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WORKS PROGRESS ADMINISTRATION

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CORRINGTON GILL,  
ASSISTANT ADMINISTRATOR

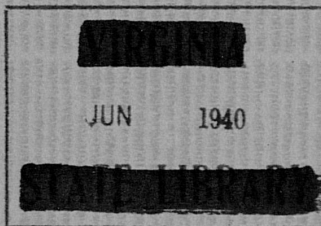
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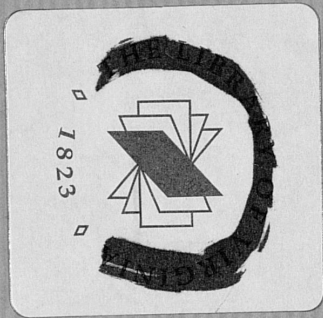
DIGEST OF PUBLIC WELFARE PROVISIONS  
UNDER THE LAWS OF THE STATE OF  
SOUTH CAROLINA

GOVERNMENT PUBLICATIONS -

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PREPARED BY  
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PRINCIPAL RESEARCH SUPERVISOR

June 1940, Va. Div. of Statutory research + drafting, 9

Preface

This bulletin is one of a series intended to present in abstract form the public welfare provisions of the laws of each of the States.

The purpose of these bulletins is to give a brief review of the provisions for public assistance under the laws of the several jurisdictions, and of the administrative agencies set up by law with reference thereto. A chart showing the organizational relationships of the administrative agencies is included.

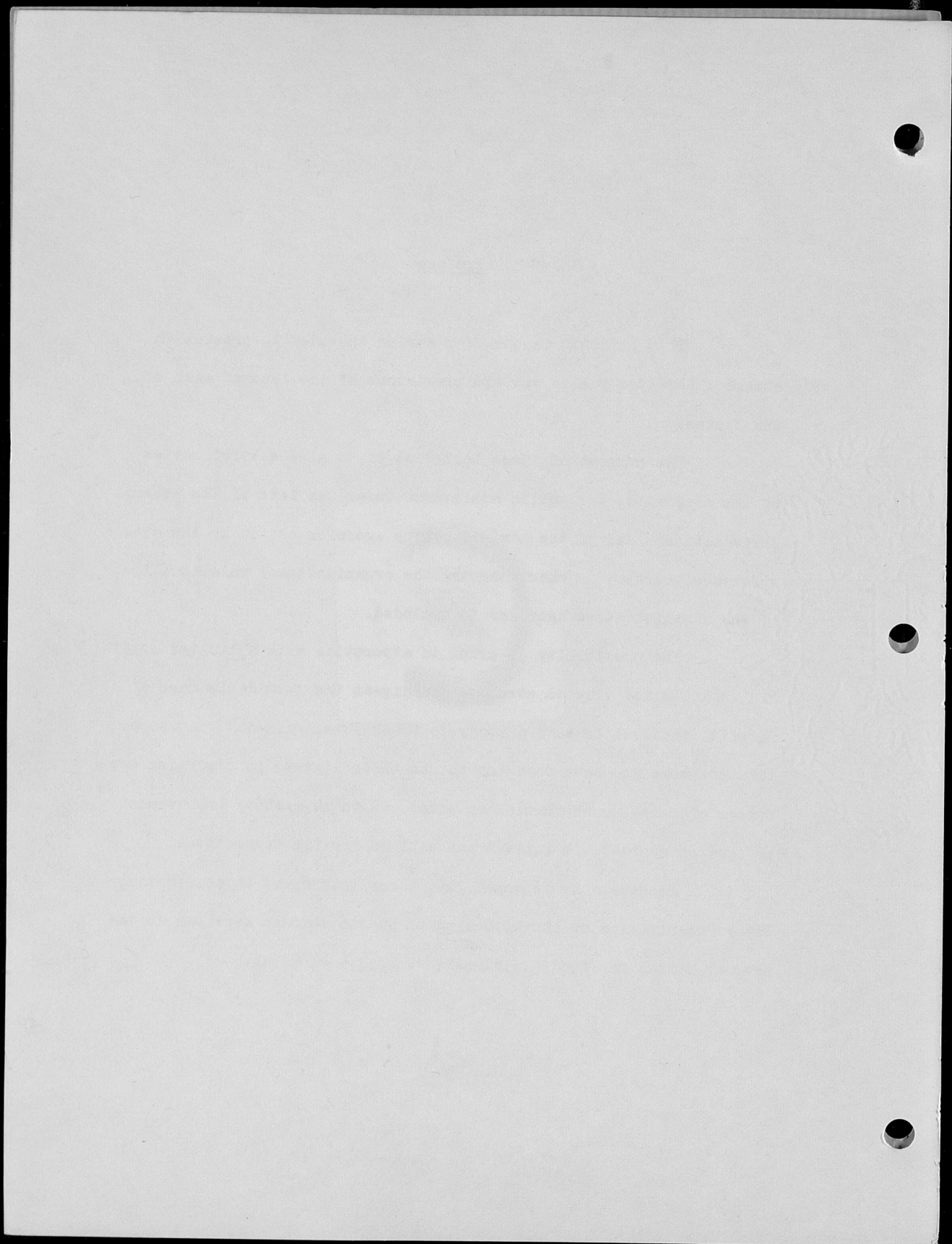
The possibility of error in attempting with a limited staff and in a limited time to assemble and digest the formidable mass of material incident to such a study is frankly recognized. The cooperation of those who have occasion to use these digests in reporting any errors of omission or commission noted, or in suggesting improvement in form or content, is invited and will be greatly appreciated.

Meanwhile it is hoped that those interested in considering the reorganization or strengthening of public welfare services in the several States may find the digests of practical value.

June 1940. Va. Div. of Statutory Research + Drafting. 9

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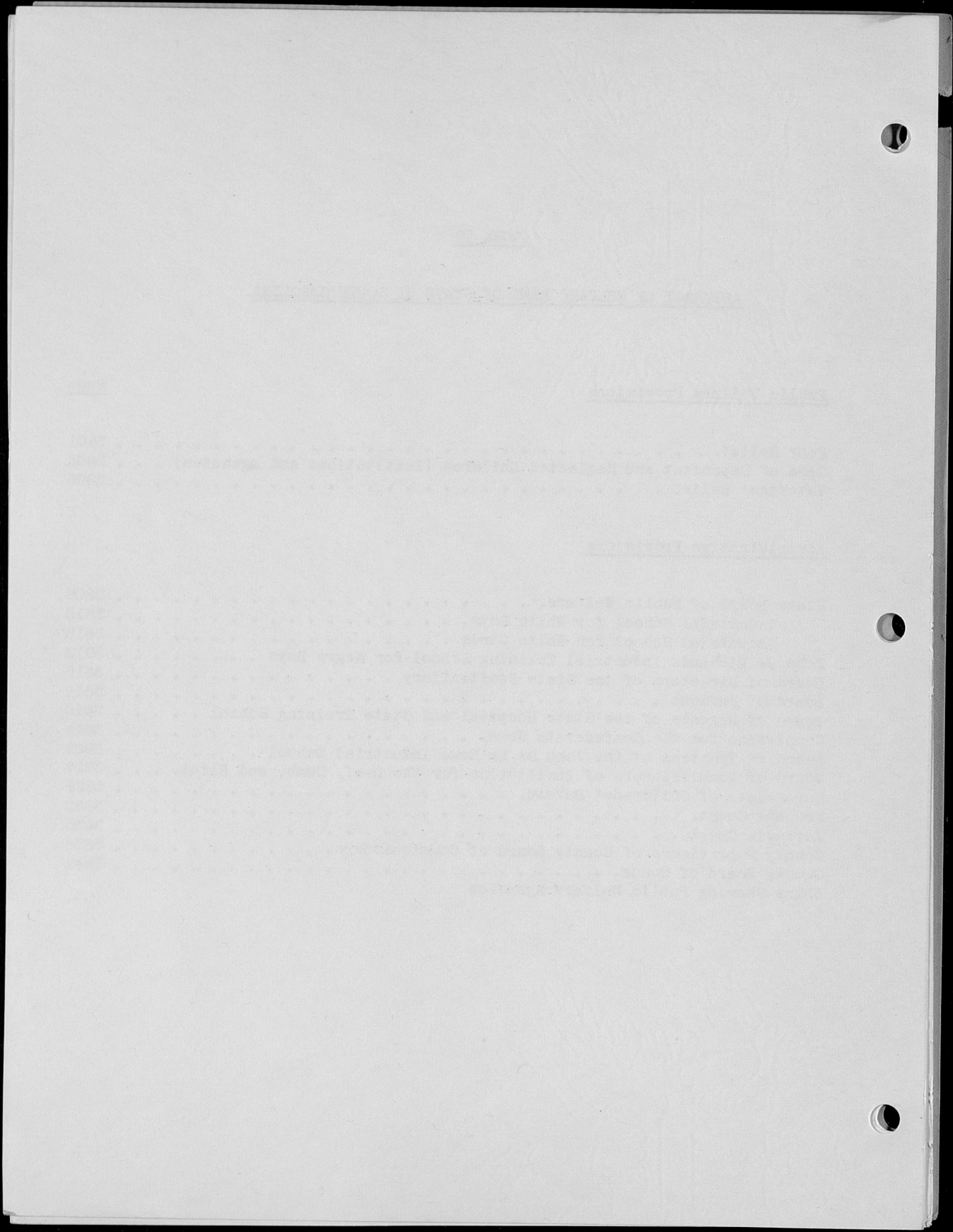
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DIGEST OF PUBLIC WELFARE PROVISIONS

POOR RELIEF

(a) Description of class

Those inhabitants who by reason of age, infirmities, and misfortune may have a claim upon the sympathy and aid of society. 1/

(b) Procedure for determining eligibility

There are no procedural steps written up in the code, but the inference is that the County Commissioners, acting as overseers of the poor, must pass upon questions of eligibility. 2/

(c) Measure of responsibility

Care in the county poorhouse and farm. 3/

Burial expenses. 4/

(d) Qualifications imposed

Legal residence in the county or city furnishing aid. 5/  
Any person over the age of 21 years, being a citizen of this or any other of the United States, who has lived for 3 successive years in any county, and who has during that time maintained himself and family, is held to have acquired a legal settlement therein. 6/ Married women take the settlement of their husbands if within the State; otherwise settlement is not lost or suspended by the marriage. 7/ Legitimate children take settlement of their father if he is within the State, otherwise take that of their mother. Illegitimate children take the settlement of their mother at the time of their birth if she then had one within the State. 8/

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1. Constitution (1895), Art. 12, Sec. 3.
  2. Code (1932), Sec. 4966, 4977.
  3. Ibid, Sec. 4966.
  4. Ibid, Sec. 4968.
  5. Ibid, Sec. 4967.
  6. Ibid, Sec. 4967 (4).
  7. Ibid, Sec. 4967 (1).
  8. Ibid, Sec. 4967 (2), (3).

