2 f. b., 1 f. d., and 2 wooden boxes. Missing: 1919-21.

Duplicate claims approved by superintendent of education, showing name of school,

For abbreviations and explanatory notes see pages 10, 11

district number, county superintendent's number, payee, amount, trustees, signature of superintendent of education. Arr. chron. under school district, white and negro kept separate. Hdw. on printed form. F. b.,  $10\frac{1}{2} \times 5 \times 13\frac{1}{2}$ ; f. d.,  $14 \times 14 \times 24$ ; wooden boxes,  $12 \times 14 \times 20$  and  $8 \times 20 \times 26$ . Office.

For cancelled warrants, see entry 97; for treasurer's record, see entry 102.

108. COUNTY SUPERINTENDENT'S LEDGER, 1919--. 11 vols.

Record of school district expenditures and receipts itemized and classified, showing date, to whom paid, source of items. Arr. chron. by no. of claim under school district. No index. Hdw. on printed ruled form. 294 pp.  $20 \times 21 \times 2$ . Office.

m For treasurer's parallel record, see entry 101.

109. ANNUAL REPORT OF THE COUNTY SUPERINTENDENT, 1931--. 7 vols.

Copy of annual report to state superintendent of education, on enrollment, attendance, property, and finances of all county schools. Arr. numer. by no. of school district. No index. Hdw. on printed ruled form. 25 pp.  $10 \times 17 \times \frac{1}{4}$ . Office.

110. MONTHLY REPORT OF TREASURER, 1922--. 3 f. b. and 1 wooden box.  
Missing: 1919-21.

Copy of monthly report of treasurer to the various financial officers, showing receipts and disbursements of various funds, collection of property tax by treasurer, collections from sheriff, miscellaneous collections, amount paid state treasurer, county warrants, school warrants, balance on hand. Arr. chron. No index. Typed on printed ruled form. F. b.,  $10\frac{1}{2} \times 5 \times 13\frac{1}{2}$ ; wooden box,  $12 \times 14 \times 20$ . Office.

111. BOND & NOTE REGISTER, 1914--. 1 vol.

Shows date of obligation, district number, maker, endorsers, remarks, amount, when due, credits: date, amount; total credits. Arr. chron. under school district. No index. Hdw. on printed ruled form. 100 pp.  $16 \times 10\frac{1}{2} \times 5/8$ . Office.

112. TEACHERS REGISTER, 1919--. 1 vol.

Record of teachers' certificates, showing number, grade, date, name of teacher, residence, age, sex, color, remarks. Arr. alph. by name of teacher. No index. Hdw. on printed ruled form. 204 pp.  $10 \times 15 \times 2$ . Office.

113. TRUSTEES FOR THE SCHOOL DISTRICT, 1937--. 3 sheets.

Shows district name and number, names and addresses of trustees, and dates of appointment, and expiration of term. Arr. alph. by name of school district. No index. Hdw. on ruled form.  $11 \times 17$ . Office.

114. CORRESPONDENCE, 1937--. 1 f. d.

Letters received and sent out by superintendent of education. Arr. alph. by name of addressee. Hdw. and typed.  $14 \times 14 \times 24$ . Office.

115. CORRESPONDENCE REPLIES, 1937--. 1 f. d.

Teachers' delivery and return sheet for books, books sold, requisitions for

For abbreviations and explanatory notes see pages 10, 11



books, invoices for books. Arr. chron. by school district. No index. Hdw. on printed form. 14 x 14 x 24. Office.

116. CORRESPONDENCE RECORD ETC., 1937--. 17 f. b.  
Correspondence, records, schedule, etc., of each school district. Arr. chron. by school district. No index. 10 $\frac{1}{2}$  x 5 x 13 $\frac{1}{2}$ . Office.

