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INVENTORY OF
THE COUNTY ARCHIVES
OF
SOUTH CAROLINA

NO. 1
ABBEVILLE COUNTY

GOVERNMENT PUBLICATIONS

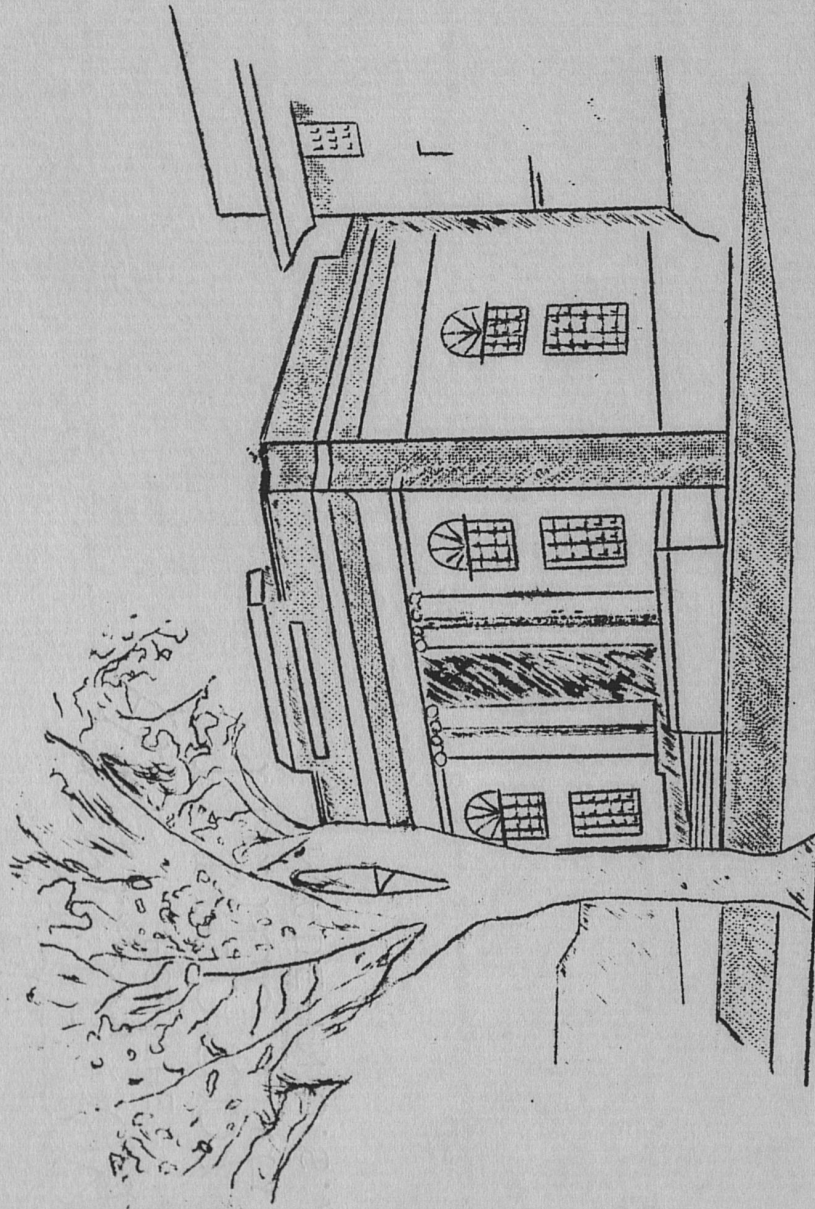
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Columbia, S. C.
The Historical Records Survey
April 1938



ABBEVILLE COUNTY COURT HOUSE
showing corner of Municipal Building

INVENTORY OF COUNTY ARCHIVES
OF SOUTH CAROLINA

Prepared by

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

No. 1. ABBEVILLE COUNTY (ABBEVILLE)

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

The Historical Records Survey

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The Historical Records Survey
April 1938

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 Abbeville County, is number 1 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carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political,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 operates 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 nation-wide 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, whose private library and scholarly counsel are always at the disposal of the Survey. Acknowledgments for administrative support and cooperation are also accorded to the officials of the South Carolina Works Progress Administration.

The survey of Abbeville County records was begun on April 4, 1936, by Mrs. Lazelle E. Pratt, who carried on the work until January 30, 1937. Of the officials of Abbeville who cooperated with the survey, special acknowledgments are due Addison B. Carwile, judge of probate, and J. L. Perrin, clerk of court. During October 1-25, 1937, Marvin M. Smith, field supervisor, checked from the records the work of Mrs. Pratt and survey^{ed} the offices she did not reach, making practically a new survey. The essay on the care and housing of records is also the work of Mr. Smith. The state office is responsible for the historical and legal research and for the writing of the introductory essays. The scope of the survey and the pattern of the inventory are the work of the national office.

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

December 20, 1937

Anne K. Gregorie
State Director
Historical Records Survey

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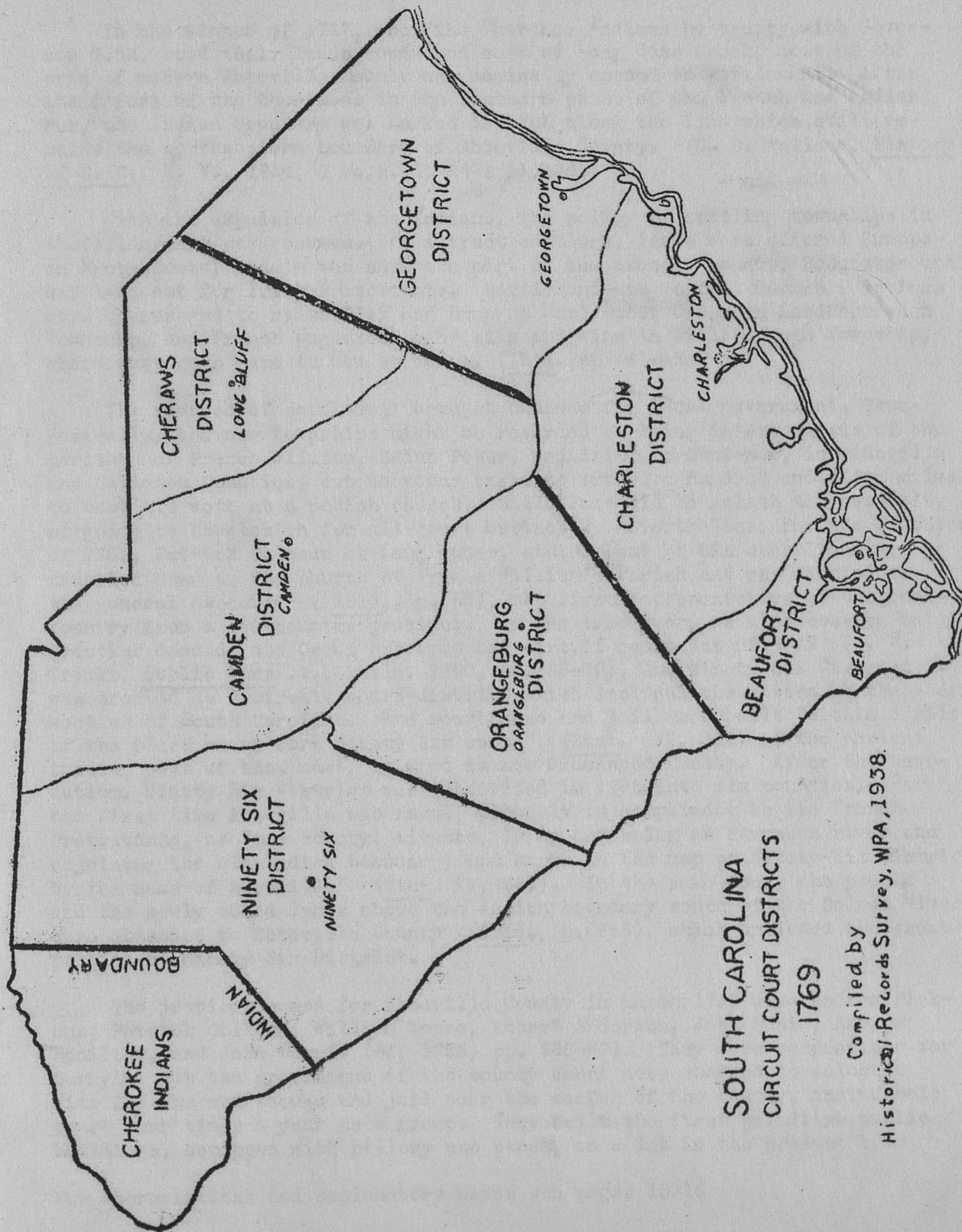
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SOUTH CAROLINA
CIRCUIT COURT DISTRICTS
1769

Compiled by
Historical Records Survey, WPA, 1938.

1. HISTORICAL SKETCH

In the winter of 1747, when the Cherokee Indians by treaty with Governor Glen, sold their lands south and east of Long Cane Creek, most of the area of modern Abbeville County was nominally opened to settlement. After the defeat of the Cherokees in the southern phase of the French and Indian War, the Indian boundary was marked in 1766 along the line which still remains the northwestern boundary of Abbeville County. (D. D. Wallace, History of S. C., N. Y., 1934, 3 vols. I, 447; II, 34.)

With the expulsion of the Indians, the policy of settling townships in the wilderness was resumed. To attract settlers, lands were offered European Protestants, and in the northern part of the present county, Boonesborough was laid out for Irish Protestants. Settlement was rapid. German Palatines were encouraged to raise flax and hemp on Hard Labor Creek in Londonborough Township, and French Huguenots made silk and wine in Hillsborough Township, where they gave name to New Bordeaux. (Ibid., pp. 41-46.)

The advance of settlement brought demands for local government. Theoretically, the new townships might be regarded as lying in extensions of the parishes of Prince William, Saint Peter, and Saint Bartholomew, in Granville and Colleton Counties; but no voter cared to travel a hundred and fifty miles to cast his vote at a parish church. Still less did he relish the necessity of going to Charleston for all court business. Nevertheless, for the elections of 1769, Patrick Calhoun of Long Canes, at the head of his constituents, traveled down to the church of Prince William's Parish and was elected to the general assembly (ibid., p. 58), the first representative of the back-country from a low-country precinct. In the same year, as a concession to frontier demand, the Crown approved the circuit court act of 1769 (J. F. Grimke, Public Laws . . . , Phila. 1790, pp. 268-75), and Ninety Six District was created as a circuit court district which included the entire northwestern section of South Carolina. The courthouse and jail were built "within a mile of the place where fort Ninety Six stood" (Stat. IV, 325) at the ancient trading post of that name, in what is now Greenwood County. After the Revolution, Ninety Six District was subdivided in 1785 into six counties. For the first time Abbeville was named, probably in compliment to its French Protestants, as "one county, situate, lying and being on Savannah river and adjoining the old Indian boundary, and known in the map of Ninety-Six district by the name of Abbeville" (Stat. IV, 661). In the same year, the people and the newly ceded lands above the Indian boundary south of the Saluda River were attached to Abbeville County (ibid., p. 665), which included the greater portion of Ninety Six District.

The justices named for Abbeville County in March 1785 were Andrew Pickens, Patrick Calhoun, William Moore, Robert Anderson, John Bowie, Andrew Hamilton, and John Harris (SJ, 1785, pp. 386-87). They were responsible for carrying out the provisions of the county court act, charged to select a site for the courthouse and jail near the center of the county, and to hold court four times a year as a group. They built the first primitive public buildings, equipped with pillory and stocks, on a lot in the present town

For abbreviations and explanatory notes see pages 15-16

of Abbeville, where Andrew Hamilton had built the first house soon after the Revolution. In later years, the Hamilton house became the law office of young John Caldwell Calhoun before he rose to national distinction, and still later it became the first United States post office (J. Logan, History of Upper Carolina, Charleston and Columbia, 1859, p. 40). A contemporary of Calhoun, Langdon Cheves, another native of Abbeville, also became a national figure, as member of Congress and as president of the Bank of the United States at a critical period. These men received their education at the famous academy of Dr. Moses Waddel at Willington (now in McCormick County), which gave the boys of Abbeville unusual advantages in the early years of the republic.

In 1789, Pendleton County was cut off from Abbeville (Stat. VII, 252). In 1800, Abbeville County became Abbeville District (ibid. 284); the records of the abandoned courthouse of the defunct Ninety Six District were divided among the new district to which they pertained (Stat. VII, 288) and Abbeville received a share (entries 160, 178, 204). The old county courthouse was then sold (Stat. V, 467) and a new building was erected, probably on the same site, under a contract with John Brannon (ibid., p. 692) and an appropriation of \$5000 (ibid., p. 376). A generation later, double this amount was appropriated for a new courthouse and jail (1827, Stat. VI, 351). By 1852, these buildings had become obsolete, and \$13,000 - supplemented the next year by \$6450 - was appropriated for the fourth courthouse and jail (Stat. XII, 131, 202). These buildings passed through the Civil War intact, but on January 19, 1873, the courthouse was burned (Stat. XV, 452). The records were rescued, however, and deposited in buildings across the street from the courthouse square. Later, on November 17, one of these buildings was burned (ibid.) and all records were lost except those of the judge of probate and of the defunct court of equity, which were in a separate building.

After the Civil War, under the Constitution of 1868, Abbeville District became once more Abbeville County, with boundaries unchanged (art. II, 3) from those of 1789. Since adoption of the Constitution of 1895, the historical lines have been altered by the creation of new counties. An eastern section was cut off in 1897 to become part of Greenwood County (Stat. XXII, 604), the boundary with which was adjusted in 1898 (ibid. 895-96); a southern area was severed in 1916 to be included with McCormick County (Stat. XXIX, 717-18).

The present boundaries are: on the southwest, the Savannah River, which separates it from Georgia; on the northwest, Anderson County, from which it is separated by the old Indian boundary; on the northeast by Greenwood County and by Laurens County, from which it is separated by the Saluda River; and on the southeast by McCormick County (Code 2976).

The area of Abbeville County is now only about half of the 992 square miles which it comprised in the year 1789. Some of the most badly eroded hills are included in the Sumter National Forest area and are being re-forested. The population decreased in the decade 1920-30 from 27,139 to 23,323 persons, most of whom are engaged in agriculture. Textile industries are developing at Calhoun Falls and at Abbeville, the county seat. Mineral resources

For abbreviations and explanatory notes see pages 15-16

of feldspar, mica, fullers' earth, and asbestos await development. (South Carolina ... by Department of Agriculture and Clemson College, Columbia, 1927 pp. 285-86.)

2. GOVERNMENTAL ORGANIZATION AND RECORDS SYSTEM

The state Constitution of 1778, under which Abbeville County was formed in 1785, contained no regulations for the formation of counties. The Constitution of 1790 also ignored provision for local governmental units, and in 1800 when Abbeville County became a circuit court district, the change was statutory. The Constitution of 1868 restored the name Abbeville County, standardized the judicial district as an election unit, and limited the area of both new and old counties to not less than 625 square miles (art. II, 3). It is significant that this constitution delegated county government to a constitutional board of three elected commissioners (art. IV, 19), but under a joint resolution of the general assembly in 1889, an amendment removed this limitation upon legislative control (Stat. XX, 288, 650). The Constitution of 1895 named the county as a body corporate, as well as a judicial and an election district (art. VII, 9), and devoted an article of fourteen sections to legal requirements for 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. Among the various other provisions, not one impaired the powers of the state legislature over county government. No rigid line can yet be drawn between state and county government in South Carolina, and what is called county government is in fact an extension of a highly centralized state government to forty-six localities, where the details are largely in the hands of the local members of the state legislature, commonly called the county legislative delegation. Furthermore, the county auditor and the county treasurer are essentially part of the state financial system; and the clerk of court as an official of state courts is a state officer. The school system is a state system and the teachers are state employees whose salaries are paid eight months of the year by the state.