POOR RELIEF (Cont'd)(e) Incidence of financial responsibility

Expenses for caring for the poor must be borne by each county. 9/ The county authorities of Charleston and Columbia must provide for care of the poor, within the limits of their respective cities. 10/

(f) Taxes

County: General property tax. 9/

Cities of Charleston and Columbia excepted from payment of general poor taxes levied by the Boards of Commissioners of Charleston and Richland Counties, provided that the authorities of these cities make adequate provisions for the support of their poor. 10/

(g) Administrative agencies

Board of County Commissioners. 11/

(h) Supervisory controls

State Board of Public Welfare. 12/

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9. Code (1932), Sec. 4974.

The County Supervisors or Commissioners of the several counties are required to pay out of the county fund \$15 per month to the Carlyle Courtney Home for support and maintenance of each child committed there by the probate court, circuit court, or recorder of any municipal court of any county in the State. Ibid, Sec. 4976.

There is no reference to the Carlyle Courtney Home in the statutes other than that given here. It is inferred that this is a private institution caring for orphan children.

10. Code (1932), Sec. 4977.

11. Constitution (1895), Art. 2, Sec. 6.

Aiken County: Committee appointed by the Governor to oversee the poor. Ibid, Sec. 4975.

Charleston and Columbia: City authorities control poor relief. Ibid, Sec. 4977.

12. Code (1932), Sec. 2000; State Board of Public Welfare has power to visit and inspect county almshouses. Ibid, Sec. 2002; State Board of Public Welfare must pass upon plans for new jails and almshouses.



CARE OF DEPENDENT AND NEGLECTED CHILDREN (INSTITUTIONS AND AGENCIES)

(a) Description of class

Any child under the age of 18 years who is destitute or homeless or is a beggar, or whose home, by reason of immoral or vicious surroundings, is an unfit place for such child; or any child who is being required to work contrary to law, or in an unreasonable degree, in consideration of the conditions and circumstances of the parents, or person with whom it resides. 1/

(b) Procedure for determining eligibility

Whenever a petition is presented to the probate court supported by affidavits either on knowledge or on information and belief that a child within its jurisdiction under the age of 18 is destitute, neglected, or dependent, the probate judge must issue a summons to the child and its parents or person with whom it resides to show cause why the supervision, care, or custody of the child should not be assumed by the court. 1/

The probate court has power to summon before it any witnesses necessary for a proper investigation and determination of the allegations of the petition. 2/

In case it is found necessary to apply remedies beyond the constitutional powers of the probate court, the court must certify the fact to the court of common pleas, or the court of general sessions, as the case may require, to act upon the same, and apply such remedies as are lawful and right. 3/

If at any time the court should find that the custody of the child should be taken from the parents or person with whom it resides, it may bind over said child to some orphan asylum or other institution for the care of children, or to some responsible person or persons. 4/

The Children's Bureau is authorized to place out in free family homes for adoption destitute, delinquent, neglected and dependent children committed to its care. 5/

The Children's Bureau in placing out destitute, dependent, or delinquent children in private families must safeguard the welfare of each child by a thorough investigation of each applicant, the home and its environment, and must personally and adequately supervise each child until the child receives legal adoption or attains legal age. 6/

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1. Code (1932), Sec. 243.  
2. Ibid, Sec. 244.  
3. Ibid, Sec. 245.

4. Ibid, Sec. 247.  
5. Ibid, Sec. 4989.  
6. Ibid, Sec. 4990.

CARE OF DEPENDENT AND NEGLECTED CHILDREN (INSTITUTIONS AND AGENCIES) (Cont'd)(c) Measure of responsibility

Care in orphans homes 7/ and private families. 8/

(d) Qualifications imposed

The child must be under 18 years of age, and must be destitute, dependent, neglected or delinquent. 9/

(e) Incidence of financial responsibility

County: Must pay to the Carlisle Courtney Home \$15 per month for each orphan. 10/

State: State institutions. 11/

(f) Taxes

County: General property tax. 10/

State: General property tax. 11/

(g) Administrative agencies

County: Probate courts. 12/

State: Children's Bureau. 13/

(h) Supervisory controls

Children's Bureau. 14/

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- |                                     |                      |
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| 7. Code (1932), Sec. 247, and 4989. | 11. Ibid, Sec. 4989. |
| 8. Ibid, Sec. 4989, 4990, and 4992. | 12. Ibid, Sec. 243.  |
| 9. Ibid, Sec. 243, and 4992.        | 13. Ibid, Sec. 4992. |
| 10. Ibid, Sec. 4976.                | 14. Ibid, Sec. 4990. |

VETERANS' RELIEF(a) Description of class

Any soldier or sailor, a bona fide resident of the State for 2 years, who served in the army or navy of the Confederate States, or who performed actual service in the State Militia, and who did not desert the service of the State of South Carolina or of the Confederate States, or the widow of such soldier, sailor or militiaman, provided she was living with her husband as his faithful wife at the time of his death, and provided that any widow not living with her husband at time of his death is entitled to a pension in the event she can prove that her not living with him was due to no fault of hers, and provided, further, that all widows of Confederate veterans were married to such veterans 10 years prior to the death of the latter. 1/

Indigent widows, sisters, and wives are eligible for admission to the Confederate Home. 2/

Indigent widows and spinster daughters of Confederate veterans who were born prior to the year 1865 are eligible to admission to the Confederate Home. 3/

Such Negroes as were engaged for at least 6 months in the service of the State in the war between the States as body servants or male camp cooks on the side of the Confederacy, and proved faithful throughout the war, and whose conduct since then has been commendable, are entitled to receive a pension. 4/

(b) Procedure for determining eligibilityAdmittance to Confederate Home:

Application must be filed with the Commission of the Home, requesting such admittance. It must be approved by the probate judge of his county with a certificate attached thereto that the applicant's name appears on the honor roll of that county. Investigation may be had into the case of any soldier improperly placed on the roll of honor by the probate judge. 5/

Pensions:

All veterans, widows and others eligible for relief constitute a county roll of honor. 6/ All applications for enrollment from year to year must be made to the Board of Honor in the county in which the applicant resides. 7/ The decision of the County Board of Honor in granting or refusing enrollment is final. 8/

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1. Code (1932), Sec. 4982.
  2. Ibid, Sec. 2244 (2).
  3. Acts (1932), #833, as amended by Acts (1935), #275, P. 386.
  4. Code (1932), Sec. 4983.
  5. Ibid, Sec. 2245.
  6. Ibid, Sec. 4978.
  7. Ibid, Sec. 4980.
  8. Ibid, Sec. 4981.

(c) Measure of responsibilityPensions:

Confederate veterans receive cash pensions of \$240 per annum. 9/

Widows over 55 years of age receive \$160 per annum; all widows between 45 and 55 years of age receive \$125 per annum. 9/

Any pensioner entering the Confederate Home is limited to \$50. 10/

Additional pensions of \$125 per year are paid to veterans of Fairfield County. 11/

Additional pensions of \$100 per year are paid to veterans of Williamsburg County. 12/

Care of indigent Confederate veterans, their wives, widows and spinster daughters in the Confederate Home. 13/

One pension after the death of a pensioner is paid to the party defraying the funeral expenses. 14/

Properly qualified Negroes receive not more than \$25 per year. 15/

(d) Qualifications imposed

Applicant must be a resident of the State for 2 years. 10/  
For admission to the Home, applicant must be 70 years of age or over. 16/

Fairfield County: Applicant must have 10 years' residence and must be receiving a pension from the State. 11/

Williamsburg County: Applicant must be duly passed on by the Board of Honor, thus receiving a State Pension. 12/

Negroes must have served from the State of South Carolina and must now be residents of the State. 15/

(e) Incidence of financial responsibility

State: Appropriation each year for payment of pensions 14/, and upkeep of Confederate Home. 16/

Fairfield and Williamsburg Counties must finance the additional pensions allowed by them. 17/

9. Code (1932), Sec. 4986.  
10. Ibid, Sec. 4982.  
11. Ibid, Sec. 4988 (1).  
12. Ibid, Sec. 4988 (2).  
13. Acts (1932), #833 and Code (1932), Sec. 2245.