117. OLD RECORDS, 1933--. 10 f. b.  
A miscellaneous collection, combining all records of previous incumbent, including negro census, high school application, trustees' oaths, teachers' certificates, agriculture teacher's contract, miscellaneous letters; National Youth Administration records, application for state aid, monthly statements of state and all other aids; teachers' state aid, agricultural federal and state aid contracts, bus aid reports; county board fund claims, county superintendent's monthly report of enrollment; collections by sheriff, note bonds; emergency relief for grammar school; names of district trustees and of teachers of county; teachers' reports, remodeling receipts, trustees' resignations, deeds for negro school lots, South Carolina teachers' association, records of rental books, teachers' schedules; records of illiterates, insurance policies, and receipts; Jean's fund receipts, treasurer's monthly reports, old bills, and attendance records. Also contains printed volumes of acts. Arr. chron. No index. Hdw., typed, and hdw. and typed on printed form. 10 $\frac{1}{2}$  x 5 x 13 $\frac{1}{2}$ . Office.

118. ASSOCIATION SOUTH CAROLINA TEACHERS - SUPERINTENDENT OF EDUCATION - NATIONAL YOUTH, 1937--. 1 f. b.  
Records regarding the South Carolina teachers' association, the superintendent of education, and the National Youth Administration. Arr. chron. No index. Hdw. and typed on printed form. 10 $\frac{1}{2}$  x 5 x 13 $\frac{1}{2}$ . Office.

## XXI. BOARD OF REGISTRATION

Enrollment of voters in a book was required as early as 1716 (Stat. II, 684); and Charleston electors in 1819 had to register name and place of residence at least a month before an election (Stat. VII, 141). The constitution of 1868, however, was the first to direct the general assembly to provide from time to time for the registration of voters (art. VIII, 3). The resulting act of 1868 gave this duty to the managers of elections (Stat. XIV, 136), until they were relieved in 1882 by the creation of supervisors of registration for each county (Stat. XVII, 1111). The constitution of 1895 made registration a pre-requisite for voting and required re-enrollment of registered voters every ten years (art. II, 4). By the election law of 1896 a board of registration was provided for each county (Stat. XXII, 34), to consist of three persons appointed by the governor with the approval of the senate for a term of two years (Code 2269).

The board was appointed for Allendale County in 1919 upon recommendation

For abbreviations and explanatory notes see pages 10, 11

of the original county commissioners (Stat. XXXI, 11-12). It conducts the registration of qualified voters; and persons denied registration have a right to appeal to the courts (Code 2273). The board makes two registers for each precinct, showing name, age and place of residence of each voter. At the time of elections these are turned over to the commissioners of election to be distributed among the managers of election. They are returned to the board of registration after the election (Code 2286). The board is required to keep a record of its official acts and proceedings (Code 2269). All records and books are deposited with the clerk of court for safekeeping (Code 2285), as public records open to inspection at all times, and removable solely by the board, which may keep them so long as may be necessary to perform its duties (Code 2285).

For Registration Book, see entry 28.

#### XXII. COMMISSIONERS OF ELECTION

The commissioners of elections had a long line of predecessors before being set in 1868 (Stat. XIV, 136) and in 1896 (Stat. XXII, 29). In Alledale County they date from 1919 (Stat. XXXI, 8-9).

At least thirty days before an election the governor appoints two commissions of three persons each, one to conduct the election for state, circuit and county officers and the other the election of members of Congress and presidential electors. These commissions in turn appoint three managers (Code 2299), and provide the boxes for each polling place in the county (Code 2306). After the election each commission becomes a county board of canvassers. A statement of each protest as well as the total vote for each candidate must be sent to the governor and the secretary of state. Duplicate copies are also filed in the office of the clerk of court. (Code 2310-15.) The county board of commissioners audits and pays the expenses of the election (Code 2316).

No records are kept by this board.

#### XXIII. BOARD OF HONOR

The first state pension act was passed in 1887 (Stat. XIX, 826).

The constitution of 1895 provided that the general assembly should make liberal provision for annual pensions to indigent or disabled Confederate soldiers and sailors and to widows of Confederate veterans (art. XIII, 5). A reorganization in 1919 made the judge of probate clerk of the county pension board, charged with the duty of paying the pensions, and keeping the records in his office (Stat. XXXI, 277). In 1923, faithful negroes who had served the

For abbreviations and explanatory notes see pages 10, 11



Confederacy became eligible (Stat. XXXIII, 107). Under the law of 1923, a board of honor was created for each county, to consist of three Confederate veterans (ibid. pp. 230-31).