Abbeville County has two major groups of offices, the administrative and the judicial. The administrative group is concerned largely with fiscal matters, and consists of the board of commissioners, the auditor, the treasurer, and the superintendent of education. The legislative delegation works closely with these, controlling assessments, supplies, and more or less of the appointments. The judicial group consists of the peace officers and the offices connected with the courts of record, including the clerk of court as register of mesne conveyance, for registering contracts and property titles, out of which so much court business arises. Various boards carry on miscellaneous functions, such as elections, registrations of voters, and the safeguarding of public health.

The county board of commissioners, with the supervisor as chairman, is the administrative body which acts in the name of the county when it sues or

For abbreviations and explanatory notes see pages 15-16

is sued, or functions in its corporate capacity. The board is authorized to fix county expenses, approve claims, borrow money when necessary, maintain roads and bridges, provide tools, guards, food, clothing and shelter for county convicts, to care for the paupers, and report to the circuit court the conduct of the county business. The amount to be spent by the board is determined by the county supply act, passed by the general assembly each year as a local law, sponsored by the legislative delegation.

The legislative delegation consists of one senator elected for four years, and two representatives, elected for two years (Stat. XXXVII, 1111). As members of the state legislature, which has constitutional control of the counties, and as representatives of the people of the county to whom they are directly responsible, the legislative delegation has large powers. It fixes the number and salary of county officers and their assistants, except those established by law. It determines the amount to be spent by the county for the upkeep of roads, chaingang, jail, and poor farm. Before the convening of the legislature, county officials submit to the delegation, through the supervisor, written estimates of the anticipated needs of their offices for the coming year. From these estimates the county budget is made up as the basis of the county supply bill. No funds may be diverted from one appropriation to another without the written consent of a majority of the delegation, including the senator; and the commissioners render a monthly account of expenditures to each member of the delegation.

After the estimated county expenses are known, taxes are assessed to raise the money. From January to March of each year, the taxpayers file with the auditor, returns of their taxable possessions. The auditor, with the town and township boards of assessors, determines the assessed value to be placed upon properties of the taxpayers (Code 2715, 2743). The state constitution provides that "state, county, township, school, municipal and all other taxes shall be levied on the same assessment, which shall be that made for state taxes" (art. X, 13). As soon as property is listed by taxpayers in annual returns to the auditor, tax assessments immediately become a first lien on the property (Code 2569, 2571).

The county board of equalization is composed of the chairman from each of the township boards of assessors. Its duty is to equalize the burdens of taxation by raising or lowering the assessed value of real or personal property which has been returned below or above its true value. Although the board may reduce individual items, it may not reduce the aggregate value of real or personal property in the county as a whole below the amount returned to the county auditor (Code 2736-48). If a person whose property has been over-assessed cannot secure relief from the county board of equalization, he may appeal to the South Carolina Tax Commission (*ibid.*, 2427). Since the formation of this body in 1915 (Stat. XXIX, 125), local taxation has become of less relative importance, and the counties now receive a large part of their funds from liquor licenses, corporation, income, stamp, and other taxes under the jurisdiction of the commission.

The county auditor makes up from the taxpayers' returns two "duplicates", or complete lists of taxable property in the county, one for the treasurer and one for himself (Code 2713). To the comptroller general he sends an an-

annual abstract of the duplicate (ibid. 2728), which is combined with abstracts from other counties to arrive at the aggregate value of property in the state, as the basis for the general tax rate. To the county superintendent of education he reports by school districts the names listed for poll taxes, and the amount of taxable property when there is a special levy for schools (ibid. 2708).

The treasurer is required to make monthly reports to the comptroller general (Code 2802), and both monthly and annual reports to the superintendent of education on the collection and disbursements of all school taxes (ibid. 2801, 2828). The treasurer also reports to the county commissioners twice a month the amount and the character of funds collected for the county. At the end of the fiscal year the books of the treasurer are balanced with those of the auditor in an annual settlement. The amount of taxes the treasurer was charged to collect must be balanced against the amount collected, showing also the amount the sheriff was to collect and the amount collected. At the time of the annual settlement of the county treasurer, it is the duty of the auditor to notify the superintendent of education, the board of commissioners, the sheriff, the foreman of the grand jury, and the state comptroller general, so that they may witness the settlement (ibid. 2838-39). The treasurer also makes annual reports to the court of general sessions (ibid. 2829).

All school taxes are collected by the treasurer, but school funds are separate from county and state funds. Fiscal and other affairs of the school are administered by the county superintendent of education elected by the people (Code 5308), a county board appointed by the state board of education (Code 5335) and school district boards of three trustees each, appointed by the county board (Code 5369). The constitutional 3-mill tax on real property is apportioned among the schools on the basis of attendance, and all poll taxes go to the respective districts. Except for the county board fund, which is allocated to the districts by the county board, all school funds are disbursed by the county superintendent, who is primarily a fiscal officer and signs the school warrants as the supervisor does the county warrants.

South Carolina is divided into fourteen judicial circuits (Code 50), each having one resident judge (Const. 1895, V, 13). Abbeville County is in the eighth judicial circuit and has regular sittings of the two state constitutional circuit courts of common pleas and general sessions.

The court of common pleas has original jurisdiction in civil cases, such as disputes about the ownership of property, or the payment of debts or damages, subject to appeal to the state supreme court. It has appellate jurisdiction in civil cases from the probate court, and in minor civil cases from the magistrates' courts. It meets in Abbeville County on the fourth Monday in March, the second Monday in October, and the second Monday in December. The master relieves the docket of the court by deciding cases referred to him under court order; he makes sales which the court orders in granting equitable relief and he executes the resulting conveyances.

The court of general sessions has original jurisdiction in criminal cases, and both concurrent and appellate jurisdiction with magistrates' courts in cases of riot, assault and battery, and larceny. It meets in Abbeville County on the fourth Monday in February, the first Monday in June and the first Monday in September (Code 58).

The grand jury is an important part of the court of general sessions. It is drawn each year and consists of eighteen members, twelve of whom must agree on a matter before it can be submitted to the court as a "true bill". If the evidence is not sufficient, it is returned to the judge as "no bill". Six men are drawn from the old grand jury each year, in order to avoid having all new members. The grand jury inspects conditions in the county jail, offices, and institutions, and recommends needed improvements (Const. 1895, I, 17; V, 22).

Details of drawing the grand and petit juries are delegated to the jury commissioners, composed of the auditor, the treasurer, and the clerk of court. The last has the custody of the jury box, in which the names of electors and the box of talesmen are secured with three different locks so that it cannot be opened except in the presence of all three commissioners (Code 607, 609).

There are six magisterial district in Abbeville County (Acts 1937, p. 715). A magistrate has jurisdiction in civil cases involving property valued at not more than \$ 100, and in criminal cases where the penalty does not exceed a fine of \$ 100, or thirty days in prison. His warrants are served and executed by his constable, except at Abbeville, where the sheriff serves both civil and criminal papers (Acts 1937, p. 715). The magistrate usually settles his cases without jury, but either the plaintiff or defendant may demand a jury of six. Magistrates hold their courts in the magisterial districts where offences are committed, but they have concurrent jurisdiction, civil and criminal, throughout the county. Judgement is not final, and the case may be appealed to the circuit court.

The probate court is a statutory civil court of record for the official proof of wills, having original jurisdiction in all matters testamentary and of administration and in business pertaining to minors, allotment of dower, cases of idiocy or lunacy or of persons not mentally able to take care of their affairs (Code 206, 208). The probate court is open at all times for business which does not require notice in advance; but the judge must hold a session on the first Monday in each month at or near the courthouse (ibid. 205), and may appoint other places when necessary (ibid. 224). The state court of common pleas has appellate jurisdiction of matters within the jurisdiction of the probate court (ibid. 228).

The sheriff is the arm of the courts. He carries out their orders, and he summons jurors and witnesses. Under certain conditions the coroner may act as sheriff. The principal duty of the coroner is to make inquest into cases of violent death. The original inquisition, with testimony and findings of the coroner's jury, must be returned to the clerk of court within ten days after the verdict. Should the coroner be sick, or absent, or

For abbreviations and explanatory notes see pages 15-16

at a greater distance than fifteen miles from the place of inquest, any magistrate in the county may act as coroner (Code 3566-67; 3561-64).

Since many county officers are elected to office, the place of the primary and the general elections in county government should be discussed.

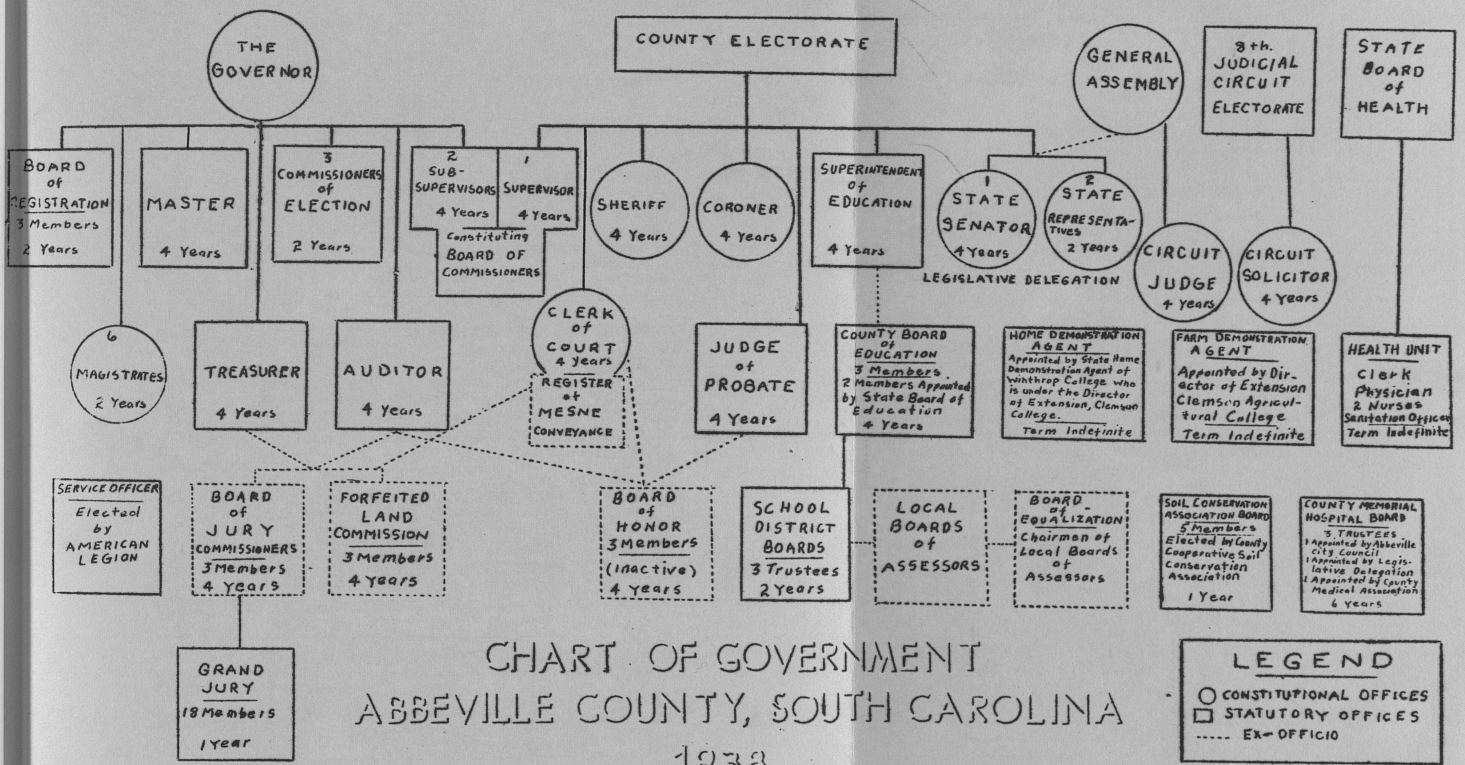
The board of registration has charge of the enrollment of qualified voters, and when general elections are held, the registration books are turned over to the commissioners of elections. Under the one-party system which is so strongly entrenched in South Carolina, the Democratic primary elections are more important than the general elections, which merely elect the candidate named by the primary. In each county, the Democratic party is organized under a county executive committee, called the county committee, presided over by the county chairman. Party members are enrolled into political clubs, and qualifications for voting are regulated by law. Each election year the clubs elect delegates to a county convention at the county seat, and the convention secretary keeps a record of proceedings in a minute book. All county officers, either appointive or elective, except masters, magistrates, and supervisors of registration, are entered in the primary, and the county committee at its discretion may order a primary for masters and magistrates. The committee fixes the entrance fees of candidates, selects the polling places, furnishes the ballot boxes, prints the ballots, meets at the courthouse to tabulate returns, and performs under party rules all other necessary duties prescribed by law (Code 2352-2418).

Several offices which are functionally very important to the people of the county have only a slight relation to county government. The health unit, the home demonstration agent, and the farm agent, are financed and directed primarily by the federal and state governments, with more or less county cooperation through appropriations in the county supply act.

The inventory of Abbeville County records shows traces of five defunct institutions. The county court of 1785-99, which once combined the administrative and judicial functions of local government, was the beginning of the county records system. The court of equity functioned in a field of civil law in which the antebellum court of common pleas and court of ordinary could not act. The court of magistrates and freeholders dealt with crimes of races which could not enjoy citizenship, until after the ratification of the fourteenth and fifteenth amendments to the federal constitution. As long as the state held vacant land in the county, the commissioner of location recorded warrants and surveyors' plats. When the state attempted to control the sale of intoxicants by monopoly under the dispensary system, the county board of control managed the local details.

Although the records system of Abbeville County dates from 1785, it was not standardized until the statewide regulations of 1839 went into effect, following the publication and codification of the laws. Under the Constitution of 1868 new administrative offices were set up which necessitated many records for the administration of county finance. Although most of these are prescribed by statute, their preservation has been left to the discretion of the incumbent officials, and as a result very few of these of-

For abbreviations and explanatory notes see pages 15-16



ices show complete series of records. In general, the requirements of the code in regard to the manner of keeping records has been adhered to. The paper, ink, and typewriter ribbons are of a quality that insures permanence. Binding and re-binding are done regularly and in most cases is adequate to the needs of the offices.

For the period prior to 1839, the size of record books varies widely. At present there is a general uniformity in favor of the sixteen or eighteen inch folio, except in the auditor's office, where the numerous items of required information on the duplicate necessitate much larger volumes.

By law, all indexing is alphabetical, usually direct and cross by names of parties. The records which are not indexed are generally small in quantity. Papers of record are arranged chronologically and numerically. The Cott system of indexing, sub-indexed by surnames, is used for the mesne conveyance records and is almost the only instance of the use of loose leaf volumes.

The returns for taxation may legally be destroyed after five years, if desired (Code 2733). No special legislation has been passed for destruction of Abbeville records, and under a general law of 1937, obsolete records may be removed, when desired, to the University of South Carolina at Columbia (Stat. XL, 402).

There is no duplication of records except as required by law and where necessary for interrelated offices.

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, there is no reason why every official should not have full information as to the requirements for his office. In addition, the state attorney general and the circuit solicitors are required to report any negligence of official duties (Code 3131).

3. HOUSING, CARE AND ACCESSIBILITY OF THE RECORDS

Public archives of Abbeville County are kept in the courthouse and the adjacent Municipal Building. The only records out of the courthouse are the Democratic club rolls, the health records and the current inquisition book at the coroner's home in Due West. The courthouse is an almost fire-proof, three-story brick building, erected in 1908 at a contractual expense of about \$60,000. The basement or ground floor has the magistrate's office and storeroom. The next floor, which will be called the first floor, has the main record offices, which are provided with vaults of varying size, the largest being that of the clerk of court. On the top or second floor

is the courtroom and jury rooms, one of which is used as the superintendent of education's office. The county rents office space in the Municipal Building from the city of Abbeville for the health department, the WPA and the extension work, but the building is not fireproof and has no vaults for these offices. Most of the equipment for records in the courthouse was bought and installed at the time of construction and was designed to fit the vaults. Although the courthouse is only twenty-nine years old, the need for more room in some offices is acute, but in spite of expansion having been greater than was expected, room is still available if arrangement is systematized.