14. Code (1932), Sec. 4979.  
15. Ibid, Sec. 4983.  
16. Ibid, Sec. 2244 (2).  
17. Ibid, Sec. 4988 (1) and (2).

(f) Taxes

State: General fund derived from general property tax. 18/

Fairfield County: General property tax not to exceed one-fourth mill. 19/

Williamsburg County: General property tax sufficient to raise necessary amount. 20/

(g) Administrative agencies

Board of Honor. 21/

Commission for the Confederate Home. 22/

(h) Supervisory controls

No provision.

- 
18. Code (1932), Sec. 2244 (1) and 4986.  
19. Ibid, Sec. 4988 (1)  
20. Ibid, Sec. 4988 (2).  
21. Ibid, Sec. 4981.  
22. Ibid, Sec. 2244 (1).

ABSTRACT OF ADMINISTRATIVE PROVISIONSSTATE BOARD OF PUBLIC WELFARE

(Statutory Body)

I. General Powers and Duties

(1) The Board must appoint a superintendent for the State Industrial School for White Boys, a superintendent for the State Industrial School for White Girls, a warden for the State Reformatory for Negro Boys 1/, and a superintendent for the State Training School, and must authorize the appointment of subordinate staffs. 2/

(2) The Board must visit, inspect and examine State, county, municipal and private institutions which are of an eleemosynary, charitable, correctional or reformatory character, or which are for the care, custody or training of the defective, dependent, delinquent or criminal classes. 3/

(3) The Board must inspect and report upon the workings and results of chartered institutions and associations engaged in the care and protection of homeless, dependent, defective and delinquent children or adults. 3/

(4) The Board must cause to be distributed among officials of institutions dealing with dependent, delinquent and defective classes, educational literature with a view to increasing their efficiency and bringing the institutions up to a high and modern standard. 3/

(5) The Board must pass upon plans for new jails, reformatories and almshouses and make reasonable and proper suggestions and recommendations. 4/

(6) The Board must appoint local committees of visitors in each county or city. 5/

(7) The Board must collect, compile and publish statistics, regarding the dependent, defective and delinquent classes, both in and out of institutions within the State, and such other data as may be of value. 6/

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1. Code (1932), see Sec. 2022, designating this reformatory the John G. Richards Industrial Training School for Negro Boys, and placing it under the management and control of the Board of Directors of the State Penitentiary and providing for its maintenance out of the earnings of the State Penitentiary.

2. Code (1932), Sec. 1996, see "Executive" under "State Training School", p. 3822.

3. Code (1932), Sec. 2000.

4. Ibid, Sec. 2002.

5. Ibid, Sec. 2003.

6. Ibid, Sec. 2004.

I. General Powers and Duties (Cont'd)

(8) The Board has power to make special investigations at the request of the Governor. 7/

(9) The Board must investigate the financial condition of inmates and applicants for admission to State hospitals. 8/

II. Composition and Appointment of Governing Body

The Board consists of the Governor, ex officio, who is Chairman, and 6 members, appointed by the Governor with the advice and consent of the Senate, for 6-year rotating terms. Members may be removed for cause or automatically by absence from 2 successive meetings of Board unless excused. The appointive members of the Board receive no compensation except actual expenses. 9/

III. Reports

The Board must make an annual report to the Governor, stating in detail all expenses incurred, all officers and agents employed and show the actual condition, care of inmates and other pertinent matters with such recommendations as may be deemed proper to be submitted to the General Assembly. The Board must report once a month to State Board of Health on all matters that are under its jurisdiction. 10/

IV. Executive

The Board appoints a secretary at a salary of \$3,500 a year, who is the executive officer of the Board. 11/

V. Staff

One assistant agent may be employed to make financial investigations. 12/

VI. Financial Provisions

No provision. 13/

- 
7. Code (1932), Sec. 2006.
  8. Ibid, Sec. 2007.
  9. Ibid, Sec. 1993, 1998.
  10. Ibid, Sec. 2005.
  11. Ibid, Sec. 1996.
  12. Ibid, Sec. 2012.
  13. Session Laws for last 20 years do not list an appropriation.

SUPERINTENDENTS OF STATE INDUSTRIAL SCHOOLS FOR  
WHITE BOYS AND WHITE GIRLS

(Statutory Bodies)

I. General Powers and Duties

(a) Superintendents

The Superintendents are required to furnish the Board such information as it may require; and also to allow the Board or its agent full access to all inmates and departments of the schools at any time. 1/

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1. Code (1932), Sec. 2000.

Commitment to State Industrial School for Boys: White boys between 8 and 17 years of age may be voluntarily committed to the institution by their parents or guardians, or those having no parent or guardian may commit themselves; provided, that when boys are committed otherwise than upon a conviction of a crime, the warrant of conviction is not valid until approved and indorsed in writing by a judge of the circuit, probate, or county court, after a careful investigation; provided that the Board of Public Welfare may require the payment of reasonable sums to provide for the maintenance and tuition of the boys voluntarily committed. Code (1932), Sec. 2016.

Any boy committed to the institution must be kept there until he reaches the age of 21 unless sooner dismissed by the Board of Public Welfare upon recommendation of the Superintendent. From the time of the lawful reception of any boy into the institution and during his stay therein, the institution has the exclusive care, custody, and control of the boy, and the Board of Public Welfare must have the boy instructed in such branches of useful knowledge as may be suited to his years and capacity and must have him taught a trade by which he may earn an honest living. Code (1932), Sec. 2016.

When any boy between 8 and 17 years old is indicted for any crime, before he is tried, by consent of his parents or guardian, the judge or magistrate before whom he is indicted may commit the boy to the Industrial School for training and education, or after the trial and conviction in lieu of sentence for punishment of such crime, the judge or magistrate may commit such boy to the Industrial School. Code (1932), Sec. 2017.

Commitment to the Industrial School for Girls: A petition is filed with the probate judge of the county by a reputable person stating the name and address of the girl and her parents or guardians; and stating the charge to be placed against the girl. The judge may dispose of the case as he thinks best. The accused girl may demand trial by a jury composed of 6 persons. If found guilty she may either be sent to the Industrial School or put on probation, provided that upon violation of such probation the girl must be sent to the Industrial School. Code (1932), Sec. 2029b, 2031.

No person under 10 or over 18 years old may be committed to the Industrial School for Girls. Acts (1935), Page 527.

All commitments must be for an indeterminate period not to extend beyond the age of 21 years of the person committed. Code (1932), Sec. 2032. (Footnote Forwarded)



I. General Powers and Duties (Cont'd)

(b) Board of Public Welfare

The schools are directly under the management of the State Board of Public Welfare. 2/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Public Welfare".

III. Reports

The Superintendents must report quarterly to the State Board of Public Welfare. 3/

IV. Executive

The Superintendents are appointed by the Board to serve at its pleasure. 4/ No provision for their compensation.

V. Staff

The Superintendents are authorized by the Board of Public Welfare to appoint such officers and employees to serve under them as may be necessary. 4/ No provision for their compensation.

VI. Financial Provisions

The Schools are financed by appropriations from the State general fund. 5/

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Footnote # 1 (Cont'd)

The court has the power to commit any girl between the ages of 10 and 18 years, who is convicted of a crime punishable by confinement in the State Penitentiary, or in a county jail, to the Industrial School, if, in its opinion, it is for the best interests of the girl. Acts (1935), Page 527 and Code (1932), Sec. 2030.

2. Code (1932), Sec. 2015, 2026.

3. Ibid, Sec. 2001.

4. Ibid, Sec. 1996.

5. Ibid, Sec. 2019.

The Board may in its discretion require the payment of reasonable sums to provide for maintenance and tuition from parents or guardians of boys voluntarily committed, if they are able to pay. Code (1932), Sec. 2016.

VI. Financial Provisions (Cont'd)

Amount of Appropriation:

The sum of \$65,000 is appropriated to the Industrial School for Boys for the period from July 1, 1935 to June 30, 1936. 6/

The sum of \$15,000 is appropriated for the Industrial School for Girls for the period from July 1, 1935 to June 30, 1936. 6/

Limitation of Funds:

No provision for use other than for operation of the schools.

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6. Acts (1935), Page 527.

WARDEN OF THE JOHN G. RICHARDS INDUSTRIAL  
TRAINING SCHOOL FOR NEGRO BOYS 1/

(Statutory Body)

I. General Powers and Duties

(a) Board of Directors of State Penitentiary

(1) The Board of Directors and Superintendent of the State Penitentiary are authorized and required to set apart so much of the State farm in Lexington County as may be necessary for a reformatory, exclusively for colored boys. 1/

(2) The Board must provide suitable buildings and stockade for the safekeeping and comfort of persons sentenced to the School. 1/

(b) Superintendent of State Penitentiary

Superintendent must provide for the instruction of the inmates in morals as well as in useful labor. 1/

(c) Warden

The discipline in the prison must be reformatory and the Warden has power to use such means of reformation, consistent with the improvement of the inmates, as may be prescribed by the Board of Directors and Superintendent of State Penitentiary. 1/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "Board of Directors of State Penitentiary".

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1. Code (1932), Sec. 2021.

The chaplain of the State Penitentiary holds services at the reformatory in Lexington County. Code (1932), Sec. 1973.

Commitment: The Superintendent of the State Penitentiary must place in the reformatory all male criminals, other than white boys, under 16 years of age, who are legally sentenced to the reformatory on conviction of any criminal offense in any court having jurisdiction thereof and punishable by imprisonment in State Penitentiary.

The present laws governing commitment of boys to the School, the control of the boys so committed and their parole, applies to the John G. Richards Industrial School for Negro Boys. Code (1932), Sec. 2023.