In 1929 the judge of probate became clerk of the board of honor. When the number of veterans is reduced to two, the clerk of court may become a member; when the number is reduced to one, the judge of probate is eligible for membership; when there are no veterans remaining in the county, the auditor may become a member. (Stat. XXXVI, 127.) In 1937 the state comptroller general resumed the duty of paying Confederate pensions (Stat. XL, 639), but in 1938 it was returned to the judge of probate.

For pension records, see entry 77.

#### XXIV. HEALTH UNIT

The bureau of rural sanitation of the state health department was set up in 1910 through aid from the Rockefeller Foundation for the eradication of hookworm. In most of the counties of the state the health unit work was organized in 1936 under the bureau of rural sanitation of the state health department. It is supported in part by the county, but also receives state and federal funds. The counties of Allendale, Barnwell, Bamberg and Hampton together from a health district with one health officer, located at Varnville. Each county has a full time clerk and nurse (Fifty-Sixth Annual Report of the State Board of Health pp. 8, 94 in Report of State Officers, Boards and Committees to the General Assembly of South Carolina, 1937). As it is primarily for service rather than record keeping, such records as it has are filed in the office on cards, which belong to the state board of health rather than to the county. They form the basis of the reports the health unit makes to the state department.

119. (TUBERCULIN TEST), 1936--. 1 f. d.

Case record cards, showing case, date of first contract, date closed, name, address, name of parent or guardian, nurse, race, sex, age, date, record. Arr. alph. by name of patient. No index. Hdw. on printed form. 6 x 8 x 17. Office.

120. TUBERCULIN LABORATORY TEST REPORTS, 1936--. 1 board file.

Hygienic laboratory test cards, showing specimen; name, race, age, and address of parent; by whom sent, findings, remarks. Arr. chron. No index. Typed on printed form. Cards 6 x 4. Office.

121. TUBERCULOSIS CLINIC, 1936--. 1 file.

Record of tubercular patients, showing name of patient, address, occupation, past history, present symptoms, home conditions and report of physical examination. Arr. chron. No index. Hdw. on printed cards. 9 x 5 x 7. Office.

122. INFANT AND PRE-SCHOOL RECORD (Well Baby Clinic), 1936--. 1 f. d.

Record of infants, showing date, name of child, date of birth, sex, race, ad-

For abbreviations and explanatory notes see pages 10, 11

dress, name of parents, dates of toxiod, Schick, smallpox vaccination and typhoid vaccination, diagnosis and dates of past illness, history of diets and habits, physical examinations, remarks, recommendations, home visits. Arr. alph. by name of infant. No index. Hdw. on printed form. 12 x 13 x 24. Office.

123. PHYSICAL RECORD (Bureau of Child Hygiene), July 1, 1936--. 1 f. b. Shows date, name of child, age, height, weight and general physical condition. Arr. alph. by grades under school districts. No index. Hdw. on printed form. 5 x 9 x 14. Office.

124. MIDWIFE RECORD, 1934--. 33 cards. Cards showing monthly record, with name of midwife, race, age, address, home condition, date of last successful vaccination, date certificate issued and renewed, date Wassermann was made and result, treatment, name of instructor, remarks. Arr. chron. No index. Hdw. on printed form. 6 x 4. Office.

125. (CRIPPLED CHILDREN RECORD), 1936--. 1 f. b. Survey cards, showing name of child, address, race, sex, date of birth, name of father and mother, physical disability, educational status, economic condition, medical history of child. Arr. chron. No index. Hdw. on printed form. 9 x 5 x 19. Office.

126. PRENATAL CLINIC RECORD, 1936--. 2 files. Clinic case records, showing name of mother, race, address, previous pregnancies, family physician, abnormal history. This includes reports on physical examinations, date, remarks, subsequent home visit, examination. Arr. alph. by name of mother. No index. Hdw. on printed form. 11 x 12 x 3. Office.

127. SYPHILITIC TEST, 1936--. 2 f. b. Shows name of patient, specimen of blood, number of this test, from doctor, date taken, date received at laboratory, findings: Wassermann test, Kahn test. Arr. alph. by name of patient. No index. Hdw. on printed form. 5 x 7 x 14. Office.