The county commissioners' records are found in the basement, and in the vault opening into the office of the supervisor by a metal door with a mortised lock. The vault measures 8' x 8' x 12', has a concrete floor, plaster on brick walls and ceiling, and one 4' x 8' window with steel sash and reinforced panes. As are the others, it is equipped with steel shelving and file boxes. The steel roller shelves can accommodate volumes up to 20 x 16 x 4, although most records are small volumes or unbound papers. Printed copies of acts and codes take up shelf space, and five records volumes are on the floor and window sill. All except four of the file boxes are in use. It is suggested that the printed books be kept in the office, which is not fireproof, and that office records be brought from the basement and placed on the shelves of the vault. Six 16 x 16 x 14 cabinets below the shelves are used to store forms and supplies but should contain unbound records. The volumes, measuring less than 12" in the greatest dimension, could with little effort be stored in the vault, leaving room on top of the file cases for the remainder of the existing unbound records if properly boxed. All records are accessible and easily located, and the equipment is adequate. The workers' reception from the custodian here was of the best.

Most of the records of the clerk of court are in the vault, which is 25' x 14' x 28' high, and has a concrete floor, metal sash with reinforced panes, a steel door, and a glass balcony around the sides, reached by a spiral metal stair. Shelving for 425 volumes is occupied, and in addition about 200 volumes are stacked on the balcony. About half of the file boxes are yet available. Under the file boxes there are 21 other cabinets 12 deep x 15 x 30 with doors having hinges and locks. The records of this office could be put in excellent order by installing shelves in the balcony, but little room would remain for examining the records, as the clearance would be only about 15" between the shelves and the edge of the balcony. The indices to all mortgages, deeds, and judgments are kept in a desk cabinet in the center of the vault. Capacity is about reached here and some will have to be transferred to the balcony or new shelves must be provided. The top of this cabinet and another, provide room for examination of the records. Numerous non-current records, should be added to those in the balcony. The eight windows 5' x 10' in height and $1\frac{1}{2}$ ' in width, give good lighting in daytime. The poor facility for artificial lighting is a minor point as the vault is closed at night. All other conditions for the storage of records seem excellent.

With the exception of one volume, the records of the probate court are in the 11' x 7' x 15' vault, which has a metal door, a window with metal sash, a concrete floor, and plastered brick walls and ceiling. All but five of the 252' of steel shelving are occupied, and all but 19 of the 246 file boxes are filled. Cabinet space under the shelves is filled with unbound records, blanks and forms, which could be kept in the office, thus releasing space for records. To put obsolete records in the cabinets would provide room for current ones. Unbound records are a problem, for there is little space for more files. To extend the filing case to the top of the vault would double the filing space but increase the difficulty in taking down the files. The records at present are receiving excellent care, and all are readily accessible, as they may be removed to the office, where chairs and tables are provided. Both the old and the new records are in practically perfect order and thus easily located.

In the basement of the courthouse are found records of many offices. In a room 10' high x 15' x 9' are miscellaneous records of the clerk of court, judge of probate, county commissioners, master, auditor, treasurer, superintendent of education, and sheriff. When the survey began in 1936, all of these were in a dark basement room, the floor of which was covered with pools of oil from a leaking barrel. At the request of the survey worker, the janitor moved them to an adjacent room, which has a concrete floor, plaster on brick walls and ceiling, and wooden door, but no shelving. Conditions here for records storage are excellent although there is no ventilation, and the room is also used for janitor's supplies. Here, too, are unbound records of the county commissioners, the treasurer, county highway commission, and some from non-official sources. Much of the material could be destroyed without loss, particularly the blanks of all kinds, treasurer's tax receipt books, road and dog tax receipts, tax execution stubs, and the tax returns. It is recommended that the remaining records be replaced in the office of origin, which in many cases is not crowded.

The master has only ten volumes, some in his office and the others in the clerk of court's vault and the basement, so he has no problem of storage and his volumes should be assembled in his vault, similar to the commissioners' in construction and size. Storage conditions are good and room for examination is provided.

As elsewhere in the state, magistrates' dockets are usually lost. Many are found in the clerk's vault, but no effort seems to be made by anyone to preserve these records, and they are scattered through the courthouse. The Abbeville township magistrate keeps his dockets in his office in the courthouse basement and although they are extant for recent years, permission to list these records was refused.

The greatest difficulty was met in attempting to inventory the sheriff's records, which are in his office and vault. As the vault is kept locked the records here must be considered as being inaccessible and much of the information was obtained orally. No reason was advanced for this attitude. Ample storage room in the vault, and room for examination is provided with good

equipment. Records prior to 1915 in the basement and in the auditor's storage room could be stored in either the office or the vault.

The coroner, Mr. A. J. Alewine, has no office and little official business; current records probably are kept in his home at Due West.

The auditor has a complete file of records, but they are stored in four places: the basement, the auditor's storage room, the office, and the vault. The vault is only 9' x 10' x 12', and entirely too small to hold the records. It has one steel door, 7' x 4'; one 9' x 4' window with steel shutter; concrete floor, and plaster on brick walls and ceiling. It is equipped with 85 file boxes which contain tax returns and settlement papers and 72 file drawers containing blanks of various kinds, all of which could be removed. Fourteen of the 42 steel roller shelves are useless because they are smaller than the auditor's huge volumes. The other 28 shelves were used to store duplicates and conveyance records, so all space is taken. The equipment is not suitable for records such as the auditor has. Shelves for bulky volumes is the need. Duplicates in the basement, 31 volumes, make a pile about six feet high. Here also are found obsolete tax returns. The auditor's storage room 7' x 6' x 6' has a wooden floor, and a door which opens into the office. Piled on the floor are conveyance records, duplicates, some treasurer's records, and a sheriff's tax execution book. In the auditor's office are the treasurer's duplicates, while in the treasurer's office are 220 volumes of auditor's obsolete tax returns. It is urged that the returns be destroyed and that the duplicates then be stored in the office of which they are the basic permanent record. Equipment for examination of records is provided in the office.

The treasurer has records on shelves in his office, his vault, and in the auditor's vault in the basement. All could be put in the vault except the oldest settlement papers. This would, however, require an orderly filing method and the removal of the useless tax returns now occupying the office shelves. The vault, 9' x 7' x 12', is similar to the others in the courthouse, and has 138 linear feet of wooden shelves, each 20" deep. These provide abundance of room and make unnecessary 100 linear feet of shelving of the same type in the office. Putting all records in the vault, taking those from the basement, and destroying the tax receipt books prior to 1930, is recommended. The records receive good care and are readily accessible.

The superintendent of education has records in his office and in the basement. There is no shelving in either place, but the office has desks and tables used for that purpose. Room for examination and equipment is available. A cabinet for the volumes should be provided.

The health unit has space and equipment sufficient for the needs, and records are well cared for.

The hospital keeps all records in the building except the trustees' minutes, kept in the secretary's home. The records stored in file cases

List of Abbreviations, Symbols and Explanatory Notes (First entry, p. 20)

The hospital keeps all records in the building except the trustees' minutes, kept in the secretary's home. The records stored in file cases are kept in the best possible manner. As they are semi-private, no facilities for examination are necessary or provided.

4. LIST OF ABBREVIATIONS, SYMBOLS AND EXPLANATORY NOTES

<u>Acts</u>	<u>Acts and Joint Resolutions of the</u> <u>General Assembly of South Carolina</u>
admr.....	administrator
alph.....	alphabetical or alphabetically
&.....	and
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
--.....	current
CWA.....	Civil Works Administration
ed.....	editor
exor.....	executor
'.....	feet
hdw.....	handwritten
ibid.....	ibidem, the same reference
<u>infra</u>	below, following page in this book
JCHA.....	Journal of Commons House of Assembly
JGC.....	Journal of Grand Council
n. d.....	no date given
n. p.....	no place of publication given
no., nos.....	number, numbers
numer.....	numerical or numerically
p., pp.....	page, pages
pkg., pkgs.....	package, packages
PR.....	Public Records (see explanatory note)
sec.....	section
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. 20)

vol., vols.....volume, volumes
WPA.....Works Progress Administration

Dates assigned for origin of offices are frequently arbitrary; the evolution in full is traced in 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:

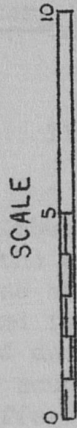
- All records are in good condition;
- All locations are in courthouse in office to which records belong;
- All dimensions are in inches, in the sequence of height, width, thickness;
- All page numbers and book dimensions are average unless limits of variation are given;
- All indexing is alphabetical;
- All index entries follow immediately the material indexed;
- All dates are inclusive, but frequently overlap.

When specific information can be obtained, records informally no longer kept are indicated as "Abandoned", and official records no longer required, as "Discontinued".

Citations from the code give number of sections unless volume and page are indicated; citations from the statutes are for first editions except vol. XII, a reprint of 1874.

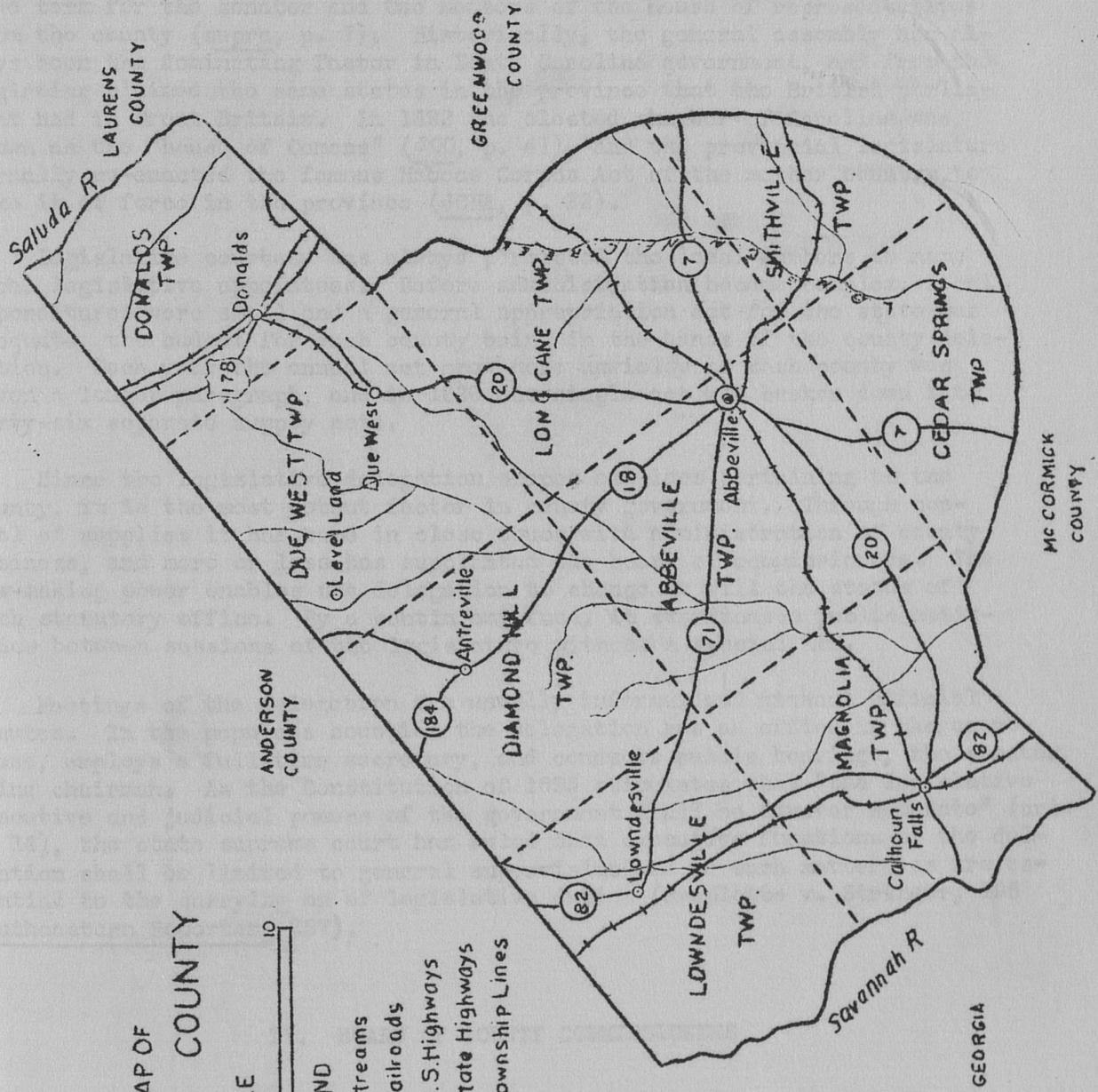
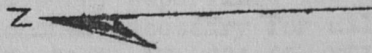
Public Records are a series of transcripts, 1663-1782, in 36 volumes, in the office of the Historical Commission, World War Memorial, Columbia; the first three volumes have been published in facsimile by the Commission under the explanatory title Records in the British Public Record Office Relating to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

MAP OF
ABBEVILLE COUNTY



LEGEND

- Streams
- Railroads
- U.S. Highways
- State Highways
- Township Lines



GEORGIA

I. LEGISLATIVE DELEGATION

The county legislative delegation to the general assembly is a collective term for the senator and two members of the house of representatives from the county (supra, p. 7). 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 Comons" (JCC, 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 local members 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, and more or less has supplanted the board of commissioners. 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 Southeastern Reporter, 257).

II. BOARD OF COUNTY COMMISSIONERS

In 1785 when Abbeville County was established, the justices of the county court were the administrative as well as the judicial body. They built the courthouse and jail, looked after the poor, supervised the maintenance of roads and ferries, levied the assessments necessary for all of these, and licensed and regulated taverns (1785, Stat. IV, 664-65; VII, 236-37). When the county courts were abolished, these duties were performed by three different agencies: commissioners of roads, commissioners

of the poor, and commissioners of public buildings.

The commissioners of roads enforced the requirement that every able-bodied man should perform work on the roads or lend his slaves; they levied assessments for bridges, licensed taverns, billiard tables and places for retailing spiritous liquors (1799, Stat. VII, 299; 1785, IX, 293; 1801, V, 399). The people of a district could elect these commissioners, but apparently they were usually appointed (1783, Stat. IX, 274; 1784, IX, 289). After 1825, the commissioners of roads were allowed to fill the vacancies themselves. Membership was a duty and not a position of emolument, and fines were imposed for not performing the duties when chosen. After three years' service, a commissioner was relieved of further duty for three years. The commissioners appointed a treasurer, and in 1827 were allowed to appoint their own tax collector. (Stat. IX, 558-66; 576.)

Provision had been made in 1791 for the election of commissioners of the poor in districts where there were no county courts, and after 1799 this had been extended to the whole state. These commissioners could make assessments for relief of the poor and for the education of their children. They also had power to bind out children as apprentices. (Stat. V, 175-76.)

The commissioners of public buildings had charge of providing and repairing the courthouse and jail. They were mentioned as early as 1806 and were required to make report to the comptroller general on their expenditures (Stat. V, 535). An act of 1827 provided that there should be a board of seven for each district, appointed by the legislature for a term of four years. They had power to levy taxes, and they received fines and forfeitures from the court of general sessions, for the upkeep of the courthouse and the jail. (Stat. VI, 321.)

In 1868 all functions of these three boards were combined under one constitutional administrative body of three elected commissioners (Const. 1868, art. IV, sec. 19); and taxes for all county purposes were levied in the annual appropriation act passed by the general assembly. The constitutional requirement was repealed by an amendment in 1890 (Stat. XX, 649-50), thus clearing the way for a different system, which did not go into effect until 1895. The county government act of 1894 provided for each township a board of three commissioners, appointed by the governor. The chairman of these boards in each county, together with an elected supervisor, constituted the county board of road commissioners. (Stat. XXI, 481-91.) In 1898 this system was abolished in Abbeville; the new plan provided for a board formed of an elected supervisor and two commissioners appointed by the governor on nomination of a majority of the legislative delegation (Stat. XXIII, 1-4). The next change (1910, Stat. XXVI, 980) provided two sub-supervisors elected in the general election for a four-year term, to assist the county supervisor in the management of county affairs and to form with him the county board of commissioners. Their title is no longer used but the sub-supervisors still have equal authority with the supervisor in county matters (Acts 1937, p. 719).