III. Reports

Executive of any State institution must report quarterly to the State Board of Public Welfare. 2/

IV. Executive

The Warden is appointed by the Superintendent of the State Penitentiary. He must have had practical experience and possess the ability and qualifications necessary to successfully carry on the industries of the reformatory, and to enforce and maintain proper discipline. The Superintendent may remove him at will. 3/

The Warden's salary is paid out of the profits of the State Penitentiary. 3/

V. Staff

No provision.

VI. Financial Provisions

The School is financed out of the profits of the State Penitentiary. 3/

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2. Code (1932), Sec. 2001.

3. Ibid, Sec. 2021.

BOARD OF DIRECTORS OF THE STATE PENITENTIARY

(Statutory Body)

I. General Powers and Duties

(a) Board of Directors:

(1) The Board of Directors has general supervision of the Penitentiary, its inmates, property, etc., and must meet at least once a month upon call of the Governor. 1/

(2) The Board must examine and inquire into all matters connected with the discipline of the Prison, and the work being done therein. 1/

(3) The Board must require reports from the Superintendent or keeper in relation to discipline, and progress of the work, etc. 1/

(4) The Board must make general regulations for the government of the Prison, or may modify regulations made by the Superintendent. 1/

(5) The Board must inquire into the conduct of the Superintendent, keeper, and other officers of the Prison in case of complaints. 1/

(6) The Board must keep regular minutes of its meetings and proceedings at the Prison, which minutes must be signed by the directors and entered in a minute book kept at the Prison. 1/

(7) The Board must prescribe the articles of food and quantities of each kind that are ordered by contract for the supply of provisions to the Prison. 1/

(8) The Board may recommend executive clemency for certain prisoners. 1/

(9) The Board and the Superintendent of the Penitentiary have the power to make rules and regulations for the government of the John G. Richards Industrial Training School for Negro Boys. 2/

(b) Superintendent:

(1) The Superintendent must make and establish regulations for management of the Penitentiary and for the government and security of the prisoners. 3/

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1. Code (1932), Sec. 1962.

2. Ibid, Sec. 2021.

3. Ibid, Sec. 1964.

The Superintendent may require aid of any citizen of the State in suppressing riots. Ibid, Sec. 1965.

I. General Powers and Duties (Cont'd)

(b) Superintendent: (Cont'd)

(2) The Superintendent must purchase all provisions and materials necessary for supporting and employing the prisoners. Bills of purchased articles must be submitted to the Board of Directors for approval. 4/

(3) The Superintendent must make all necessary repairs of the Prison, and superintend the construction of the work. 4/

(4) The Superintendent must make all sales of articles produced in the Prison which are proper to be sold. 4/

(5) The Superintendent must take charge of buildings, furniture, tools, implements, and stock that pertains to the Prison. 4/

(6) The Superintendent must receive and pay out all moneys granted by the General Assembly, subject to inspection of the directors. 4/

(7) The Superintendent must keep suitable books, regular and complete accounts of all property, expenses, purchases, sales, income, business, and concerns of the Prison. 4/

(8) The Superintendent must suppress any disorders, riots or insurrection that may take place among the prisoners. 4/

(9) The Superintendent must furnish a discharged prisoner with a suit of clothes and transportation as near to his home as there is a public conveyance. 5/

(10) The Superintendent is authorized and required to offer a reward of \$25 for the capture of each escaped convict. 6/

(11) The Superintendent has charge of electrocutions. 7/

II. Composition and Appointment of Governing Body

The Board of Directors, consisting of 5 members from the several sections of the State, is appointed by the Governor with the advice and consent of the Senate. They serve rotating terms of 5 years, a new member being appointed every year. Each member receives \$10 per diem and traveling expenses for not exceeding 4 days in any one month. 8/

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4. Code (1932), Sec. 1964.

The Superintendent may require aid of any citizen of the State in suppressing riots. Ibid, Sec. 1965.

5. Code (1932), Sec. 1976.

6. Ibid, Sec. 1979.

7. Ibid, Sec. 1986.

8. Ibid, Sec. 1962.

### III. Reports

The Board must make an annual report to the Governor, to be given to the General Assembly on or before November 1st of each year, of the state and condition of the Prison, the convicts confined therein, of the moneys received and expended, and generally of all the proceedings during the past year. 9/

The Board must report quarterly to the Governor eligible subjects for executive clemency. 10/

The Superintendent of the Prison must report annually to the Board of Directors, on or before the 15th day of October, a list of prisoners, commencement and expiration of their several sentences, and a copy of the Prison regulations; and to the directors and comptroller-general, minute statements of all his accounts and doings up to that time. 11/

### IV. Executive

The Board of Directors has the exclusive power to appoint and remove the Superintendent. His salary is \$3,600 per annum which is fixed by statute. 12/

### V. Staff

The Superintendent may appoint and remove at pleasure a keeper, and such servants and guards as are necessary for the proper management of the Prison. 13/

Unless salaries are otherwise provided by law, officers and employees receive such compensation as may be fixed by the Superintendent and approved by the Board of Directors. 14/

In the absence of the Superintendent the keeper has the same power in suppressing disorders, riots, and insurrections, and in requiring aid and assistance in doing so that is given to the Superintendent. 15/

The Superintendent must appoint a physician for the Prison. His compensation is \$1,050 per annum. 16/

The Superintendent may appoint a chaplain, who is furnished with quarters within or near the Prison grounds, and who is in charge of the religious services of the Prison. The salary is \$750 per annum, fixed by statute. 17/

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9. Code (1932), Sec. 1962 (8).
  10. Ibid, Sec. 1962 (9).
  11. Ibid, Sec. 1964 (9), (10).
  12. Ibid, Sec. 1962.
  13. Ibid, Sec. 1964 (2).
  14. Ibid, Sec. 1974.
  15. Ibid, Sec. 1969.
  16. Ibid, Sec. 1964 (12), 1974.
  17. Ibid, Sec. 1972.

The chaplain also holds services at the Reformatory in Lexington County; compensation for this work is \$150 per annum. Ibid, Sec. 1973.

VI. Financial Provisions

The Penitentiary is financed by appropriations from the State general fund in addition to the fees, revenue and income of the Penitentiary. 18/

Amount of Appropriation:

The sum of \$95,000 is appropriated for the period from July 1, 1935 to June 30, 1936. 18/

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18. Acts (1935), p. 527.



BOARD OF PARDONS

(Statutory Body)

I. General Powers and Duties

(1) It is the duty of the Board to consider all petitions for pardons or commutation of sentence which may be referred to it by the Governor, and to make recommendations to the Governor regarding same, provided: Governor may or may not adopt the recommendation, but in case he does not, he must submit his reason to the General Assembly, provided further: the Governor may act on any petition without reference to the Board. 1/

(2) The Board must hold regular meetings at least 4 times a year, in January, April, July, and October and extra meetings if the Governor orders them. 2/

(3) The Board has the power to preserve order at its meetings and to punish any disorder or contempt committed in its presence. A majority of members constitutes a quorum, and a majority rules in all deliberations. 3/

II. Composition and Appointment of Governing Body

The Board is composed of 3 discreet persons, citizens of this State, appointed by the Governor. Members serve 3-year rotating terms. Any member is eligible for reappointment. The chairman is selected by the members from among their number. The compensation of the members of the Board is \$4 per diem while in session, not to exceed 20 days, and \$.10 per mile, one way, as travelling expenses. Members of the Board hold no other public office except that of Notary Public. 3/

III. Reports

No provision.

IV. Executive

One member of the Board is secretary and must reside in City of Columbia. 4/

V. Staff

No provision.

VI. Financial Provisions

Per diem and mileage compensation of members is paid by the State Treasurer, on warrant of the Comptroller General, out of the State general fund. 5/

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1. Code (1932), Sec. 3436.

2. Ibid, Sec. 3437.

3. Ibid, Sec. 3432, 3434, 3438, 3439.

4. Ibid, Sec. 3434.

5. Ibid, Sec. 3438.

BOARD OF REGENTS OF THE STATE HOSPITALANDSTATE TRAINING SCHOOL

(Constitutional Body)

I. General Powers and DutiesBoard of Regents:State Hospital: 1/

- (1) The Board has charge of such institution or institutions as may be maintained by the State for the care of the insane. 2/
- (2) The Board is authorized and empowered to make rules and regulations for the government of the institution. 3/
- (3) The Board has the power to establish the rates of admission, maintenance, and medical attendance for the patients of the institutions other than beneficiary. 3/

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1. Commitment: The Superintendent may receive into his custody and detain in the Hospital for not more than 10 days, any person whose case is certified by 2 regularly licensed physicians to be one of violent and dangerous insanity, or who for other reasons is in urgent need of treatment. The person applying for such admission must within 10 days cause the alleged insane person to be duly committed as insane or removed from the institution. Code (1932), Sec. 6227.

The Superintendent may receive and detain in the hospital as a patient any person who is desirous of submitting himself for treatment, who voluntarily makes written application, and whose mental condition in the opinion of the Superintendent is such as to render him competent to make the application. Ibid, Sec. 6228.

The Superintendent may receive persons transmitted from other hospitals, for not longer than 10 days, provided the person interested in the transfer makes application as required by the Board of Regents. The Superintendent may approve or disapprove the application. If the application is approved he must submit a statement to the judge of probate stating financial arrangements made. However, if the application is disapproved, he must transmit a written statement to the judge of probate stating his reasons for his disapproval. Ibid, Sec. 6229.

When the Superintendent determines that the person can be received as a patient he must send immediately a trained nurse or attendant for such insane person. Ibid, Sec. 6230.

The judge of probate has control of all cases of idiocy and lunacy. Ibid, Sec. 208.