128. (SYPHILITIC TREATMENT), 1936--. 1 file. Case record card, showing case, date of first contract, date closed, name and address of patient, name of parent or guardian, nurse, race, sex, age, date, record. Arr. alph. by name of patient. No index. Hdw. on printed form. 6 x 8 x 17. Office.

129. GONOCOCCI TESTS REPORTS, 1936--. 1 board file Shows specimen, name, race, age, address, sent by, findings, remarks. Arr. chron. No index. Typed on printed form. Cards 6 x 4. Office.

130. MALARIA LABORATORY TEST, 1936--. 1 board file. Shows name, race, age and address of patient, specimen, by whom sent, findings, remarks. Arr. chron. No index. Typed on printed form. Cards 6 x 4. Office.

For abbreviations and explanatory notes see pages 10, 11



131. HOOKWORM TEST REPORT, 1936--. 1 board file. Shows name, race, age, and address of patient; specimen, by whom sent, findings, remarks. Arr. chron. No index. Typed on printed form. Cards 6 x 4. Office.

#### XXV. FARM AND HOME EXTENSION SERVICE

The agricultural extension service is more closely connected with the United States Department of Agriculture than with county government. Beginning under the Lever act in 1914, the federal government has appropriated money for agricultural education outside of colleges, on condition that it be supplemented by local and state funds (U. S. Stat., vol. 38, part 1, pp. 372-74). At present the state appropriates a sufficient amount to ensure each county having a farm and a home demonstration agent, but prior to 1929 the provision of supplementary funds was left to the counties, so that the number of agents varied from year to year. The county farm agents are appointed by and work under the director of the Clemson extension service, who is a representative of the United States Department of Agriculture. No definite term of office is provided by law for the agents, but they are usually employed for one year at a time. Re-appointment is customary so they hold office indefinitely. The appointment for each county is subject to approval of the legislative delegation. ("Annual Report of the Board of Trustees of Clemson Agricultural College 1936", pp. 8-9, 19-20 in Reports of State Officers Boards and Committees 1937; James E. Hunter, ed., Legislative Manual 1938 pp. 238-39; Acts 1929, p. 1054.)

At first the duties of the county agent consisted largely of organizational and informative work. Since 1933, the agricultural adjustment and soil conservation work has been conducted through his office, and he has handled production contracts and benefit checks. The records found in the office consist of correspondence, copies of reports to the extension director, third carbon copies of various forms of the United States Department of Agriculture, and the original work sheet admeasurements.

The home demonstration agent is the counterpart of the farm demonstration agent. Federal funds are received through Clemson Agricultural College and the director of the Clemson extension service has supervision over all work for which this money is used. Some of the funds are turned over to Winthrop College, which administers the home demonstration phase of the extension work. Appointment of these agents is made by the state home demonstration agent, subject to approval of the legislative delegation of the particular county, usually for a year at a time but no definite term is fixed by law. (U. S. Stat., vol. 38, part 1, pp. 372-74; Legislative Manual 1938, pp. 238-39; Acts 1929, p. 1057; 1937, p. 1033.) Duties are concerned largely with organizational and informative work. The records consist mostly of correspondence and copies of reports to headquarters, but there are also some records relating to club work.

For abbreviations and explanatory notes see pages 10, 11

Forest Fire Control Board; County Board of Public Welfare

Counties frequently aid the farm agents by making appropriations for special purposes. Beginning in 1934 the Allendale County supply act has carried annual appropriations for colored demonstration work (Acts 1934, p. 1728), which is administered through the state Colored Normal, Industrial, Agricultural, and Mechanical College at Orangeburg (Legislative Manual 1938, pp. 238-42).

Inventory of the records of these agents was made by the WPA project for the Survey of Federal Archives, so no entries are included here.

XXVI. FOREST FIRE CONTROL BOARD

For "the purpose of providing for the protection of forest lands, to promote reforestation on denuded and understocked and sub-marginal areas, and to aid in the enforcement of all laws pertaining to forests and other lands", Allendale County in 1935 was created a forest fire control organization district, under the direction of the South Carolina state commission of forestry. The expenses of the organization are defrayed by an annual levy on the taxable property in the county.