The supervisor issues the warrants for the disbursement of all county funds except those for schools. He receives a monthly report from the county treasurer (Code 3863), showing what funds are available for county purposes. He also has charge of the purchase of supplies, which with minor exceptions must be made through competitive bids. Another very important duty is the upkeep of roads and bridges, in connection with which he has charge of the chaingang. Paupers are also under his jurisdiction (Code 3819, 3835, 3874) and he is authorized to apprentice poor children (1893, Stat. XXI, 487; Code 3852-53). From 1913 (Acts, p. 180) until 1930 (Acts, p. 1515), there were county highway commissioners appointed by the governor upon recommendation of the legislative delegation. They had jurisdiction over roads and highways as far as in their judgment it was proper to assume. In 1930 the treasurer was directed to transfer the remaining funds of the commission to the county, to be disbursed upon warrants of the board of county commissioners. (Acts, p. 1515).

The chief duty of the board of commissioners is to audit the claims against the county. Each bill must be submitted, itemized, upon a printed form called a claim, accompanied by affidavits. At present, every claim is filed temporarily. If the board approves a claim, the supervisor issues a warrant or order on the treasurer, countersigned by the clerk of the board; the warrant is entered on the ledger and the claim is filed permanently. The present law requires a File Book of Claims in which all claims must be registered in abstract (1916, Stat. XXIX, 841; Code 3885), but since 1930 no entry upon this important record has been made. The Classification of Claims Allowed should show claims filed and allowed against ledger accounts (1916, Stat. XXIX, 841; Code 3886), but this has been discontinued in favor of the General ledger, arranged by accounts. Another local requirement is a book for Bills Payable, in which should be entered all notes for loans in anticipation of collection of taxes (1916, Stat. XXIX, 842; Code 3887). Minutes (Stat. XIV, 129) have been required since 1868 to show a memorandum of claims approved (*ibid.*, p. 131); and since 1882 a File Book also has been a requisite (Stat. XVII, 891). The Book of Miscellaneous Records of 1868 (Stat. XIV, 129) is no longer a requirement.

The board has charge of the feeding of convicts other than those in the jail (Code 3836, 3844), and appoints guards for the chaingang, which is maintained for road work. Paupers and the poor house are also under its supervision (Code 3848-49); but there is no apparent reason for keeping the convict record in the volume with the pauper record. The board makes an annual report to the court of general sessions on the disbursements of county funds (Code 3824). For aid in performing all these duties the board employs a clerk (Code 3823), a county attorney (Code 3895) and a county physician (Code 3847).

The clerk carries on the clerical duties of the office and keeps it open during office hours.

The county attorney is a practicing member of the local bar, who is paid an annual retainer for legal advice to the board and to certify correct entry of claims (1916, Stat. XXIX, 844). 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.

The county physician is another part-time county employee, who receives an annual retainer to attend paupers and convicts only, and is not connected with the public health unit.

The office system of bookkeeping may be prescribed by the comptroller general (Code 3876) and all records are open to inspection by the public (Code 3867).

When special commissioners were appointed in 1907 to erect the present courthouse, they were directed to keep full records, see entries 35 and 36, to be deposited when the work was completed, as permanent records of the board of county commissioners' office (Stat. XXV, 824). In 1937 a special commission was named to attend to the details of erecting a new jail in the event that one should be authorized (Acts 1937, p. 722).

Minutes and Reports

1. MINUTES, 1872--. 5 vols. Missing: 1883-90, 1910-24, 1926-32. Title varies: S. E. Ledger. 1925, in General Ledger, entry 238, xii.

Record of transactions at meetings of board of commissioners, including: list of claims approved, 1872-81; reports of road conditions, of poorhouse, of the commissioners' activities, 1877-78; names of those reported as having failed to clear out creeks, 1877; list of paupers at poor farm, and record of notes showing date, owner, and date paid, 1933--. Also contains Annual Report, 1877-78, entry 4; General Ledger accounts, 1877-78, entry 13; (Escaped Convicts), 1933--, entry 17; and Convict Record, 1933--, entry 18. Arr. chron. No index. Hdw., and hdw. on ruled form, 1872-1909; hdw. on ruled form, hdw., and typed, 1933--. 100 to 560 pp. 12 x 8 x $\frac{1}{2}$ to 16 x 11 x 2. 4 vols., 1872-1909, basement; 1 vol., 1933--, vault.

For subsequent record of claims, see entry 8; for prior record of indebtedness, see entry 10; for prior records of notes and of paupers, see entry 15.

2. (AUDIT REPORT), 1935--. 2 vols. Financial report of accountant on handling of public funds in all county offices, Arr. by offices. Table of contents. No index. Typed. 30 pp. 14 x 9 x $\frac{1}{4}$. Vault.

3. MISCELLANEOUS PAPERS, 1902--. 2 file boxes and 1 bundle. Includes: opinions of attorney general and county attorney, 1916-28; quarterly reports of claims approved, 1932--; estimates of county expenses, 1902-30; advance copies of supply bill and related correspondence, 1933--. Also contains Annual Reports of County Supervisor, 1925-28, entry 4. No arr. No index. Hdw., typed, and hdw. on printed form. File box, 10 $\frac{1}{2}$ x 5 x 13 $\frac{1}{2}$; bundle, 8 x 12 x 1. Vault.

For prior quarterly reports, see entry 4.

For abbreviations and explanatory notes see pages 15-16

4. ANNUAL REPORT OF COUNTY SUPERVISOR, 1882, 1905-22. 1 file box. None kept 1923-24, 1929--. 1877-78 in Minutes, entry 1; 1925-28 in Miscellaneous Papers, entry 3.

Copies of annual reports of county supervisor on funds and administration, submitted to court of general sessions; also quarterly reports published in newspaper, showing payee and amount of approved claims. Not arr. No index. Hdw., 1882; printed, 1905; typed and hdw., 1906-22. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

For subsequent quarterly reports see entry 3; for officers' reports, see entry 106.

Claims and Warrants

5. COUNTY CLAIMS, 1901--. 42 file boxes and 4 boxes. Missing: 1874-1900.

Original claims with affidavits and bills for sundry supplies to county. No arr. 1901-18; arr. chron., 1919--. No index. Hdw. on printed form. File boxes, $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$; boxes vary from 20 x 20 x 12 to 8 x 20 x 15. 4 boxes, 1901-18, basement; 42 file boxes, 1919--, vault.

For highway commission claims, see entry 32.

6. REGISTER OF CLAIMS BY CLASSES, 1879-92. 3 vols. Title varies: Current Claims and Checks.

Record of claims filed against various appropriations, showing no. of claim, payee, amount. Also, 1881-88, receipts with the original signatures of those receiving picks and shovels from county commissioners. Arr. by accounts. Table of contents. No index. Hdw. on ruled form. 190 to 260 pp. 12 x 8 x $\frac{1}{2}$ to 13 x 8 x 1 . Basement.

For subsequent similar record, see entry 13.

7. SINGLE ENTRY LEDGER, (Claim Record), 1915-20. 3 vols. Discontinued.

Memorandum list of claims, showing date, payee, no. and amount of each. Arr. alph. by name of claimant. Hdw. on ruled form. 188 pp. 12 x 7 x $\frac{1}{2}$. Vault.

8. FILE BOOK OF CLAIMS, 1880--, 10 vols. Last entry 1930. Title varies: Claims Against the County; Current Claims; Claim Book of Abbeville County; County Claims.

Register of claims, showing under various headings, date filed, no. of claim, name of party, to whom assigned, nature of claim, amount claimed, amount allowed, distribution (1906-30), when paid, check no., and remarks; also file record, 1920-21, of highway commission claims, 1-200. Arr. numer. by no. of claim. No index. Hdw. on printed ruled form. 239 to 600 pp. 15 x 11 x 1 to 19 x 15 x 2 . 3 vols., 1888-1921, basement; 7 vols., 1880-1930, vault.

For prior record of claims, see entry 1; for original highway claims, see entry 32.

9. (WARRANT STUBS), 1909--. 1 box (containing approx. 500 pads) and 60 pads.

Stubs of county checks issued on the treasurer to pay county claims. Arr. by no. of warrant. No index. Hdw. on printed form. Pads, 50 and 100 pp. $2\frac{1}{2}$ x $2\frac{1}{2}$ x $\frac{1}{2}$ to 10 x 14 x $\frac{1}{2}$; box, 15 x 12 x 10 . 1 box, 1909-29, basement;

Board of County Commissioners - Supplies and Contracts;
Bookkeeping Records

(10-15)

60 pads, 1929-- , vault.

For settlement record of warrants, see entry 16; originals, entry 225.

10. (PAST INDEBTEDNESS), 1882, 1881-96. 1 vol. Discontinued.
Record of claims paid 1881-96 on debts of 1877-90, from funds raised by special tax for that purpose, showing date filed, no., name of party, to whom assigned, nature of claim, fiscal year, amount, amount paid, amount due, when paid, by check no., remarks. Arr. chron. No index. Hdw. on printed ruled form. 120 pp. 16 x 10 x 1. Basement.

For record of notes, see entries 1 and 15.

Supplies and Contracts

11. CONTRACTS FOR BRIDGES, 1901-11. 1 file box.
Contract and surety bonds of contractors. No arr. No index. Hdw. on printed form. 10 $\frac{1}{2}$ x 5 x 13 $\frac{1}{2}$. Vault.

12. REQUISITIONS, 1934-- . 20 vols.
Carbon copies of orders issued by supervisor or his clerk to purchase supplies for the county, giving a detailed list of items. Arr. chron. No index. Hdw. on printed form. 50 pp. 8 x 5 x $\frac{1}{2}$. Vault.

Bookkeeping Records

13. GENERAL LEDGER, 1913-- . 5 vols. Missing: 1915-22. Title varies: Register of Claims; Day Book. 1877-78 in Minutes, entry 1.
Record of accounts for which appropriations have been made, showing for each claim, no., payee, date, amount, under a variety of account headings. Arr. by accounts, which 1925-- , are lettered. Indexed by name of account, 1913-14; table of contents, 1923-35; no index, 1936-- . Hdw. on printed ruled form. 180 to 500 pp. 14 x 9 x 1 to 18 x 12 x 2. Vault.

For prior similar record, see entry 6.

14. CASH BOOK, 1933-- . 1 vol.
Record of Capitation Road Tax Collections, entry 21, and all other cash collections of the supervisor, showing date, description, amount, and treasurer's receipts for cash turned over. Arr. chron. No index. Hdw. on ruled form, and pasted receipts. 75 double pp. 14 x 9 x 1. Vault.

15. LEDGER (Miscellaneous), 1909-33. 5 vols. Title varies: Cash.
Record of officers' and employees' salaries; of cash received or collected by supervisor from poor farm; of inmates of county home for poor, showing when admitted, name, age, sex, disease, remarks; of notes or money borrowed on notes, in anticipation of tax collections, showing date borrowed, date due, amount, lender, interest, and date paid; and highway commission general cash account of disbursements. Also contains Convict Record, entry 18; (Capitation Road Tax Collections), entry 21; Pension Roll, 1909-16, entry 81. Arr. by accounts. Table of contents. No index, 1909-23, 1926-28; indexed by name of account, 1924-25. Hdw. on ruled form. 140 pp. 15 x 6 x $\frac{1}{2}$ to 7 x 4 x 1. Vault.

For abbreviations and explanatory notes see pages 15-16

For record of paupers and of notes, see entry 1; for indebtedness see entry 10; for magistrates' and constables' salaries, see entry 18; for highway commission records, see entries 26-34.

16. RECORD BOOK FOR SUPERVISOR, 1901-16. 1 vol. Abandoned. Settlement record of warrants issued in payment of approved claims, showing date, payee, no., amount. Arr. chron. No index. Hdw. on printed ruled form. 301 double pp. 18 x 12 x 2 $\frac{1}{2}$. Basement.

For stub record of warrants, see entry 9; for settlement records, see entries 225, 242.

Special Accounts

Roads

17. (ESCAPED CONVICTS), 1909-12. 1 vol. Missing: 1913-32. 1933-- in Minutes, entry 1.

List of convicts who escaped from chaingang, showing date escaped, name, date caught, sentence, remarks. Arr. chron. No index. Hdw. 50 pp. (2 used) 12 x 5 x $\frac{1}{4}$. Basement.

18. CONVICT RECORD, 1911, 1909 and 1911. 1 vol. 1909-33 in Ledger, entry 15; 1933-- in Minutes, entry 1, overlapping dates. Record of persons committed to chaingang, showing name, date, age, race, sentence, when discharged. Also, 1909, magistrates' and constables' names and salaries. Arr. chron. No index. Hdw. on ruled form. 50 pp. 12 x 5 x $\frac{1}{2}$. Vault

For salaries, 1909-33 see entry 15.

19. COMMITMENTS TO CHAINGANG, 1909--. 2 file boxes. Original commitments to chaingang by magistrates and town councils, and transcript of sentences of the circuit court; copies of pardons, paroles, and revocation of paroles issued by governor and state pardon board. No arr. No index. Hdw. and typed on printed form. 10 $\frac{1}{2}$ x 5 x 13 $\frac{1}{2}$. Vault.

20. (ROAD TAX RECEIPTS), 1932--. 8 vols. Carbon copies of receipts issued by supervisor to those paying road tax. Arr. chron. No index. Hdw. on printed form. 100 pp. 12 x 8 x 1. Vault.

21. LEDGER (Capitation Road Tax Collections), 1933. 1 vol. 1909-33 in Ledger, entry 15; 1933-- in Cash Book, entry 14. Record of capitation road tax collections of the supervisor, showing date, payee, receipt no., amount. Arr. chron. under districts. Indexed by name of district. Hdw. on ruled form. 176 pp. 14 x 9 x 1. Vault.

22. (TROUBLE TICKET), 1933-34. 1 vol. Abandoned. Carbon copies of reports of damage to county bridges and roads, showing name, date, address, trouble. Arr. chron. No index. Hdw. on printed form. 150 pp. 12 x 7 x 1. Vault.

For abbreviations and explanatory notes see pages 15-16

23. PETITIONS, 1908-18. 1 file box.
Original petitions of citizens to county commissioners for the construction of public roads. No arr. No index. Hdw. and typed. $10\frac{1}{2} \times 5 \times 13\frac{1}{2}$. Vault.

For other petitions, see entry 34.

Equipment

24. INVENTORY OF COUNTY HOME, 1909. 1 vol. Abandoned.
Itemization of property at county home, and of equipment used by chain-gang, with value. No arr. No index. Hdw. 50 pp. $12 \times 5 \times \frac{1}{4}$. Basement.

Correspondence

25. LETTERS, 1925--. 2 letter file boxes.
Correspondence of the supervisor and county commissioners regarding official business. Arr. alph. by name of correspondent. No index. Typed. $12 \times 12 \times 3$. Vault.

Highway Commission (defunct) (see also entries 8, 15.)

26. LEDGER (Minutes), 1920-29. 1 vol.
Minutes of the meetings of the highway commissioners. Arr. chron. No index. Hdw. and typed. 176 pp. $14 \times 8\frac{3}{4} \times 1$. Vault.

27. WARRANT RECORD, 1920-29. 1 vol. (Warrants 1-2819).
File book for warrants issued for highway expenditures, showing warrant no., payee, purpose and amount of warrant; debits: engineering salaries, supplies, commissioners' salaries, expense of bonds, project no., engineering, right of way, clearing and grubbing, grading, grading and surfacing, bridges, culvert, surfacing material, damages; credits: sundries, items, amount, ledger folio, items, amounts, credit account, ledger folio. Arr. numer. by warrant no. No index. Hdw. on printed ruled form. 149 double pp. $12\frac{3}{4} \times 28\frac{5}{4} \times 1\frac{5}{4}$. Vault.