2. Constitution (1895), Art. 12, Sec. 2 and Code (1932), Sec. 6222.
3. Code (1932), Sec. 6223.

I. General Powers and Duties (Cont'd)

Board of Regents: (Cont'd)

State Training School: 4/

(1) The Board must meet quarterly and oftener as may be required. 5/

(2) The Board must appoint an advisory committee of 3 women to serve at its pleasure, without compensation, who must visit the institution at least quarterly and must advise the Board as to its management and any other pertinent matter. 5/

Superintendents:

State Hospital:

No powers specified by statute.

State Training School:

(1) The Superintendent may permit any inmate to leave the institution on parole for such length of time and on such conditions as he may determine. 6/

(2) The Superintendent has the power to revoke the parole and return any inmate to whom such parole was granted to the institution at any time for such cause as may be deemed wise in his judgment. 6/

(3) The Superintendent or his agent has the authority to repossess all children escaped or paroled from the Training School. 7/

II. Composition and Appointment of Governing Body

The Board of Regents consists of 5 members appointed by the Governor with the advise and consent of the Senate for 5-year rotating terms. 8/ No provision for their compensation.

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4. Admission: Applications for the admission of feeble-minded persons must be made to the Board of Regents of the State Training School. The Board must then, in accordance with such rules as it may make, determine which of these applications for admission may be granted and in what order. Code (1932), Sec. 6261.

Commitment: Any relative, guardian or any reputable citizen of the State may file with the judge of the probate court, or with the clerk of the circuit court, a petition in writing, setting forth the facts concerning the person therein named. The hearing on the petition must be by the court and a commission of 2 qualified physicians, appointed by the court for this purpose. Upon the conclusion of the hearing, inquiry and personal examination, the commission must file with the court a written report, showing the results of their findings. Ibid, Sec. 6263.

If the court finds that the alleged person is feeble-minded, it must direct that he be placed in the Training School. Ibid, Sec. 6264.

5. Code (1932), Sec. 6252.

6. Ibid, Sec. 6267.

7. Ibid, Sec. 6268.

8. Ibid, Sec. 6222.

III. Reports

The Board must report annually to the Governor, the state and condition of the State Hospital and set forth fully its financial affairs in such form as the Governor may require. 9/ No provision for reports concerning the Training School.

IV. Executive

The Board appoints a Superintendent of the State Hospital to serve at its pleasure. The Superintendent must be a physician. 10/ No provision for his compensation.

The Board appoints a Superintendent of the Training School to serve at its pleasure and at such compensation as it may determine. 11/

V. Staff

The Superintendent of the State Hospital, in his discretion, has the power to appoint and remove all other officers and employees subject to the approval of the Board. 10/

The Superintendent of the State Training School may employ and discharge all employees of the School. 11/

The Board of Regents is authorized and empowered to fix amounts of salaries or emoluments of the officers and employees. 12/

VI. Financial Provisions

The South Carolina State Hospital is financed by appropriations from the General Assembly. 13/

The Training School is financed by appropriations from the General Assembly. 14/

The institutions are financed by appropriations from the State general fund. 15/

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9. Code (1932), Sec. 6224.
  10. Constitution (1895), Art. 12, Sec. 2 and Code (1932), Sec. 6222.
  11. Code (1932), Sec. 6253. See (1) under "Powers and Duties" of "State Board of Public Welfare", which states that this superintendent is appointed by the State Board of Public Welfare.
  12. Code (1932), Sec. 6223.
  13. Acts (1935), p. 525, Act. 347, Sec. 22.
  14. Acts (1935), p. 525, Act. 347, Sec. 23.
  15. Ibid, Sec. 22.

The sum of \$35,000 constitutes the revolving fund of the State Hospital. Ibid.

VI. Financial Provisions (Cont'd)

Amount of Appropriation:

The sum of \$865,000 is appropriated to the State Hospital for the period July 1, 1935 to June 30, 1936. 16/

The sum of \$130,000 is appropriated to the State Training School for the period July 1, 1935 to June 30, 1936. 17/

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16. Acts (1935), p. 525, Act. 347, Sec. 22.

The sum of \$35,000 constitutes the revolving fund of the State Hospital. Ibid.

17. Acts (1935), p. 525, Act. 347, Sec. 23.

COMMISSION FOR THE CONFEDERATE HOME

(Statutory Body)

I. General Powers and Duties

(1) The Commission for the Confederate Home must establish and manage the Home for infirm and destitute Confederate soldiers or sailors, and indigent widows and wives of Confederate soldiers or sailors. 1/

(2) The Commission must prescribe rules regulating admission to the Confederate Home. It is empowered to admit to the Home, wives, widows, sisters, and daughters born prior to 1865, of Confederate soldiers and sailors. 2/

II. Composition and Appointment of Governing Body

The Commission consists of 9 members, 5 of whom must be Confederate soldiers or sailors or sons of Confederate soldiers or sailors, appointed by the Governor; and the other 4 members must be members of the State organization of the United Daughters of the Confederacy, appointed by the Governor upon recommendation of the State organization of the U. D. C. Members of the Commission serve 9-year rotating terms. They receive no compensation for their services, but are entitled to actual expenses for attending meetings of the Commission. 3/

III. Reports

No provision.

IV. Executive

No provision.

V. Staff

No provision.

VI. Financial Provisions

The Confederate Infirmary is financed by appropriations from the State general fund. 4/

Amount of Appropriation: The sum of \$20,000 is appropriated to the Infirmary for the period from July 1, 1935 to June 30, 1936. 4/

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1. Code (1932), Sec. 2244 (1).
  2. Ibid, Sec. 2244 (2) and Acts (1935), P. 386, #275.
  3. Ibid, Sec. 2244 (1) and (4).
  4. Acts (1935), P. 526.

BOARD OF TRUSTEES OF THE JOHN DE LA HOWE INDUSTRIAL SCHOOL

(Statutory Body)

I. General Powers and Duties

(1) The Board has control of the business, property and affairs of the school. 1/

(2) The Board makes such rules and regulations for its own government and for the management of the Industrial School as it deems necessary. 2/

(3) All applications for admission as boarding pupils must be submitted by the Board to the State Board of Public Welfare before being granted. After examination and return of applications, with recommendations by the State Board of Public Welfare, the Board of Trustees must then determine which of these applications for admission may be granted and in what order. 2/

II. Composition and Appointment of Governing Body

The Board is composed of 7 members appointed by the Governor subject to confirmation by the Senate. The members serve for 5-year rotating terms. All members serve without compensation, but are allowed their necessary traveling and other expenses. 1/

III. Reports

No provision.

IV. Executive

The Board must select a Superintendent for such term and salary as it may determine. 3/

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1. Code (1932), Sec. 5678.

The purpose of this institution is the establishment and maintenance of an agricultural and mechanical school as an institution in Abbeville County, thereby stimulating and improving the industrial life of the entire community. The training is to be free of charge, of 24 boys and girls, not as college men and women, but in the beginning of school life, and the like training of the children of the neighborhood not supported by the fund. The term "Abbeville County" is to be understood to mean that portion of South Carolina known as "Abbeville County" at the time the will of Dr. John de la Howe who left the property on which the school stands, was dated January 2, 1797. Code (1932), Sec. 5681.

2. Code (1932), Sec. 5682.

3. Ibid, Sec. 5679.

V. Staff

The Superintendent must employ, fix salaries and terms and discharge employees of the School, with the approval of the Board. 4/

The Board must appoint an advisory committee of 3 women who must visit the School at least quarterly and advise the Board regarding its management. The committee serves without compensation other than traveling and necessary expenses. 5/

VI. Financial Provisions

The School is financed by appropriations from the State general fund. 6/

Amount of Appropriation:

The sum of \$63,000 is appropriated to the school for the period from July 1, 1935 to June 30, 1936. 6/

Limitation of Funds:

For maintenance . . . . .	\$54,000
Purchase of dam and water rights . . . . .	9,000
	<u>\$63,000</u> <u>6/</u>

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4. Code (1932), Sec. 5679.  
5. Ibid, Sec. 5678.  
6. Acts (1935), P. 519, Sec. 16.



BOARD OF COMMISSIONERS FOR THE SOUTH CAROLINA  
INSTITUTION FOR THE DEAF, DUMB, AND BLIND 1/

(Statutory Body)

I. General Powers and Duties

(a) Board of Commissioners:

(1) The Board of Commissioners has the supervision and control of the affairs and government of the Institution, and regulates the salaries of officers and teachers. 2/

(2) The Board has the power to establish conditions, forms, and regulations for the admission of pupils to the Institution. 2/

(3) The Board has the power to prescribe such rules and by-laws as in its judgment are necessary for the management and good government of the Institution. 2/

(4) The Board must elect a chairman and secretary from its number, and must meet annually in August at the Institution, and at such other times and places as the chairman of the Board directs. 3/

(5) The Board may, upon recommendation of the Superintendent and faculty, appropriate \$150 annually to provide for the higher education of any graduate of the Institution, matriculating in any special or regular course offered at any chartered college, however, not more than 4 graduates may be aided in any one year. 4/

(b) Superintendent:

(1) The Superintendent is the official medium of communication between the Board of Commissioners and the subordinate officers and employees. 5/

(2) The Superintendent must make all regulations of internal policy of the Institution. 5/

(3) The Superintendent must authorize the purchase of supplies, examine and certify to the correctness of all bills of such supplies. 5/

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1. All deaf mutes and blind persons of the State who are of proper age and mental capacity, each case to be decided by the Board of Commissioners, must be admitted to the Institution. Code (1932), Sec. 5690.