The duties made necessary by the creation of this district, are carried on by a board consisting of the state forester, the two members of the legislative delegation, and five members elected by the delegation. The board serves in an advisory and executive capacity. It appoints the wardens, patrolmen, and towermen, upon the recommendation of the state commission of forestry. The fire warden is required to act as the field representative of the state forester, to forward to him such data as he may require, and to report existing conditions which are or may become fire hazards.

Each year the state commission of forestry and the state forester compile a fire control plan, and a budget itemizing the expenditures for the following year, which is modified and approved by the county fire control board. (Acts 1935, pp. 295-298.)

No records of this board were found.

XXVII. COUNTY BOARD OF PUBLIC WELFARE

When the Federal Emergency Relief Administration was superseded in 1935 by the Works Progress Administration, its unexpended funds were entrusted to the governors of the states for the relief of unemployables. In South Carolina a temporary department of public welfare was set up in every county which matched the allocations of the FERA funds with local appropriations. All counties participated except Lee, Saluda, and Newberry. In March 1937 the funds were exhausted and the department expired. (For Allendale County appropriation, see Acts 1936, p. 1917.)

For abbreviations and explanatory notes see pages 10, 11



County Board of Public Welfare

In 1937 a state department of public welfare was created, to function under the South Carolina board of public welfare, whose members are elected by the general assembly. This state department supervises and administers the public welfare activities and functions of the state, cooperates with federal agencies to administer federal funds granted the state, and studies social problems from the standpoint of cause and cure. (Acts pp. 496-517.)

The same act created in each county a local department under a county board of public welfare, made up of three members appointed by the state board upon recommendation of the legislative delegation. Their terms of three years expire in rotation. The county board acts as the representative of the state department in administering welfare activities in the county, performs such duties as the state department may delegate, and sees "that all laws are enforced for the protection and welfare of minors, the removal of moral menaces to the young, and to safeguard and promote the health, education and general welfare of minors". It also prepares and submits a budget to the state department, and maintains such "standards of work, procedure and records" as may be required by the state department. (Ibid. pp. 499-501.)

The county board keeps a record of its activities, and accurate accounts of all funds received and expended. Once a year it makes a report of its activities, receipts, and disbursements to each member of the legislative delegation, to the foreman of the grand jury, and to the clerk of court, who files the report as a public record. In addition, it furnishes such reports and data as may be required by the state department or by the federal government. (Ibid.)

At the time of the final recheck of the Allendale County records, the county board and the county department of public welfare were not sufficiently under way for their records to be inventoried.

For abbreviations and explanatory notes see pages 10, 11

ALLENDALE COUNTY OFFICIALS

(From records in secretary of state's office, Columbia)

County Commissioners

E. T. Harter, 1921-23  
N. D. Ellis, 1921-23  
L. O. Bennett, 1921-23  
J. E. Bryan (chief), 1921-23  
Edgar G. Connelly (chief), 1923-33  
Joseph G. Loadholt, 1923-35  
C. W. Dunbar, 1923-35  
Laurens Youmans (chief), 1933-57  
C. D. Black, 1934--  
R. L. Lightsey, 1935-37  
N. E. Harter (chief), 1937--  
James B. Brandt, 1937--

Clerk of Court

J. M. Riley, 1919-30  
J. Perry Moody, 1930--

Judge of Probate

J. E. Tobin, 1919-30  
Louis Harley, 1930--

Sheriff

L. C. Bennett, 1919-22

Sheriff (cont'd)

H. C. McMillan, 1923--

Coroner

J. W. Main, 1919--

Auditor

C. R. Wilson, 1919-21; 1924-27  
J. E. Bryan, 1921-24  
J. Stoney Sanders, 1927--

Treasurer

James A. Wideman, 1919--

Superintendent of Education

J. R. Cullom, 1919-27  
Mrs. Ira E. Cullom, June 16-23,  
1927  
Mrs. H. G. Boyan, 1927-30  
Chas. R. Wilson, 1930-36  
Mrs. C. R. Wilson, 1936-37  
J. D. Livingston, 1937--



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