28. (HIGHWAY COMMISSION PAPERS), 1922-29. 4 boxes.
Estimates of expenditures, surveyors' and engineers' notes, correspondence, plans, time books and other papers. No arr. No index. Hdw. on printed form and typed. $12 \times 12 \times 12$ to $30 \times 20 \times 16$. Basement.

29. CASH, 1920-30. 2 vols.
Cash book of treasurer of highway commission, showing date, description, amount of receipts, and date paid, claim no., amount of expenditures. Arr. chron. No index. Hdw. on printed ruled form. 125 double pp. $14\frac{1}{2} \times 9\frac{3}{4} \times 1$ to $16 \frac{1}{8} \times 11 \times 1\frac{1}{4}$. Treasurer's office.

30. LETTERS, 1921-29. 4 letter file boxes.
Correspondence, bids, contracts, invoices, and bills of the Abbeville County highway commission. Arr. alph. by name of correspondent. No index. Typed and hdw., and typed on printed form. $12 \times 12 \times 3$. Vault.

For abbreviations and explanatory notes see pages 15-16

31. LEDGER, 1922-29. 1 vol.

Record of travel expenses and per diem of county highway commissioners, by accounts, 1922-29; a general cash account of receipts and disbursements, 1925-29; and record of highway bonds, 1925-29, showing when and to whom sold, when due, amount, interest, premium on sale. Arr. by accounts. No index. 136 pp. 9 x 6 x $\frac{1}{2}$. Vault

For general cash account, see entry 15.

32. H(IGH)W(A)Y COMM(ISSION) CLAIMS, 1920-29. 6 file boxes (claims 1-2819).

Original claims for services and materials, showing amount due and itemized bill. Arr. numer. No index. Hdw. on printed form. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

For file book record, see entry 8; for original county claims, see entry 5.

33. HIGHWAY COMMISSION CONTRACTS, 1921-22. 1 file box.

Contracts of highway commissioners for the construction of roads, including proposal, bid and contractors' bonds. No arr. No index. Typed and hdw. on printed form. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

34. CONDEMNATIONS, 1922-30. 1 file box.

Condemnation notices and papers, and petitions to highway commission for road construction. No arr. No index. Hdw. on printed form and hdw. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

For other petitions, see entry 23.

Courthouse Commission (defunct)

35. NEW COURT HOUSE, 1906-9. 1 file box.

Correspondence, bonds, bids, contracts, insurance policies, bills, check stubs and cancelled checks of the courthouse commission. No arr. No index. Hdw. on printed form and typed. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

36. S. E. LEDGER (Minutes), 1907-9. 1 vol.

Minutes of courthouse commission, general cash account of funds received and disbursed, and ledger accounts of expenses. Arr. chron. and by accounts. No index. Hdw., and hdw. on ruled form. 300 pp. 12 x 8 x 1. Basement.

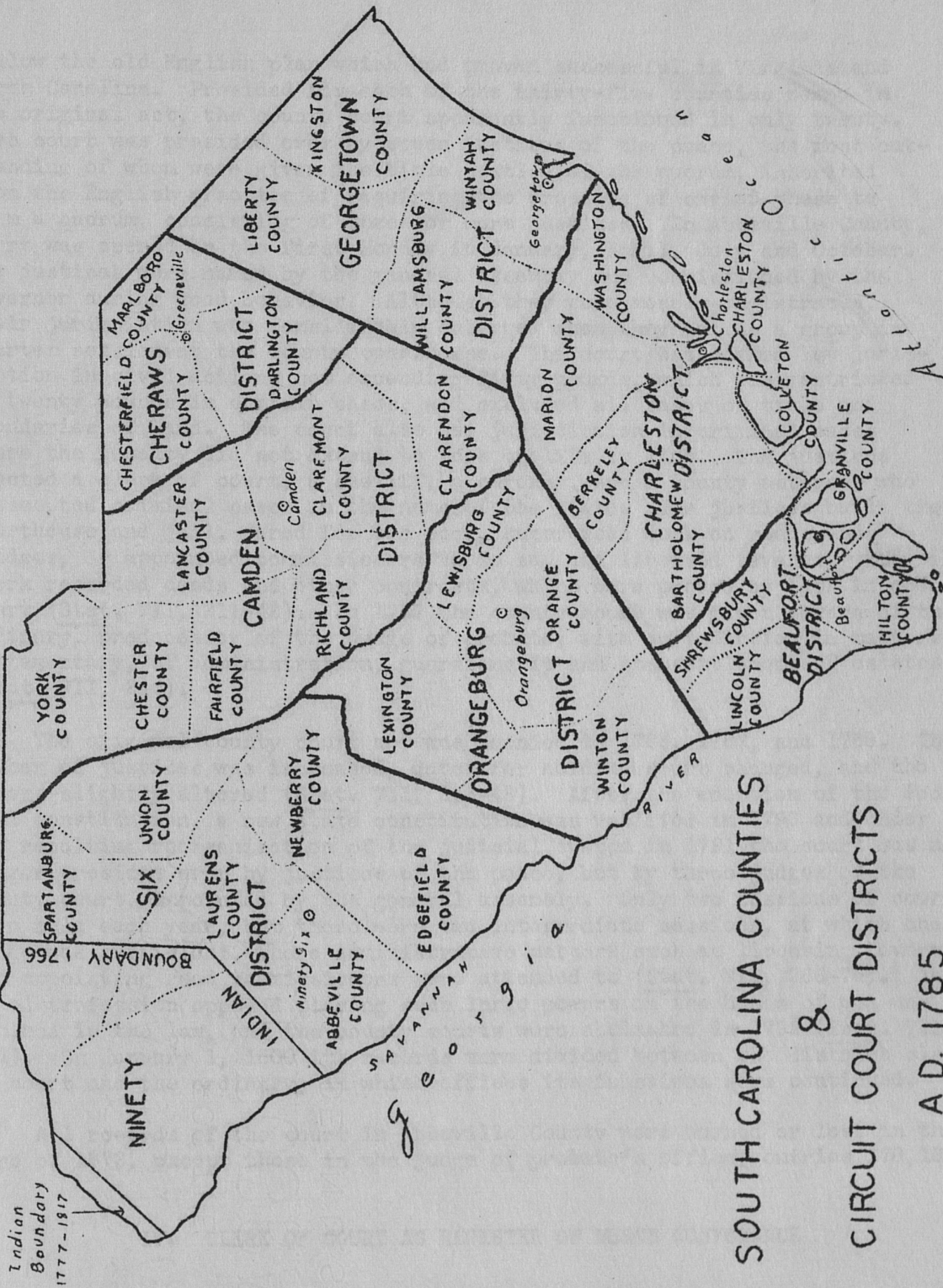
III. COUNTY COURT (defunct)

The Constitution of 1778 provided that as soon as proper laws could be passed for that purpose, the state should be divided into counties, and county courts should be established (art. XXXIX). In 1783, provision was made for laying off the counties (Stat. IV, 561), and two years later the county courts were set up (Stat. IV, 561; VII, 211).

The county court of 1785 was a group meeting of magistrates, and it functioned as the county government as well as a court. It was especially designed for a rural civilization, in an era when transportation was tedious and difficult. In setting up this court South Carolina made an effort to

For abbreviations and explanatory notes see pages 15-16

North Carolina



SOUTH CAROLINA COUNTIES
&
CIRCUIT COURT DISTRICTS

A. D. 1785

Compiled by Historical Records Survey, W.P.A., 1936.

follow the old English plan which had proven successful in Virginia and North Carolina. Provided for each of the thirty-five counties named in the original act, the county court apparently functioned in only twenty. Each court was presided over by seven justices of the peace, the most outstanding of whom were given the title justice of the quorum, inherited from the English practice of requiring the presence of one of these to form a quorum, consisting of three or more justices. In Abbeville County, court was opened on the first Monday in January, April, July and October. The justices were named by the general assembly and commissioned by the governor during good behavior. Although they were merely magistrates, their jurisdiction was considerably enlarged when they sat as a group in quarter sessions at the county courthouse. The court had common law jurisdiction in civil actions not exceeding fifty pounds, which was restricted to twenty pounds in certain cases, and excluded all cases on title and boundaries of land. The court also had jurisdiction in criminal cases where the penalty did not extend to loss of life or limb. The justices elected a clerk of court, a sheriff, a coroner, and a county attorney who prosecuted criminal cases in the name of the state. The justices built the courthouse and jail, cared for the poor, supervised work on roads and bridges, or appointed commissioners to do so, and licensed taverns. The clerk recorded deeds and other contracts, which were proved by oath in open court (Stat. VII, 211-42). In 1787 the county court was given powers of the ordinary, predecessor of the judge of probate, with jurisdiction in matters testamentary, of administration, guardianship and the settlement of estates (Stat. VII, 246).

The original county court act was amended in 1786, 1787, and 1788. The number of justices was increased, dates for holding court changed, and the powers slightly altered (Stat. VII, 243-49). After the adoption of the federal constitution, a new state constitution was ratified in 1790 and under the resulting reorganization of the judicial system in 1791 the court was no longer presided over by justices of the peace, but by three judges of the county court, appointed by the general assembly. Only two sessions of court were held each year, but there were two intermediate sessions, at which one judge was sufficient, where administrative matters such as licensing taverns and appointing road commissioners were attended to (Stat. VII, 266-70). The legal profession opposed placing such large powers in the hands of men untrained in the law, and the county courts were abolished in 1799 (Stat. VII, 291). On January 1, 1800 its records were divided between the district clerk of court and the ordinary, in which offices its functions were continued.

All records of the court in Abbeville County were burned or lost in the fire of 1872, except those in the judge of probate's office, entries 178, 183.

IV. CLERK OF COURT AS REGISTER OF MESNE CONVEYANCE

The beginning of this office goes back to the original plans for the colony. As a separate registry it dates from 1731 (Stat. III, 296). In

Abbeville County its origin is found in the county court of 1785. All deeds were at first required to be proved by oath in open court before the justices, and were recorded by the clerk of the county court (Stat. VII, 232-34), who was further required to transmit to the secretary of state twice a year "memorials" of the instruments registered in the county. This clerk probably became clerk of court for Abbeville District on January 1, 1800, and also register of mesne conveyance (Stat. VII, 296). In 1839, the clerk of the circuit courts was declared to be register of mesne conveyance in all districts except Charleston and Georgetown (Stat. XI, 80). In 1896, the office of register of mesne conveyance was abolished in all counties except Charleston and Greenville, and the duties devolved upon the clerk of court (Stat. XXII, 122). In 1926 he became ex officio a member of the forfeited land commission (infra., p. 78).

The clerk of court in Abbeville therefore, has always performed the duties of this office. He receives fees for recording 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 (Stat. XI, 10, 80; XXII, 746-47; Code 3635-37). Before a deed may be recorded, it must be probated (Code 3632), and must have the auditor's endorsement of having been entered upon his records (1882, Stat. XVII, 1016; 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 (ibid. 3602).

Registrations of the county court clerks (1785-99) were usually unclassified and entered together upon "Record" books supplied by the clerk. From 1800 until 1839, court records were kept separate from property records. In 1839 the registry records were required to have direct and cross indexes, in separate volumes, each index serving not less than ten volumes of registrations (Stat. XI, 80-81). In 1872, deeds were separated from mortgages, with separate direct and cross indices (Stat. XV, 6). Ten years later, mortgages were sub-divided into real and personal, each with separate indices; and chattel mortgages for \$100 and less were relegated to abstracts on an index (Stat. XVII, 1053; Code 3635). In 1874, crop liens had been reduced to a similar record (Stat. XV, 788; XVI, 713-14; Code 8774). In 1869, mechanics' claims for unpaid wages or materials became a statutory lien against the property upon which used (Stat. XIV, 220; Code 8735). Record of attachments of real estate dates from 1870 (Stat. XIV, 476; Code 532), and the homestead exempted from attachment for debt by the Constitution of 1868 (art. II, 32) has been a registry record since 1851 (Acts, p. 86; Stat. XVII, 514; Code 9086). After the fire of 1872, provision was made for restoring to record burned deeds and other instruments (Stat. XV, 451) by proceedings to perpetuate testimony which are now legalized by a permanent law (Code 729-32). In 1926, sheriffs, when levying upon real estate for unpaid taxes, were required to notify all mortgage owners who registered with the clerk of court for service (Stat. XXXIV, 912-16; Code 2573). In 1887 the record of charters became a requirement, the clerk of court having issued them to churches and societies from that date until 1900 (Stat. XIX, 545; XXIII, 390; Code 7718). A record of bonds of county officers has been required since 1866 (Stat. XIII, 382; Code 3051). Contracts of cooperative marketing associations have been registered since 1924 (Stat. XXXIII, 1072; Code 8890). A file book of instruments recorded (Stat. XXVII, 152; Code 8889) has been required since 1911.

Real Property

Deeds and Plats

37. DEED BOOK, 1872--. 61 vols. (1-61). Title varies: Titles Real Estate; Register of Mesne Conveyance; Titles.
Transcripts of contracts, agreements, leases, and deeds for conveyance of real estate. Also contains: Plats, 1872-1915, entry 44; Charters, 1872-86, 1901-27, entry 64. Arr. chron. Hdw. 1872--; hdw. on printed form 1884--; typed 1905--. 750 pp. 18 x 12 x 3. Vault.
For other deeds, see entry 50; for other contracts, agreements and leases, see entry 53.
38. DIRECT INDEX TO DEEDS, 1872--. 3 vols.
Shows grantors, grantees, book, page, no. of acres, consideration, remarks. Arr. alph. by name of grantor; sub-indexed by family name, 1925--. Hdw. on printed ruled form. 350 to 700 pp. $18\frac{1}{2}$ x 12 x 2 to $18\frac{1}{2}$ x 16 x $3\frac{1}{4}$. Vault.
39. INDIRECT INDEX TO DEEDS, 1872--. 3 vols.
Shows grantees, grantors, book, page, no. of acres, consideration, remarks. Arr. alph. by name of grantee; sub-indexed by family name, 1925--. Hdw. on printed ruled form. 350 to 700 pp. $18\frac{1}{2}$ x 12 x 2 to $18\frac{1}{2}$ x 16 x $3\frac{1}{4}$. Vault.
40. DIRECT INDEX TO CONVEYANCES, 1872-1935. 6 vols. Title varies: Index to Deeds, Grantor.
Obsolete index to Deed Book, entry 37, showing grantor, grantee, book, page, description. Arr. alph. by name of grantor; sub-indexed by family name, 1906-35. Hdw. on printed ruled form. 600 pp. $9\frac{1}{2}$ x 16 x $2\frac{1}{2}$ to 18 x 12 x 3. Vault.
41. CROSS INDEX TO CONVEYANCES, 1872-1935. 6 vols. Title varies: Index to Deeds, Grantee.
Obsolete index to Deed Book, entry 37, showing grantee, grantor, book, page, description. Arr. alph. by name of grantee; sub-indexed by family name, 1906-35. Hdw. on printed ruled form. 600 pp. $9\frac{1}{2}$ x 16 x $2\frac{1}{2}$ to 18 x 12 x 3. Vault.
42. INDEX DRAWER TO DRAWEE, 1872-83. 1 vol.
Obsolete index to deeds, mortgages, and liens in Deed Book, entry 37, showing year, drawer to drawee, book, page, kind of instrument. Arr. alph. by name of drawer. Hdw. on printed ruled form. 800 pp. 18 x $9\frac{5}{8}$ x $2\frac{1}{2}$. Vault.
43. INDEX DRAWEE FROM DRAWER, 1872-83. 1 vol.
Obsolete index to deeds, mortgages, and liens in Deed Book, entry 37, showing year, drawee, from drawer, book, page, kind of instrument. Arr. alph. by name of drawee. Hdw. on printed ruled form. 800 pp. 18 x $9\frac{5}{8}$ x $2\frac{1}{2}$. Vault.
44. PLAT BOOK, 1916--. 3 vols. (1-3). 1872-1915, in Deed Book, entry 37.