2. Code (1932), Sec. 5685.

3. Ibid, Sec. 5688.

4. Ibid, Sec. 5693.

5. Ibid, Sec. 5687.

II. Composition and Appointment of Governing Body

The Board of Commissioners must consist of 5 members: The Superintendent of Education, ex officio, and 4 members to be appointed by the Governor, 3 of whom must reside in Spartanburg County, who serve 8-year rotating terms, with no compensation, except actual expenses for attending not more than 2 meetings in each year, to be paid by the Superintendent of the Institution. 6/

III. Reports

The Board annually reports to the State Legislature. 7/

IV. Executive

The Board appoints a Superintendent who is responsible to the Board. 8/

V. Staff

The Superintendent nominates all his subordinate officers and teachers, subject to the approval of the Board. 9/

VI. Financial Provisions

The sum of \$82,000 is appropriated to the Institution for the period July 1, 1935 to June 30, 1936. 10/

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6. Code (1932), Sec. 5684, 5688.  
7. Ibid, Sec. 5689.  
8. Ibid, Sec. 5686.  
9. Ibid, Sec. 5687.  
10. Acts (1935), p. 519.

SUPERVISOR OF CHILDRENS' BUREAU

(Statutory Body)

I. General Powers and Duties

(The duties of the Bureau are the duties of the Supervisor. 1/)

(1) The Bureau is authorized to place out in free family homes for adoption, destitute, neglected, dependent, and delinquent children committed to its care. Defective and otherwise handicapped children committed to its care must be placed in such institutions as are provided by the State for their care, as may appear advisable for the best interest of each child. 1/

(2) The Bureau in placing out destitute, dependent, neglected or delinquent children in private families must safeguard the welfare of each child by a thorough investigation of each applicant, the home and its environment, and must personally and adequately supervise each child until the child receives legal adoption or attains legal age. 2/

(3) The Bureau must keep a record containing the name, ages and former residence, occupations and character, so far as is known, of the parents of children coming under its supervision, the dates of reception, placing-out and adoption of children, together with the name, occupation and residence of the person with whom each child is placed; the date and cause of removal to another home; and a brief history of each child until it has reached the age of 18 years, or has been legally adopted or discharged according to law. 3/

(4) The Bureau is the guardian of the persons of all destitute, dependent, neglected, or delinquent children who are committed to its care and must, as soon as practicable, place the child or children in private homes. 4/

(5) The Bureau must act as a bureau of investigation and may be used by State institutions to investigate all applications for admission and dismissal of children. 5/

II. Composition and Appointment of Governing Body

The Supervisor is appointed by the Governor with the advice and consent of the Senate, for a period of 6 years and must be paid for her services, in addition to necessary traveling expenses, an annual salary to be determined by the General Assembly. 6/

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1. Code (1932), Sec. 4989.
  2. Ibid, Sec. 4990.
  3. Ibid, Sec. 4991.
  4. Ibid, Sec. 4992.
  5. Ibid, Sec. 4994.
  6. Ibid, Sec. 4989.

III. Reports

The Bureau must render annually to the Governor and General Assembly a complete report of its activities. 7/

IV. Executive

See "Supervisor" under "Composition and Appointment of Governing Body".

V. Staff

The Supervisor may employ such assistants and agents as are necessary 7/, at salaries as provided by law. 8/

VI. Financial Provisions

The Bureau is financed from appropriations made by the General Assembly. 8/

Amount of Appropriation:

The sum of \$14,048 is appropriated to the Board for the period from July 1, 1935 to June 30, 1936. 8/

Limitation of Funds:

## Salaries:

Supervisor . . . . .	\$ 1,764
Field Worker . . . . .	1,524
Field Worker . . . . .	1,428
Field Worker . . . . .	1,212
Stenographer . . . . .	1,212

## Special Payments:

Professional fees . . . . .	\$ 700
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## Contractual Services:

## Travel:

For Employees . . . . .	\$ 2,625
For Children . . . . .	2,500
Telegraph and Telephone . . . . .	150
Repairs . . . . .	50
Printing and Advertising . . . . .	100

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7. Code (1932), Sec. 4989.

8. Acts (1935), Page 526.

VI. Financial Provisions (Cont'd)

Limitation of Funds. (Cont'd)

Supplies:

Office Supplies . . . . .	\$	150
Medical Supplies . . . . .		100
Clothing and Dry Goods . . . . .		400

Fixed Charges and Contributions:

Contributions . . . . .	\$	33
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Equipment:

Office equipment . . . . .	\$	100
Grand Total . . . . .	\$	14,048

PROBATE COURT

(Statutory Body) 1/

I. General Powers and Duties

Every judge of probate, in his county, has jurisdiction in business appertaining to minors, and in cases of idiocy and lunacy, and of persons non compos mentis. 2/

(a) Duties and Powers of Probate Court in Relation to Minors

(1) Whenever a petition is presented to the probate court, supported by affidavits, either on knowledge or information and belief, that any child within its jurisdiction under 18 is destitute, homeless, living in surroundings of depravity and immorality, associating with criminals, or is incorrigible and unmanageable, the probate court must also summon the parents or guardian to show cause why the care or custody of the child should not be assumed by the court. 3/

(2) The court has the power to summon witnesses which it may deem necessary to the proper disposal of the case. 4/

(3) Upon proof of the allegations of the petition, the court has the power to order the parents or persons responsible for such child to perform such duties in regard to the support and control of the child as will be lawful and right. In case it is necessary to apply remedies beyond the constitutional powers of the probate court, the court must certify the fact to the court of common pleas, or to the court of general sessions, as the case may require, to act upon same, and apply such remedies as may be lawful and right. 5/

(4) If after due hearing, the court assumes the supervision, care or custody of the child, it must require the parent or parents or persons with whom it resides, and in discretion of the court, in addition to these or in lieu thereof, some suitable and proper person or persons to serve without compensation, and to be known as probation officer or officers, to look after the child and report to the court for as long a period and as often as the court requires, as to the treatment and conduct of the child. The child must report to the probation officer as often as the court may prescribe; and the probation officer has at all times power to investigate the surroundings, conditions, and treatment of the child, and report to the court. 6/

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1. Constitution of 1895, Art. 5, Sec. 19, footnote:  
The probate court in Charleston County is a constitutional court.
  2. Code (1932), Sec. 208.
  3. Ibid, Sec. 243.
  4. Ibid, Sec. 244.
  5. Ibid, Sec. 245.
  6. Ibid, Sec. 246.

I. General Powers and Duties (Cont'd)

(a) Duties and Powers of Probate Court in Relation to Minors: (Cont'd)

(5) If at any time the court finds that the custody of the child should be taken from the parents or person at the time responsible for it, it may bind over such child to an orphan asylum or other institution for the care of children, or in the discretion of the court, it may, if colored, be sent to the Negro Reformatory in Lexington County; and if white it may be sent to the industrial school in Florence County: Provided, no child under 12 shall be confined in a reformatory. 7/

(6) The court may remand the child to the proper magistrate, municipal, or sessions court for trial and punishment if it appears to the court that the child is incorrigibly criminal or has committed a crime which demands punishment rather than reformatory discipline. 8/

(b) Duties and Powers of Probate Court in Relation to Cases of Idiocy and Lunacy:

(1) The probate judge has jurisdiction in relation to the appointment and removal of guardians of insane, and idiotic persons and persons non compos mentis and in relation to the duties imposed by law on such guardians and the management and disposition of the estates of their wards. 9/

II. Composition and Appointment of Governing Body

The probate judge is elected by the voters of the county at every alternate general election. The term is for 4 years. His salary is fixed from time to time by the General Assembly. 10/

The probate judge holds sessions on the first Monday of each month. 11/

III. Reports

No provision.

IV. Executive

See Judge under "Composition and Appointment of Governing Body".

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7. Code (1932), Sec. 247.
  8. Ibid, Sec. 248.
  9. Ibid, Sec. 209.
  10. Ibid, Sec. 2350, and Constitution of 1895, Art. 5, Sec. 24.  
The probate judge receives, in addition to his salary, fees for cases of probate, commitments, etc. Ibid, Sec. 3675.
  11. Code (1932), Sec. 205.

V. Staff

The court may appoint a clerk. In event of the courts' failure to appoint a clerk, the judge performs the duties of the clerk; provided he does not practice in such court as attorney or counsellor at law. 12/

The clerk must keep a true and fair record of each order, sentence, and decree of the court, and of all other things proper to be recorded; and of legal fees being paid, give a true and attested copies of the files and proceedings of the court. 13/

The court may appoint probation officers; who serve without compensation. 14/

VI. Financial Provisions

The Board of County Commissioners prepare a budget of ordinary county expenses each year. 15/ The Commissioners pay all fees and expenses which are claims against the county. 16/ The county funds are raised by taxes levied by the Commissioners. 17/

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12. Code (1932), Sec. 206.
  13. Ibid, Sec. 207.
  14. Ibid, Sec. 246.
  15. Ibid, Sec. 3864.
  16. Ibid, Sec. 3871.
  17. Constitution (1895), Art. 10, Sec. 5.