Maps of real estate holdings, with full descriptions and locations of property. Arr. chron. Indexed by name of property owner. Hand drawn. 200 double pp. $18\frac{1}{2}$ x 13 x $1\frac{3}{4}$. Vault.

Mortgages

45. MORTGAGES REAL ESTATE, 1884--. 77 vols. (A-I, K-P, R-Z, AA-HH, JJ-PP, RR-ZZ, AAA-BBB, BBB-HHH, JJJ-PPP, RRR-ZZZ, AAAA-DDDD). Title varies: Real Estate Mortgage Joint Stock Land Bank. 1872-85, in Chattel Mortgages, entry 53.

Transcripts of mortgages of real estate, with renunciation of dower, transfers of mortgages, releases of mortgagor, affidavits of subscribing witnesses. Arr. chron. Hdw., 1884-1904; hdw. and typed on printed form, 1905--. 650 pp. $18\frac{1}{2}$ x $12\frac{1}{2}$ x $2\frac{1}{2}$. Vault.

For other mortgages, see entry 50.

46. DIRECT INDEX TO REAL ESTATE MORTGAGES, 1872--. 3 vols. Shows date of cancellation, mortgagor, mortgagee, book, page, no. of acres, consideration, remarks (date recorded). Arr. alph. by name of mortgagor; sub-indexed by family name, 1925--. Hdw. on printed ruled form. 500 pp. $18\frac{1}{2}$ x 13 x $2\frac{1}{2}$. Vault.

47. CROSS INDEX TO REAL ESTATE MORTGAGES, 1872--. 3 vols. Shows date of cancellation, mortgagee, mortgagor, book, page, no. of acres, consideration, remarks (date recorded). Arr. alph. by name of mortgagee; sub-indexed by family name, 1925--. Hdw. on printed ruled form. 500 pp. $18\frac{1}{2}$ x 13 x $2\frac{1}{2}$. Vault.

48. DIRECT INDEX TO MORTGAGES, 1872-1935. 6 vols. Obsolete index to Mortgages Real Estate, 1884-1935, entry 45; and to Chattel Mortgages, 1872-77, entry 53; showing mortgagor, mortgagee, book, page, and 1905--, date of satisfaction. Arr. alph. by name of mortgagor; sub-indexed by family name, 1915-19. Hdw. on printed ruled form. Poor condition. 700 pp. 9 x 14 x 3 to 18 x 12 x $2\frac{1}{2}$. Vault.

49. CROSS INDEX TO MORTGAGES, 1872-1935. 6 vols. Obsolete index to Mortgages Real Estate, 1884-1935, entry 45; and to Chattel Mortgages, 1872-77, entry 53; showing mortgagee, mortgagor, book, page, and 1905--, date of satisfaction. Arr. alph. by name of mortgagee; sub-indexed by family name, 1915-35. Hdw. on printed ruled form. Poor condition. 700 pp. 9 x 14 x 3 to 18 x 12 x $2\frac{1}{2}$. Vault.

50. ABSTRACT OF BURNT CONVEYANCES, MORTGAGES, &., 1873--. 1 vol. Last entry 1910.

Abstract of recorded instruments burned in 1872; also of other documents lost or destroyed, and restored to record by judicial order, showing date of entry, name of drawer, name of drawee, quantity of land conveyed, location, price, date of original registry, kind of, description and remarks. Arr. chron. by date of re-recording. Hdw. on printed ruled form. 600 pp. 18 x $12\frac{1}{2}$ x $2\frac{3}{4}$. Vault.

For other deeds and mortgages, see entries 37, 45, 53.

51. DIRECT INDEX TO ABSTRACT OF BURNT CONVEYANCE, MORTGAGES, &.,
1873--. 1 vol.

Shows kind, grantor, grantee, page and book. Arr. alph. by name of grantor.
Hdw. on ruled form. 600 pp. 17 x 7 $\frac{1}{2}$ x 1 $\frac{1}{2}$. Vault.

52. INDIRECT INDEX TO ABSTRACT OF BURNT CONVEYANCES, MORTGAGES, &.,
1873--. 1 vol.

Shows kind, grantee, grantor, page and book. Arr. alph. by name of grantee.
Hdw. on ruled form. 600 pp. 17 x 7 $\frac{1}{2}$ x 1 $\frac{1}{2}$. Vault.

Personal Property

53. CHATTEL MORTGAGES, 1872--. 167 vols. (1-161, 163-169. Missing:
vol. 120. Title varies: Mortgages; Real Estate Mortgages; Note
and Mortgage of Crop; Crop Liens and Chattel Mortgages; Chattel
Mortgages Personal Property and Crop; Chattel Mortgages over \$100.
Transcript of chattel mortgages over \$100, including conditional sales con-
tracts, note and mortgages, purchase money mortgages. Also contracts, a-
greements, and leases; Mortgages Real Estate, 1872-85, entry 45; Index to
Chattel Mortgages \$100 and Less, 1872-81, entry 56; Index to Liens, 1872-
77, entry 57. Arr. chron. Hdw. and hdw. on printed form, 1883-1906; hdw.
and typed on printed form, and typed, 1906--. 550 pp. 9 x 14 x 4 to 18 x
12 x 3 $\frac{1}{2}$. Vault and balcony.

For contracts, agreements and leases, see entry 37; for other mort-
gages, see entry 50.

54. DIRECT INDEX TO CHATTEL MORTGAGES, 1878--. 5 vols. 1872-77 in
Direct Index to Mortgages, entry 48.

Shows year, mortgagor, mortgagee, book, page, remarks. Arr. alph. by name
of mortgagor. Hdw. on printed ruled form. 700 pp. 18 x 10 x 2 $\frac{1}{2}$. Vault.

55. CROSS INDEX TO CHATTEL MORTGAGES, 1878--. 5 vols. Title varies:
Indirect Index to Chattel Mortgages. 1872-77 in Cross Index to
Mortgages, entry 49.

Shows year, mortgagee, mortgagor, book, page, remarks. Arr. alph. by name
or mortgagee. Hdw. on printed ruled form. 700 pp. 18 x 10 x 2 $\frac{1}{2}$. Vault.

56. INDEX TO CHATTEL MORTGAGES \$100 AND LESS (Record of Chattel Mort-
gages), 1882--. 52 vols. (1-52). 1872-81 in Chattel Mortgages,
entry 53.

Abstract of mortgages on personal property for \$100 and less, showing date
of presentation for record, mortgagor, mortgagee, date of mortgage, date of
maturity, amount, character of debt, description of chattels pledged. Arr.
alph. by name of mortgagor. Hdw. on printed ruled form. 600 pp. 16 $\frac{1}{2}$ x 11 $\frac{1}{2}$
x 2 $\frac{1}{2}$. Vault.

57. INDEX TO LIENS (Record of Crop Liens), 1878--. 33 vols. 1872-
77 in Chattel Mortgages, entry 53.

Abstract of liens on crops, showing date of filing, maker of lien, to whom
given, for what given, rent or advances, brief description of land cultivated,

For abbreviations and explanatory notes see pages 15-16

Register of Mesne Conveyance - Statutory Liens; Attachments; (58-63)
Business Registrations

amount. Arr. alph. by name of maker of lien. Hdw. on printed ruled form.
500 pp. $14\frac{1}{2}$ x $9\frac{1}{2}$ x 2 to $16\frac{1}{2}$ x $12\frac{1}{2}$ x $2\frac{1}{2}$. Vault.

Statutory Liens

58. MECHANICS LIENS, 1886--. 1 file box.
Original claims filed by builders or workmen for unpaid services or materials. Arr. chron. No index. Hdw., 1886-1905; typed, 1906--. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

59. INDEX TO MECHANICS LIENS (Record of Mechanics Liens), 1882--.
3 vols. Title varies: Builders and Mechanics Liens Book.
Record upon which are entered claims constituting statutory liens against property owner for unpaid bills for labor or material furnished for construction or repair work. Arr. chron. Indexed by name of owner. Hdw., 1892-1923; hdw. and typed, 1924--. 300 pp. 13 x 8 x 1 to 16 x 11 x $1\frac{1}{2}$. Vault.

60. INDEX TO FIRE INSURANCE POLICIES, 1915--. 1 vol. Last entry 1918.
Register of claims for insurance payments, entered as statutory liens against property insured with the Abbeville-Greenwood Mutual Insurance Association, showing date of filing, name of insured, and insurance company. Arr. alph. by name of insured. Hdw. on printed ruled form. 600 pp. $16\frac{1}{2}$ x 12 x $2\frac{1}{2}$. Vault.

Attachments

61. INDEX TO LEVIES ON REAL ESTATE, 1926--. 1 vol.
List of mortgage owners who will receive notice, if the property is levied upon for delinquent tax, showing date, name of mortgagee, post office address of owner of mortgage, name of grantor, 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. alph. by name of mortgagee. Hdw. on printed ruled form. 300 pp. 16 x $11\frac{1}{4}$ x $1\frac{1}{2}$. Vault.

62. RECORD OF HOMESTEAD BOOK, 1885--. 1 vol. 1888-1930, no entries.
Transcript of appraisers' returns, petition, notices, appointment of appraisers, and similar papers necessary in the exemption of homestead from attachment for debt. Arr. chron. Indexed partially by name of defendant. Hdw. and typed. 348 pp. $16\frac{1}{2}$ x $11\frac{1}{2}$ x $1\frac{3}{4}$. Vault.

Business Registrations
(See also entries 72, 73.)

63. INDEX TO LABOR CONTRACTS (Record of Labor Contracts), 1908--. 1 vol. Last entry 1926.
Abstract of contract between landlord and laborer, showing date of index, date

of contract, laborer, employer, date of termination of contract, location and name of place where service is to be performed. Arr. alph. by name of laborer. Hdw. on printed ruled form. 200 double pp. $14\frac{1}{4}$ x 9 x $1\frac{1}{2}$. Vault.

- 64. RECORD OF CHARTERS, 1887-1900, 1928--. 2 vols. 1872-86, 1901-1927, in Deed Book, entry 37.

Transcript of corporation charters issued by the secretary of state, and 1887-1900, by clerk of court, showing name, address, place of business of corporation, nature of business corporation proposes to do, amount of stock, and date issued. Arr. chron. No index, 1887-1900; indexed by name of company, 1928--. Hdw. on printed form, 1887-1900; hdw. on printed form and typed, 1928--. 150 to 375 pp. 14 x 10 x $\frac{3}{4}$ to 18 x $12\frac{1}{2}$ x $1\frac{3}{4}$. Vault.

- 65. THE CONTRACT BOOK OF S(OUTH) C(AROLINA) COTTON GROWERS COOPERATIVE ASS(OCIATIO)N, 1924--. 1 vol. Last entry 1930.

Record of members' contracts with the South Carolina Cotton Growers Cooperative Association, showing name of member, contract no., address, date of contract, date recorded. Arr. alph. by name of member. No index. Hdw. on printed ruled form. 200 pp. $11\frac{1}{2}$ x 9 x $1\frac{1}{2}$. Vault.

- 66. THE CONTRACT BOOK OF TOBACCO GROWERS COOPERATIVE ASSOCIATION, 1923--. 1 vol. Last entry 1923.

Record of members' contracts with Tobacco Cooperative Association in Abbeville County, showing contract form, grower's name, date, and grower's address. Arr. chron. No index. Hdw. on printed form. 9 pp. 14 x 9 x $\frac{1}{8}$. Vault.

Surety Bonds

- 67. BONDS OF PUBLIC OFFICERS, 1872--. 4 vols. Title varies: Bond Book; Official Bonds.

Transcripts of surety bonds given by officials before assuming public office, showing name, sureties, and the amount and condition of the bond. Arr. chron. No index, 1872-86; indexed by name of official, overlapping dates, 1884--. Hdw., hdw. and typed on printed form. 100 to 300 pp. $12\frac{1}{4}$ x 8 x 1 to 16 x 12 x 2. Vault.

V. COMMISSIONER OF LOCATION (defunct)

The commissioner of location was a part of the South Carolina post-Revolutionary land system, and the office dates from 1784, when it was created in each of the seven judicial districts to "take and receive the original entry of all vacant lands lying and being within the ancient boundaries of such district" (Stat. IV, 590). When the records of Ninety Six District were distributed, Abbeville received two volumes of the surveys made in that area. The local office in Abbeville dates from 1802, when it was

For abbreviations and explanatory notes see pages 15-16

provided for each of the then existing circuit court districts, to be commissioned by the governor upon the recommendation of a majority of the legislative delegation (Stat. V, 398). In 1815, the office became elective by popular vote (Stat. VI, 12). An act of 1839 provided that the clerk of court in each circuit court district should be ex officio commissioner of location wherever the office became vacant (Stat. XI, 81). In 1878 all vacant lands were turned over to the secretary of state to sell, subject to directions of the state sinking fund commission (Stat. XVI, 558-59), and after 1882 no further entries were made in the counties.

The records for the Abbeville office were burned in 1872 with the other records of the clerk of court's office. The two volumes of Ninety Six District records were saved with the records of the judge of probate.

68. OLD RECORDS, 1784-88. 2 vols. (A, B).

Plats of land surveyed and laid out in Abbeville County, chiefly for Revolutionary soldiers, pursuant to order of commissioner of location of Ninety Six District, with date, name of grantee, affidavit of surveyor, and description of land. Arr. chron. Indexed by name of landowner. Hdw. 250 pp. 13 x 8 x 2 $\frac{1}{2}$ to 15 x 10 x 2. Vault, judge of probate.

VI. CLERK OF COURT

The office of clerk of court came to South Carolina with the ancient English court system, and in Abbeville County had its origin in 1785 in the county court, whose clerk was elected by the justices and was required to furnish the books for the records (Stat. VII, 221-22). When the county courts were abolished, he probably became the clerk of the circuit courts of common pleas and general sessions, and was appointed and commissioned by the governor (*ibid.* 288-89, 292). He kept records without specific directions until 1840, when uniform regulations became effective (Stat. XI, 69-82). Under the Constitution of 1868, the clerk of the circuit court of common pleas became clerk of all other courts of record, subject to provisions of the general assembly (art. IV, 27).

Under the present Constitution of 1895, the clerk of court is a constitutional official, elected for a term of four years (art. V, 27). As clerk of the court of common pleas, he is ex officio clerk of the court of general sessions, and is custodian of all papers filed in civil or criminal action; 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 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). He must file sheriff's returns (1839, Stat. XI,

For abbreviations and explanatory notes see pages 15-16

71; Code 3585), original inquisitions of coroner (1839, Stat. XI, 71; Code 3564), and papers for cases sent up by magistrates (1836, Stat. VI, 552; Code 3721). In 1917 he was required to file cancelled liquor permits and to keep a record of deliveries of alcoholic liquors by common carrier (Stat. XXX, 69-70).

The clerk of court is also the official custodian of a number of miscellaneous enrollments and registrations: the roll of magistrates 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, 843; 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 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 1914, he has had the custody of the Democratic club rolls (Stat. XXIX, 167; 24; Code 2359). The principal records of the clerk of court are common pleas, entries 113-159, general sessions, entries 92-112, and mesne conveyance, entries 37-67. He is also legal custodian of the records of the defunct commissioner of location, entry 68, and of the court of equity, entries 160-173. Until 1937 state pensions were distributed through him (see p. 84).

County Officers

69. ROLL OF NOTARIES PUBLIC, ETC., 1911--. 1 vol. 1900-1911 in Ledger, entry 145.

Register of notaries public and magistrates, showing names, office, date of commission, date of qualification, date recorded, by whom appointed, genuine signature. Arr. alph. by name of registrant. Hdw. on printed ruled form. 100 double pp. 16 x 11 x 1. Vault.

For prior magistrates' roll, see entry 70.

70. TRIAL JUSTICES AND CONSTABLES ROLL, 1872-96. 1 vol.

Register showing township, name of officer, date of entry in office, office, expiration of term and genuine signature. Arr. chron. No index. Hdw. on ruled form. 176 pp. (12 used) 14 x 10 x $\frac{3}{4}$. Vault.

For later magistrates' roll, see entry 69.

Professional Registrations

71. PHYSICIANS AND OPTOMETRISTS BOOK, VETERINARY SURGEONS, NURSES REGISTRATION BOOK (Title pasted), 1882--. 1 vol.

For abbreviations and explanatory notes see pages 15-16

Clerk of Court - Business Registrations; Licenses; Motor
Registrations; Military Record

(72-77)

Affidavits of physicians and surgeons as to education and practice, and register of certificates issued by state boards of medical, dental and pharmaceutical examiners, showing date of filing, name of physician, residence, place of birth, whether practicing by diploma or license, date issued, by whom granted, before whom verified by oath or affirmation. Also contains nurses' licenses, 1920--. Arr. alph. by name of licensee. Hdw. on ruled form and typed. 166 pp. $12\frac{1}{2}$ x $7\frac{1}{2}$ x 1. Vault.

Business Registrations
(See also entries 63-66.)

72. RECORD OF INDUSTRIAL ESTABLISHMENTS OTHER THAN CORPORATIONS,
1918--. 1 vol.

Record of unincorporated establishments, chiefly mercantile, showing date, name of establishment, town, owner or partners, address, retired, remarks. Arr. alph. by name of establishment. Hdw. on printed ruled form. 600 pp. $18\frac{1}{2}$ x 13 x 2. Vault.

73. PARTNERSHIP BOOK, 1897--. 1 vol. Last entry 1913.

Transcript of limited partnership agreements, and notices of dissolution of partnership. Arr. chron. No index. Hdw. and typed. 373 pp. (17 used) 14 x $9\frac{1}{4}$ x $1\frac{1}{2}$. Vault.

Licenses

74. (HAWKERS AND PEDDLERS LICENSES), 1894--. 1 vol. (licenses 1-130).

Stubs of licenses issued to hawkers or peddlers. Arr. chron. and numer. by license no. No index. Hdw. on printed form. 125 pp. 9 x 10 x 1. Vault.

Motor Registrations

75. MOTOR VEHICLE RECORD, 1916-17. 1 vol. (certificates 450-1450).

Stubs of certificates that owners of motor vehicles have registered with clerk of court. Arr. chron. No index. Hdw. on printed form. 500 pp. (50 used) $9\frac{1}{2}$ x $12\frac{1}{2}$ x $2\frac{1}{4}$. Vault

76. (MOTOR VEHICLE INDEX) (Record), 1910-16. 2 vols. 1907-9 missing.

Discontinued 1917, when taken over by state highway commission. Register of motor vehicle owners, showing name, address and date, make and manufacturer of car, and license no. Hdw. on ruled form. Arr. alph. by name of owner. 75 pp. 15 x 10 x $\frac{1}{4}$ to 10 x 9 x $\frac{1}{4}$. Vault.

Military Record
(See also entry 88.)

77. OFFICIAL ROSTER OF SOUTH CAROLINA SOLDIERS, SAILORS AND MARINES IN
THE WORLD WAR, 1917-18. 2 vols. (vol. 1, "White"; vol. II, "Colored").

Service record of men and women, showing name, serial no., residence, branch of service, date and place of entry, place of birth, age, organizations served

in, dates of assignments and transfers, overseas service, and other information compiled from War Department service cards by adjutant general of South Carolina and published by authority of act of 1929. Arr. alph. by name enlisted person and also alph. under county. No index. Printed, n. p.; n. d. 1420 pp. 11 x 8 $\frac{1}{2}$ x 2. Judge of probate, vault.

For manuscript county record, see entry 78.

78. SOLDIERS DISCHARGE RECORD, WORLD WAR, 1919--. 2 vols. Transcript of soldiers' and sailors' discharges and enlistment records. Arr. chron. Indexed by name of soldier or sailor. Hdw. on printed form. 600 pp. 18 x 12 $\frac{3}{4}$ x 2 $\frac{1}{2}$. Vault.

For printed state record, see entry 77.

79. ENROLLMENT BOOK CONFEDERATE VETERANS (Township), 1902. 13 vols. Original township enrollment books for Abbeville County citizens who rendered military or naval service to the Confederate States, showing name of veteran, page entered in county book, service identifications, details of service, and other pertinent information. No arr. No index. Hdw. on printed ruled form. 25 double pp. 18 x 13 x $\frac{1}{4}$. Vault.

80. ENROLLMENT BOOK CONFEDERATE VETERANS (County), 1902. 1 vol. Register consolidated from township enrollment books, showing name and page of township book whence entered, name of veteran, company, regiment, brigade, arm of service, rank, age, date of close of service with details of death or other cause, and remarks. Arr. alph. by name of veteran. No index. Hdw. on printed ruled form. 400 double pp. 17 $\frac{1}{2}$ x 15 x 3 $\frac{1}{4}$. Vault.

81. PENSION ROLL, 1900--. 3 vols. Title varies: Pension Record. 1909-16 in Ledger, entry 15. Record of distribution of state pension fund to Confederate pensioners, showing 1900-1908, roll of pensioners, with receipts of parties receiving check; 1917--, check no., name of pensioner, name of party receiving check and date delivered, name and location of bank on which drawn, date and amount of check, class of pensioner; if pensioner dead, date of death, name of party with whom living at time of death, how check delivered, and remarks. Arr. alph. by name of pensioner under class by year. Hdw. and typed on printed ruled form. 100 to 402 pp. 14 x 8 $\frac{1}{2}$ x 1 to 17 x 15 x 2. Vault.

82. (PENSION PAPERS), 1911-28. 2 file boxes. Original pension roll 1911-12, disapproved pension applications under act of 1919, and correspondence regarding Confederate pensions. No arr. No index. Hdw., hdw. and typed on printed form. 10 $\frac{1}{2}$ x 5 x 13 $\frac{1}{2}$. Vault.

Alcoholic Liquor Records
(See also entry 203)

83. LIQUOR RECEIPTS, 1917-19, 1933-34. 4 file boxes. Discontinued 1919 and 1934. Cancelled permits and reports of express companies on deliveries to persons having permit to receive one quart per month. Arr. chron. No index. Hdw.

For abbreviations and explanatory notes see pages 15-16

on printed form and typed. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

Voters and Elections

84. ELECTION PAPERS, 1908--. 5 file boxes.
Oaths of officers, pledges and oaths of candidates, campaign payrolls, and returns of managers of election and of the board of canvassers. Arr. chron. No. index. Hdw. on printed form. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

85. REGISTRATION BOOK (Precinct), 1882--. 191 vols.
Shows number of registration certificate, name, age, place of residence of qualified elector, and remarks. Arr. chron., 1882-1927; arr. numer. by certificate no., 1928--. No index. Hdw. on printed ruled form. 25 to 200 pp. 17 x 14 x $\frac{1}{4}$ to 14 x 9 x 1 . Vault.

86. REGISTRATION BOOK (County), 1882--. 6 vols.
Record consolidated from precinct books, entry 85, of all registered voters, showing no. of registration certificate, name, age, place of residence, and polling precinct. Arr. by certificate no. under precinct, 1882-1917; arr. alph. by voter under precinct, 1918--. No index. Hdw. on printed ruled form. Poor condition. 50 to 250 pp. 14 x 9 x $\frac{1}{4}$ to 17 x 14 x 1 . Vault.

87. DEMOCRATIC CLUB ROLL, 1914--. 168 vols. Missing: 1929-33.
Enrollment books of Democratic clubs, showing date of enrollment, applicant's signature, witness to mark if applicant cannot write, age, occupation, post office address, street and no. Arr. alph. by name of applicant. No index. Hdw. on printed ruled form. 50 pp. 14 x 9 x $\frac{1}{4}$ to 17 x 14 x $\frac{1}{4}$. 134 vols., 1914-28, vault; 24 vols., 1934--, J. P. Nichols' office, Municipal Building.

88. ABBEVILLE COUNTY N(ATIONAL) G(UARD) S(OUTH) C(AROLINA) 1st. SOUTH CAROLINA REGIMENT, 1916. 1 vol.
Enrollment book of citizens away at military camp who enrolled to vote in Democratic primary, showing date of enrollment, applicant's name, witness to applicant's mark, age, occupation, address. Arr. alph. by name of voter. No index. Hdw. on printed ruled form. 12 pp. 16 x 11 x $\frac{1}{8}$. Vault.

Bond Issues

89. PUBLIC BONDS, 1919--. 2 file boxes (rolls 1-28).
Original petitions, sample ballots, minutes, and other papers connected with the issuance of public bonds. Arr. numer. by roll no. No index. Hdw., typed, and hdw. and typed on printed form. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

90. RECORD OF PUBLIC BOND ISSUE, 1919--. 1 vol. (rolls 1-28).
Abstract of school, municipal, and county bonds, showing roll no., by whom issued, plat filed, petition filed, no. of freeholders signing petition, no. of resident electors signing petition, proof of no. of freeholders, proof of no. of electors, order for election, date filed, signed by, notice of election advertised, how advertised, form of ballot, results declared, resolution fixing form of bond, amount of issue, length of issue, and interest.

For abbreviations and explanatory notes see pages 15-16

Arr. chron. Indexed by name of unit issuing bond. Hdw. on printed ruled form. 426 pp. (6 used) 18 x 13 x 2. Vault.

Vital Statistics

91. (VITAL STATISTICS), 1915--. 44 envelopes. Duplicate birth and death certificates filed with clerk of court by district registrars as vouchers of service in order to receive compensation from the county. Birth certificate shows no. of certificate, race and sex of child, place of birth, names of parents, and signature of attending physician or midwife. Death certificate shows name, race, sex and occupation of deceased; whether married or single; place and cause of death, method of burial, name of informant, and other statistical information. Arr. chron. No index. Hdw. on printed standard U. S. forms. Envelopes 8 x 9 x 3. Office.

VII. CIRCUIT COURT OF GENERAL SESSIONS

English in origin, the criminal court of general sessions and the civil court of common pleas as circuit courts of South Carolina date from 1769. In what is now Abbeville County they began in 1800.

Until 1772, the only law court for criminal and civil cases in South Carolina was the general court in Charleston. The first circuit court act to be approved by the Crown was that of 1769, under which seven judicial districts were created in the province (J. F. Grimke, Public Laws..., Phila., 1790, pp. 268-75), to operate 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 was a court of record, 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. XIX). The Constitution of 1778 merely altered the terminology 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;

For abbreviations and explanatory notes see pages 15-16

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 abolished, and replaced by twenty-five new districts (1798, Stat. VII, 281-89; 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 made 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 or attorney for the state. 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, the indictment, the arrest warrant, the verdict and the sentence, which are assembled in a package, numbered, and filed as a "roll", according to immemorial practice and terminology of the court. Coroner's inquisitions (Code 3564), magistrate's returns (Code 944), appeals (Code 1026), recognizances (Code 1075, 1090) and sheriff's 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, 102-4). 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

92. JUDGMENT ROLLS (Sessions Rolls), 1873--., 2408 roll (1-2408) in 48 file boxes (1-48).

For abbreviations and explanatory notes see pages 15-16

Original papers of cases that have come to trial, including affidavits, warrants, indictments, recognizances, sentences, and certified copies of pardons. Arr. by enrollment no. Hdw., hdw. on printed form, and typed. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.
For sealed sentences, see entry 100.

93. SESSIONS INDEX, 1873--. 2 vols.

Index to Judgment Rolls, showing name of defendant, offense charged, disposition of case, term when ended, no. of roll. Arr. alph. by name of defendant. Hdw. on ruled form, 1873-90; hdw. on printed ruled form, 1891--. 325 pp. 14 x 9 x $1\frac{1}{2}$. Vault.

94. ABSTRACT OF CRIMINALS, 1905--. 1 vol. (rolls 1397-2408).

Record of persons tried (used by clerk of court to make annual report to solicitor and to attorney general on criminal statistics), showing no. of roll, name of defendant, offense charge, disposition of case, term, when ended. Arr. chron. and numer. by no. of roll. No index (Sessions Index may be used). Hdw. on printed ruled form. 350 pp. $14\frac{1}{2}$ x $9\frac{1}{2}$ x $1\frac{3}{4}$. Vault.

For clerk's reports, see entry 105.

95. INQUEST PAPERS, 1877--. 5 file boxes.

Original testimony, writs, recognizances, bonds, and verdicts of coroner's inquests which did not result in indictments. No arr. No index. Hdw. on printed form and hdw. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

For coroner's record, see entry 211.

96. SUPREME COURT PAPERS, 1878--. 5 file boxes. Last entry 1933.

Transcripts of testimony submitted with appeals, and judgments of supreme court of South Carolina on appeals from the circuit courts. No arr. No index. Printed. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

97. HABEAS CORPUS, 1886--. 3 file boxes. Last entry 1927.

Petitions, commitments, orders, writs and other papers relating to habeas corpus proceedings. No arr. No index. Hdw., 1886-94; typed and hdw., 1894--. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

98. SESSIONS PAPERS, NOL PROS, 1900--. 4 file boxes.

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. Hdw. and typed on printed form. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

99. GENERAL SESSIONS ORDERS, 1887--. 1 file box.

Orders from the court regarding various matters. No arr. No index. Hdw., and hdw. on printed form. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

100. SEALED SENTENCES, 1878--. 1 file box.

Judicial sentences for persons convicted in absence from court. Arr. chron. No index. Hdw. on printed form. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

For other sentences, see entry 92.

For abbreviations and explanatory notes see pages 15-16

Circuit Court of General Sessions - Dockets; Minutes; Reports (101-106)

Dockets

101. SESSIONS DOCKET, 1873--. 4 vols.

List of cases docketed for trial, showing no. of cause, no. of term, prosecutor, prosecuted, cause of action, plaintiff's attorney, defendant's attorney, order of last court, event of suit, and 1924--, race. Arr. by no. of cause under term of court. No index. Hdw. on printed ruled form. 250 pp. 16 x 11 x 1 $\frac{1}{2}$ to 14 x 9 x 1 $\frac{1}{2}$. Vault.

102. CONTINGENT DOCKET, 1873--. 1 vol.

List of criminal causes not ended and which may be called on motion of the solicitor, including rules, bills in which defendants have not been arrested, and other cases not struck off, showing no. of cause, no. of term, names of parties, cause of action, plaintiff's attorney, 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 pp. 16 $\frac{1}{2}$ x 11 $\frac{1}{2}$ x 1 $\frac{1}{2}$. Vault.

103. SOLICITOR'S DOCKET, 1901, 1 vol. Abandoned.

List of cases, verdicts and sentences, showing name, race, offense, no bill, discontinued, not guilty, mistrial, guilty, jail or fined, chaingang, penitentiary for terms, penitentiary for life, death sentence, Arr. chron. No index. Hdw. on ruled form, 176 pp. (3 used) 11 $\frac{1}{2}$ x 9 $\frac{1}{4}$ x 1. Vault.

Minutes

104. SESSIONS JOURNAL, 1873--. 6 vols. (1-6). Title varies: Journal.

Record of transactions of the court, including lists of jurors, presentments of the grand jury, testimony of witnesses, verdicts of juries, and sentences of the court. Arr. chron. No index. Hdw. 488 to 619 pp. 16 x 11 x 2 to 18 x 13 x 3. Vault.

Reports

105. (REPORTS OF CLERK OF COURT), 1905--. 2 bundles.

Carbon copy of reports to solicitor and attorney general on criminal statistics, showing name, crime, race, sex, and age of defendant, and whether guilty or not guilty. Arr. chron. No index. Hdw. on printed form. 13 $\frac{1}{2}$ x 8 $\frac{1}{4}$ x 1/8. Vault.

For record of reports, see entry 94.