JUVENILE COURT 1/

(SESSION OF PROBATE COURT)

(Statutory Body)

I. General Powers and Duties

(1) The court has jurisdiction over any child less than 16 years of age and all other persons involved with or contributing to the dependency or delinquency of any child, residing in or being at this time within the county or any city therein: (a) Who is delinquent or violates any State or local law, or who is truant, unruly, wayward, misdirected, or disobedient, or (b) who is neglected, or (c) who is dependent upon public support, or who is destitute, homeless, or abandoned; or who is insane or feeble-minded. 2/

(2) When jurisdiction has been obtained in the case of any child, unless a court order is issued to the contrary, or unless the child be committed to an institution supported and controlled by the State, it must continue for the purpose of this section during the minority of the child. The duty must be constant upon the court to give each subject in its jurisdiction such oversight and control in the premises as will conduce to the welfare of such child and to the best interest of the State. 2/

(3) The probate court must sit separately as a children's court. 3/

(4) The court must maintain a full and complete record of all cases brought before it. Such record must be open to the parents, guardians, or other authorized representatives of the child concerned. 3/

(5) The actions of the court must aim to remedy rather than to punish. 3/

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1. Juvenile Courts: Created in counties having a population between 85,000 and 100,000 according to 1920 census, a separate part of the probate court for hearing of cases falling within the provisions of the code.

Any person having knowledge that a child is within the jurisdiction of the children's court, may file with the court a petition verified by affidavit, stating the alleged facts which bring such child within its jurisdiction. Code (1932), Sec. 255 (5).

Upon filing the petition or taking the child into custody, the court may, after investigation by probation officer, issue a summons to the child's parents, guardian, or person responsible requiring them to appear before the court with the child and show cause why the child should not be dealt with by the court. Ibid, Sec. 255 (6).

If the welfare of the child requires it, the custody of the child may be immediately assumed, and disposition provided for by the court until the hearing. Ibid, Sec. 255 (7).

The summons must be served personally if possible. Persons failing to obey the summons must be proceeded against as for contempt of court.

The papers may be served by any person delegated to do so by the court. Ibid, Sec. 255 (8).

2. Code (1932), Sec. 255 (1).

3. Ibid, Sec. 255 (4).

I. General Powers and Duties (Cont'd)

(6) If the court is satisfied that the child needs the care, protection, or discipline of the State, it may so adjudicate, and may find the child to be delinquent, neglected, or in need of more suitable guardianship. Thereupon the court may: (a) Place the child on probation; or (b) commit the child to the custody of a relative or other person of good moral character; or (c) commit the child to the custody of the State Board of Public Welfare, to be placed by the Board in a suitable family home; or (d) commit the child to a suitable institution maintained by the State or any subdivision thereof, or to any suitable private institution, or association authorized to care for children; or (e) if a child of 14 years of age be charged with a felony, his case must be investigated by the probation officer and the judge of the juvenile court, unless the judge believes it should be brought to the attention of the judge of the circuit court, in which case the child must be held in custody or bound to the next term of the circuit court. 4/

II. Composition and Appointment of Governing Body

The judge of the probate court of each county is authorized to act as judge of the children's court. 5/

The salary of juvenile court judge must not be less than \$500 or more than \$1,000 per year. The amount to be determined by the county delegation. Such compensation is in addition to his salary as probate judge. 6/

III. Reports

No provision.

IV. Executive

See "Composition and Appointment of Governing Body".

V. Staff

The juvenile judge of each county appoints suitable persons as chief probation officer and other probation officers, their appointments to be approved by the State Board of Public Welfare. The salary of the chief probation officer is \$1,800 per year, set by statute. 7/

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4. Code (1932), Sec. 255 (9).

For temporary detention of children while awaiting the hearing of their cases, a detention home is provided, to be conducted as an agency of the court, and to be carried on as far as possible as a family home under a superintendent or matron appointed by the judge. The judge appoints other necessary employees, appointments are approved by the State Board of Public Welfare. The salaries are fixed by the county delegation on recommendation of the judge. Ibid.

5. Code (1932), Sec. 255 (2).

6. Ibid, Sec. 255 (21).

7. Ibid, Sec. 255 (11).

V. Staff (Cont'd)

The judge must appoint an advisory board of no less than 6, and not more than 12 efficient and reputable citizens of both sexes to act as an advisory board to the children's court. Members may serve indefinitely and without compensation. 8/

The duties of the advisory board are: (1) To advise and cooperate with the court and probation officer in all matters appertaining to the moral, legal, physical, and spiritual welfare of all children within the county and cities; (2) To visit all private and public institutions wherein children are placed or committed; (3) To report to the judge and make such recommendations as it may deem necessary. The Board has the control and management of the detention home. It must meet at least once a month with the judge, who acts as chairman. 9/

VI. Financial Provisions

See "Financial Provisions" under "Probate Court".

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8. Code (1932), Sec. 255(24).

COUNTY SUPERVISOR OF COUNTY BOARD OF COMMISSIONERS

(Statutory Body)

I. General Powers and Duties

(Only those powers relating to welfare are included.)

(a) County Supervisor:

(1) The Supervisor has general supervision over paupers, taxes and disbursements of public funds for county purposes. 1/

(2) The Supervisor must publish a list of claims audited. 2/

(3) The Supervisor has charge of the County Chain Gang. 3/

(b) County Board of Commissioners:

(1) The County Board of Commissioners must care for convicts, provide machinery, implements for their employment, diet prisoners and furnish them suitable clothing. 4/

(2) The Board has general supervision over paupers, poorhouse, and county farm; and the Board must supply all necessary buildings for the accommodation of the poor of the county. 5/

(3) The Board has the power to demand, sue for, and receive all gifts, legacies, fines, forfeitures, and all other moneys or things which may be given or coming to the use of the poor. 6/

(4) The Board may provide and maintain in connection with the poor farm a suitable house of correction to which female convicts may be sentenced. 7/

(5) The Board must make all rules and regulations for the government of the county poorhouse and farm, and must appoint a superintendent with assistants for the county poor house and farm. 8/

(6) The Board may bind out children who are chargeable to the county. 9/

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1. Code (1932), Sec. 3819.
  2. Ibid, Sec. 3827.
  3. Ibid, Sec. 3835.  
Supervisors may exchange convict labor from one county to another.  
Ibid, Sec. 3839.
  4. Code (1932), Sec. 3836, 3844, 3845.
  5. Ibid, Sec. 3848.
  6. Ibid, Sec. 3850.
  7. Ibid, Sec. 3851.
  8. Ibid, Sec. 3849.
  9. Ibid, Sec. 3852.

I. General Powers and Duties (Cont'd)

(b) County Board of Commissioners: (Cont'd)

(7) The Board has the power to make all contracts in reference to supplying the poorhouse and inmates thereof, repairing buildings and other necessary expenses incident to the care of the poorhouse. 10/

(8) The Board must answer all claims against the poorhouse. 11/

II. Composition and Appointment of Governing Body

The County Board of Commissioners consists of the County Supervisor, and 2 commissioners, who are appointed by the Governor, upon the recommendation of the members of the General Assembly from the several counties, whose terms of office are conterminous with that of the Supervisor. 12/

In the counties of Bamberg, Laurens, and Oconee, the 2 commissioners are elected by the qualified electors of the county, and hold office for 2 years. 12/

In McCormick county 7 commissioners are elected for 4-year terms. 12/

In Richland county one commissioner is elected in each township by the qualified electors. 12/

In Florence county the commission is composed of the Supervisor and 3 commissioners. 12/

In Jasper county there are 4 commissioners, one to be elected from each township. 12/

III. Reports

The Supervisor is required to publish in a newspaper of the county a list of claims audited by the Board of Commissioners. 13/

Reports covering the condition of the county poor farm and general welfare of the county are made annually by the Board of Commissioners to the presiding judge of the court of general sessions, to be submitted by him to the grand jury by the county. 14/

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10. Code (1932), Sec. 3854.
  11. Ibid, Sec. 3855.
  12. Ibid, Sec. 3821.
  13. Ibid, Sec. 3827.
  14. Ibid, Sec. 3824.

III. Reports (Cont'd)

The Board of Commissioners must make a separate report for the poorhouse. This report is to be submitted at the last term in each year of the court of general sessions to the presiding judge to be submitted by him to the grand jury. 15/

IV. Executive

The Supervisor is the chairman of the Board of County Commissioners. 16/

The Supervisor is elected by the qualified electors of each county; his term is 4 years. The county must pay his compensation as provided by law. 17/

The term of Supervisors of Bamberg, Berkley, Calhoun, and York counties is 2 years. 17/

In Abbeville County 2 men are elected and known as sub-supervisors of the county. The term of office is 4 years. The salary of the sub-supervisors is \$200 per year. 17/

V. Staff

The Boards in each county may elect a clerk, who performs the duties of secretary, and is paid an annual salary. His term of office is coterminal with that of the Board electing him. 18/

The Board is required to employ physicians to render medical aid to convicts when necessary. The Board must appoint superintendent and employees of the poorhouse. 19/

VI. Financial Provisions

The Board of County Commissioners is financed out of the county fund. 20/ The county fund is raised by taxation. 21/

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15. Code (1932), Sec. 3856.

16. Ibid, Sec. 3867.

17. Ibid, Sec. 3818, 3859.

18. Ibid, Sec. 3823.

19. Ibid, Sec. 3847, 3849.

20. Ibid, Sec. 3860.

21. Ibid, Sec. 3864 and Constitution of 1895, Art. 10, Sec. 5.

COUNTY BOARD OF HONOR 1/

(Statutory Body)

I. General Powers and Duties

(1) All applications for enrollment from year to year in the honor roll of Confederate veterans eligible for pensions must be made to the County Board of Honor in the county in which the applicant resides. 2/

(2) The decision of the board in granting or refusing enrollment is final. 3/

II. Composition and Appointment of Governing Body

The Board of Honor of each county consists of 3 Confederate veterans. The term of office is 2 years, election taking place every 2 years at a called meeting of veterans at each county seat. Members are paid \$2 per diem for not over 5 days in each year, are reimbursed for postage and advertising, and receive traveling expenses at the rate of \$.10 per mile. 3/

III. Reports

The County Boards report to the Comptroller General of the State between January 1st and 15th of each year a complete list of all bona fide pensioners for that year. The list must contain the names and addresses of pensioners, and in the case of a widow, the name of her deceased husband. 3/

IV. Executive

The judge or probate of each county is the clerk of the board in that county, and must disburse all the amounts sent to him by the Comptroller General for those in the roll. He receives \$.25 for each disbursement. This fee is fixed by statute. 3/

The judge keeps a complete list of all enrolled, the amount paid or payable to each, and the receipts from the pensioners for all such payments. 3/

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1. There is created an honor roll of Confederate soldiers, sailors, and others, who in the State militia performed actual services in the army or navy of the Confederate States, who did not desert the services of the State or the Confederate States, who are residents of the State, and the widow of any such, if she has attained the age of 45, and was married prior to December 1920, or for a period of 10 years prior to his death, and is a resident of this State. Code (1932), Sec. 4978.

2. Code (1932), Sec. 4980.

3. Ibid, Sec. 4981. (Footnote Forwarded)

V. Staff

No provision.

VI. Financial Provisions

The necessary expenses of the Board are paid out of the amounts appropriated for pensions. 4/

Amount of Appropriation:

Out of the sum of \$429,000 appropriated from the State general fund for the fiscal year July 1, 1935 to June 30, 1936, \$900 is for special payment for per diem of Boards. 5/

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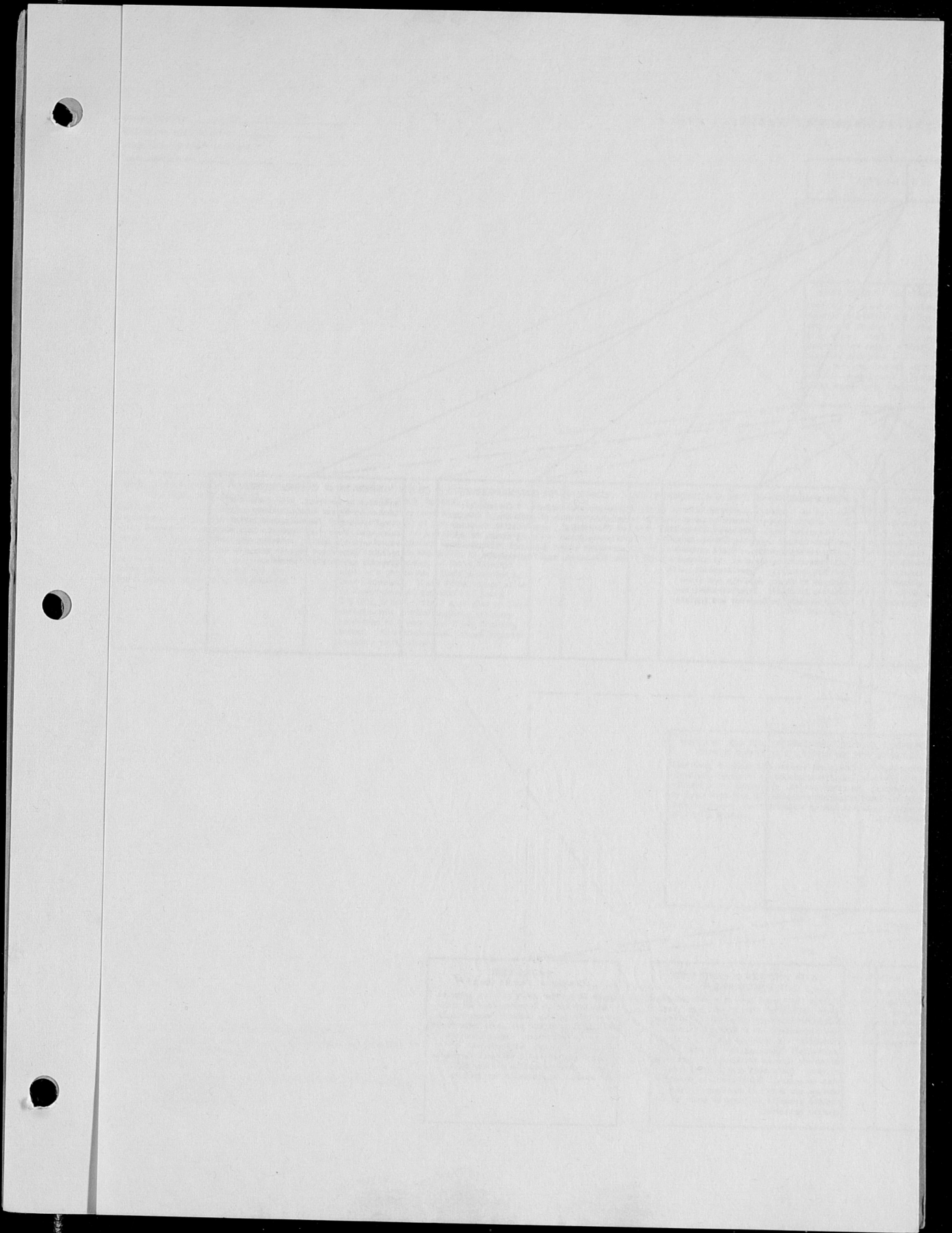
Footnote # 3 (Cont'd)

In case of disability of any member of the Board of Honor, he has the right to select a son of a veteran to serve in his stead. In the event that there should be in any county of this State no Confederate veteran to serve upon the Board of Honor, then the Board of Honor shall consist of the clerk of court, the probate judge and the county auditor in the various counties in South Carolina. Ibid, Sec. 4681.

4. Code (1932), Sec. 4979, 4986.

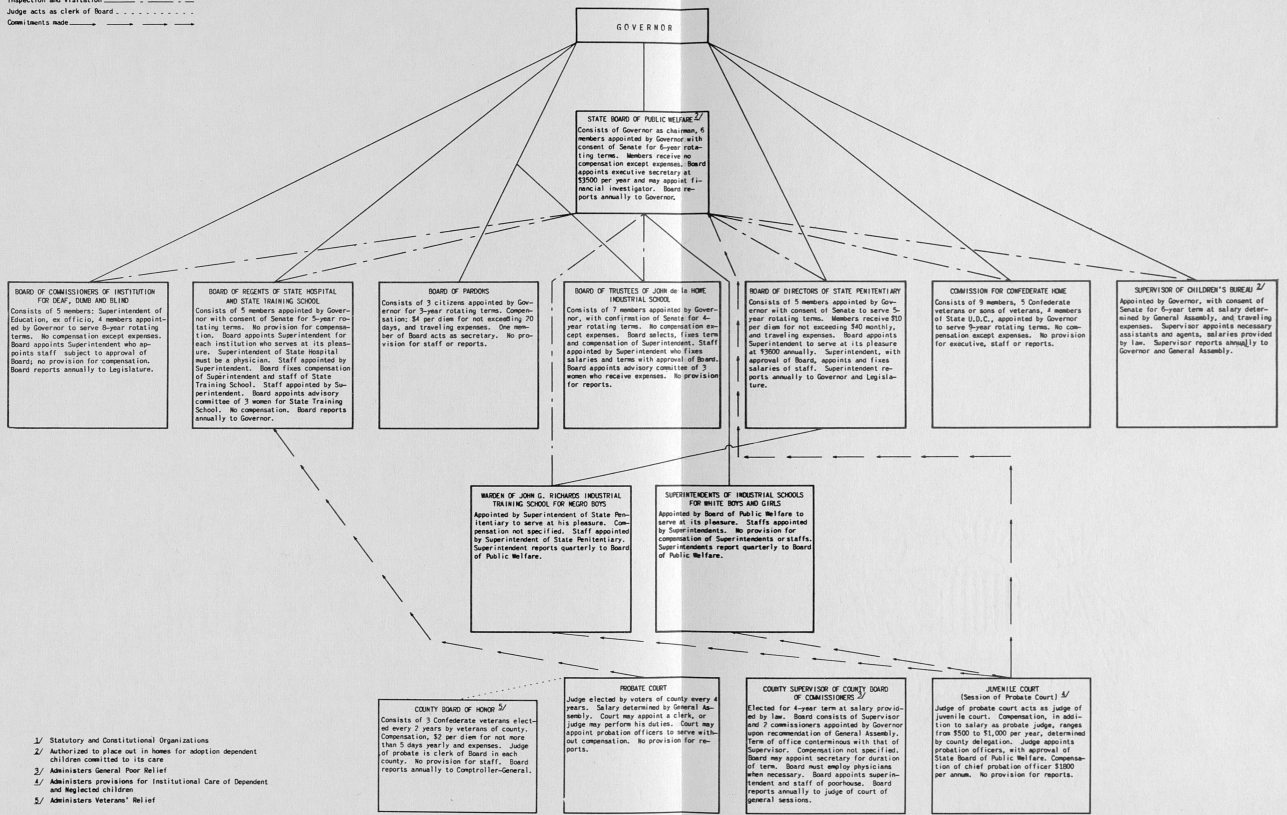
5. Acts (1935), page 513 and 514.





SOUTH CAROLINA PUBLIC WELFARE AGENCIES / MARCH 1, 1936

Actual Control  
 Inspection and Visitation  
 Judge acts as clerk of Board  
 Court meets once



1/ Statutory and Constitutional Organizations  
 2/ Authorized to place out in homes for adoption dependent children committed to its care  
 3/ Administers General Poor Relief  
 4/ Administers provisions for Institutional Care of Dependent and Neglected Children  
 5/ Administers Veterans' Relief