106. COUNTY OFFICERS' REPORTS, 1875--. 5 file boxes. Last entry 1932.

Annual reports of county officers to court of general sessions concerning finances and administration of offices. No arr. No index. Hdw., 1875-1906; hdw. and typed, 1906-32. 10 $\frac{1}{2}$ x 5 x 13 $\frac{1}{2}$. Vault.

For duplicate commissioners' reports, see entry 4.

For abbreviations and explanatory notes see pages 15-16

Circuit Court of General Sessions - Jurors and Court Costs; (107-112)
Fines and Forfeitures

Jurors and Court Costs

107. PRESENTMENTS (of the Grand Jury), 1881--. 2 file boxes. Reports of the grand jury on their inspections and findings on public matters which require improvement. Arr. chron. No index. Hdw., 1881-1926; typed, 1927--. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

108. VENIRES (Writs of), 1883--. 3 file boxes. Summonses for jurymen to attend the courts of general sessions and common pleas, and orders of the court relating to them. Arr. chron. No index. Hdw. and typed on printed form. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

109. COURT EXPENSES, 1881--. 3 vols. Record of court expenses, showing date, no. of pay bill, name of party, grand jurors, petit jurors, witnesses, constable, total, included in check no., remarks; since 1928 only the total for each term entered. Arr. chron. No index. Hdw. on printed ruled form. 300 pp. 16 x 11 x $1\frac{1}{2}$. 1 vol., 1881-94, basement; 2 vols., 1895--, vault.

110. WITNESS PAY BILLS, 1925--. 3 vols. Stubs of pay orders issued by clerk to state witnesses in criminal cases, showing name, date, case, amount. Arr. numer. by bill no. No index. Hdw. on printed form. 250 pp. 17 x 14 x 2. Vault.

111. JURORS PAY BILLS, 1924--. 3 vols. Stubs of pay orders issued by clerk to grand and petit jurors for mileage and per diem for attending circuit courts, showing name, date, case, amount. Arr. numer. by bill no. No index. Hdw. on printed form. 250 pp. 17 x 14 x 2. Vault.

Fines and Forfeitures

112. FINES AND FORFEITURES, 1888--. 2 vols. Title varies: Register Cash, Fines, Forfeitures, and Funds. Record of collections from persons fined by the court, and from forfeited bonds, showing cause of fine, when and by whom fined, amount, to whom due, when and by whom collected, why not collected, when and to whom paid over; 1930--, general cash account giving date, description, and amount of all receipts and disbursements of the clerk; 1930--, ledger accounts for fines, licenses, and trust fund collections, and treasurer's receipt for same. Arr. chron. No index. Hdw. and hdw. on ruled form, 1888-1929; hdw. on printed ruled form, 1930--. 288 to 350 pp. $14\frac{1}{2}$ x $12\frac{1}{4}$ x $1\frac{1}{2}$ to 18 x 12 x $1\frac{1}{2}$. Vault.

For treasurer's record of collections, see entry 238, iv.

For abbreviations and explanatory notes see pages 15-16

VIII. CIRCUIT SOLICITOR

The counties of Abbeville, Greenwood, Laurens and Newberry constitute the eighth 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").

During the early years of South Carolina, the prosecution of indictments at each session of court was conducted by an "attorney general" appointed by the court (1692, JGC, pp. 44, 59; Stat. I, 440), who 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, 88; 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. The legal department now consists of the attorney general, the assistant attorney general, 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 enquire into and report upon the condition of offices has practically become obsolescent, although still in force (Code 3131).

For Solicitor's Docket, see entry 103; for reports to solicitor, see entry 105.

For abbreviations and explanatory notes see pages 15-16

IX. 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 Abbeville County it dates from the county court of 1785, whose justices each year at the first meeting of court, had a jury list prepared of county residents who had paid a tax the preceding year toward the support of government. The grand jury list included the "most respectable and independent" of these, twenty of whom were drawn from the jury box by a child under the age of ten, and not less than thirteen of whom were sworn to serve at each term of court (Stat. VII, 234-35).

When Abbeville County became a circuit court district, the presiding judge at the first term of court after January 1, 1800, was directed to have new jury lists prepared from the preceding year's tax returns, which should be procured by the sheriff from the tax collector (Stat. VII, 291). This general plan was followed in the main until under the Constitution of 1868, an act of 1871 placed the preparation of the jury list and drawing of the grand jury in the hands of a board of jury commissioners, who might include in the jury list only "persons of good moral character, of sound judgment, and free from all legal exceptions" (Stat. XIV, 690).

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 paper, 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, entry 108, 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, entry 107 are made in an advisory capacity, and may or may not result in improved conditions; they are entered upon the Sessions Journal, entry 104. Indictments of the grand jury are made in a mandatory capacity, and bring the accused to trial; they are filed in the sessions rolls, entry

92. Pay bills for grand jurors are issued by the clerk of court, entry 111.

X. BOARD OF JURY COMMISSIONERS

The justices of the county court of 1785 first performed the duties of this office in Abbeville County and prepared the first jury list (Stat. VII, 234). When Abbeville County became a circuit court district, on January 1, 1800, the presiding judge at the first term of court was directed to have new jury lists prepared (Stat. VII, 291).

The duties of preparing the jury list and drawing the grand and trial jurors were taken over after the Civil War by the board of jury commissioners, created in 1871, to consist of a jury commissioner appointed by the governor (and confirmed by the senate, for a term of two years), the county auditor, and the chairman of the board of county commissioners (Stat. XIV, 690). In 1902, the county auditor, the county treasurer, and the clerk of the court of common pleas were made the board of jury commissioners (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.

XI. CIRCUIT COURT OF COMMON PLEAS

As a circuit court of South Carolina, this court dates from 1769; in Abbeville County its sessions began in 1800 (supra, pp. 5, 39).

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 fact 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 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, the rules book, the calendars, and the court journal, which have been standardized since 1839 (Stat. XI, 102-4). 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, section 357). Book of orders appointing receivers of judgment debtors dates from 1870 (Stat. XIV,

For abbreviations and explanatory notes see pages 15-16

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
(See also entry 96)

113. JUDGMENT ROLLS, 1872--. 7054 rolls (1-7054) in 259 file boxes (1-125, 136-260).

Original papers of civil judgments, including summonses, complaints, answers, decrees, orders, executions. Arr. numer. by roll no. For index, see entries 115, 116. Hdw., typed, hdw. and typed on printed form. $10\frac{1}{2} \times 5 \times 13\frac{1}{2}$. Vault. For transcripts, see entry 122.

114. ABSTRACT OF JUDGMENTS, 1872--. 3 vols. (1-3; roll nos. 1-7054). Shows no. of enrollment, names of parties, cause of action, attorney, date of judgment, amount of judgment, time of bearing interest, how judgment obtained; cost; attorney, clerk, sheriff, witnesses, total; kind of execution, date of issuing, sheriff's return, when renewed, satisfaction. Arr. chron. Hdw. on printed ruled form. Poor condition, 1873-1922. 215 double pp. $20\frac{1}{2} \times 15 \times 2\frac{3}{4}$. Vault.

115. DIRECT INDEX TO JUDGMENTS, 1872--. 6 vols. Index to Judgment Rolls, entry 113, and to Abstract of Judgment, entry 114, showing roll no., persons in whose favor judgments are rendered, family name, given name, persons against whom judgments are rendered, date of judgment, nature and amount of judgment. Arr. alph. by name of plaintiff; sub-indexed by family name. Hdw. on printed ruled form. 766 pp. $9\frac{1}{2} \times 15\frac{3}{4} \times 2\frac{1}{2}$. Vault.

116. REVERSE INDEX TO JUDGMENTS, 1872--. 4 vols. Index to Judgment Rolls, entry 113, and to Abstract of Judgment, entry 114, showing roll no., persons against whom judgments are rendered, family name, given name, persons in whose favor judgments are rendered, date of judgment, nature and amount of judgment. Arr. alph. by name of defendant; sub-indexed by family name. Hdw. on printed ruled form. 766 pp. $9\frac{1}{2} \times 15\frac{3}{4} \times 2\frac{1}{2}$. Vault.

117. DIRECT INDEX TO ABSTRACT OF JUDGMENTS, 1872-1920. 1 vol. Obsolete index, showing roll no., plaintiff, defendant, page. Arr. alph. by name of plaintiff. Hdw. on ruled form. 500 pp. $19 \times 8 \times 2\frac{1}{2}$. Vault.

For abbreviations and explanatory notes see pages 15-16

118. INDIRECT INDEX TO ABSTRACT OF JUDGMENTS, 1872-1920. 1 vol.
Obsolete index, showing roll no., defendant, plaintiff, page. Arr. alph.
by name of defendant. Hdw. on ruled form. 500 pp. 19 x 8 x 2 $\frac{1}{2}$. Vault.
119. DIRECT INDEX TO JUDGMENTS, 1872-1931. 1 vol.
Obsolete index, showing roll no., plaintiff, defendant, date amount and nature
of judgment. Arr. alph. by name of plaintiff; sub-indexed by family name.
Hdw. on printed ruled form. Poor condition. 400 pp. 9 x 14 x 2 $\frac{1}{2}$. Vault.
120. CROSS INDEX TO JUDGMENTS, 1872-1931. 1 vol.
Obsolete index, showing roll no., defendant, plaintiff, date, amount and
nature of judgment. Arr. alph. by name of defendant; sub-indexed by family
name. Hdw. on printed ruled form. Poor condition. 400 pp. 9 x 14 x 2 $\frac{1}{2}$.
Vault.
121. DECREES, 1887-1919. 1 vol. 1920-- in Common Pleas Journal,
entry 151.
Transcript of orders of judgment for foreclosure and sale. Arr. chron. No
index. Hdw. on printed form. 478 pp. (76 used) 18 $\frac{1}{2}$ x 13 x 2. Vault.
122. PLEADINGS AND JUDGMENTS, 1872--. 7 vols. Last entry 1898.
Transcripts of civil judgments. Arr. chron. Separate index 1872-76, entry
123; no index, 1877-87, 1896-98; indexed by name of plaintiff, 1888-95. Hdw.
450 to 750 pp. 18 $\frac{1}{2}$ x 12 $\frac{1}{2}$ x 2 to 4. Vault.
For original Judgment Rolls, see entry 113.
123. INDEX TO PLEADINGS AND JUDGMENTS, 1872-76. 1 vol. (roll nos. 1-388).
Shows roll no., plaintiff, defendant, page. Arr. alph. by name of plaintiff.
Hdw. on ruled form. 700 pp. 21 $\frac{1}{4}$ x 8 $\frac{1}{2}$ x 1 $\frac{5}{4}$. Vault.
124. CONFESSIONS OF JUDGMENT BEFORE CLERK, 1873--. 1 vol. Last en-
try 1929.
Record of formal statement by debtor that his creditor's claim is just.
Arr. chron. Separate index 1873-93, entry 125; no index 1894--. Hdw. 336
pp. 14 $\frac{1}{4}$ x 9 x 1 $\frac{1}{2}$. Vault.
125. INDEX TO CONFESSIONS OF JUDGMENTS, 1873-93. 1 vol. Abandoned.
Shows roll no., plaintiff, defendant, and page on which recorded. Arr. alph.
by name of plaintiff. Hdw. on ruled form. 350 pp. 21 $\frac{1}{4}$ x 9 x 1 $\frac{5}{4}$. Vault.
126. BURNT JUDGMENTS, 1873-86. 2 file boxes (roll nos. 1-160).
Applications to restore burnt judgment records, and executions issued and
served in connection with them. No arr. For index, see entries 128, 129.
Hdw., and hdw. on printed form. 10 $\frac{1}{2}$ x 5 x 13 $\frac{1}{2}$. Vault.
127. ABSTRACT OF BURNT JUDGMENTS AND DECREES, 1873-86. 1 vol. (roll
nos. 1-160).
Record of judgments and decrees re-recorded after the fire of 1872, show-
ing roll no., name of parties, plaintiff's attorney, defendant's attorney,
date of filing judgment of decree, amount of recovery, sum bearing interest,
date from which interest began, balance due at date of destruction, entry

of original process, date last process was issued; costs: attorney, clerk, sheriff, witnesses, total; and remarks. Arr. numer by roll no. Hdw. on printed ruled form. 314 double pp. (21 used) $18\frac{1}{4} \times 12\frac{1}{2} \times 2\frac{3}{4}$. Vault.

128. INDEX ABSTRACT OF BURNT JUDGMENT AND DECREES, INDEX TO EQUITY MATTERS, 1791-1886. 1 vol.

Direct index to Burnt Judgments, entry 126, to Abstract of Burnt Judgments, entry 127, to Equity Matters, entry 160, showing roll no., names of parties, and box no. Arr. alph. by name of plaintiff. Hdw. on ruled form. 600 pp. $17\frac{1}{2} \times 8 \times 2$. Vault.

129. INDEX ABSTRACT OF BURNT JUDGMENT AND DECREES, INDEX TO EQUITY MATTERS, 1791-1886. 1 vol.

Cross index to Burnt Judgments, entry 126, to Abstract of Burnt Judgments, entry 127, to Equity Matters, entry 160, showing roll no., names of parties, and box no. Arr. alph. by name of defendant. Hdw. on ruled form. 600 pp. $17\frac{1}{2} \times 8 \times 2$. Vault.

130. MAGISTRATES' APPEALS, 1895--. 2 file boxes. Last entry 1920.

Appeals from magistrates' civil judgments, with magistrates' report of trials. Hdw. and typed. No arr. No index. $10\frac{1}{2} \times 5 \times 13\frac{1}{2}$. Vault.

Calendars

131. COMMON PLEAS CALENDAR, NO. 1, 1873--. 4 vols.

List of civil cases on issues of fact to be tried by jury, showing no. of cause, term, plaintiff, defendant, cause of action, date of note of issue, plaintiff's attorney, defendant's attorney, disposition last court, remarks. Arr. by no. of cause under term of court. No index. Hdw. on printed ruled form. 174 to 300 double pp. $16\frac{1}{2} \times 11\frac{1}{2} \times 2$. Vault.

132. COMMON PLEAS CALENDAR, NO. 2, 1873--. 5 vols.

List of cases on issues of law to be tried by the judge, showing no. of cause, term, plaintiff, defendant, cause of action, date of note of issue, plaintiff's attorney, defendant's attorney, disposition last court, remarks. Arr. by no. of cause under term of court. No index. Hdw. on printed ruled form. 149 to 300 double pp. $16\frac{1}{2} \times 11\frac{1}{2} \times 2$ to $18\frac{1}{2} \times 12\frac{3}{4} \times 1\frac{3}{4}$. Vault.

133. CALENDAR NO. 3, 1874--. 3 vols.

List of cases not defended, wherein judgment goes by default (made up as court proceeds), showing no. of cause, term, plaintiff, defendant, cause of action, date of note of issue, plaintiff's attorney, defendant's attorney, disposition last court, remarks. Arr. by no. of cause under term of court. No index. Hdw. on printed ruled form. 240 double pp. $16\frac{1}{4} \times 11\frac{1}{2} \times 2$. Vault.

Compare Calendar no. 6, entry 136.

134. CALENDAR NO. 4, 1873-83. 1 vol. Discontinued.

List of default or interlocutory judgment cases in which inquiry must be made to assess damages of plaintiff, rules to show cause, motions, and other special proceedings, showing no., term, plaintiff, defendant, cause of action,

For abbreviations and explanatory notes see pages 15-16

Circuit Court of Common Pleas - Initiatory Proceedings; Legal (135-141)
Notices

plaintiff's attorney, 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. 175 double pp. $16\frac{1}{2}$ x $11\frac{1}{2}$ x $1\frac{3}{4}$. Vault.

135. CALENDAR NO. 5, 1873-83. 1 vol. Discontinued.
List of cases in which orders are to be taken in administration of judgment, and all cases of final appeal to the supreme court, and from trial justices, showing no. of cause, term, plaintiff, defendant, cause of action, date of note of issue, plaintiff's attorney, defendant's attorney, disposition last court, remarks. Arr. by no. of cause under term of court. No index. Hdw. on printed ruled form. 254 double pp. 16 x $11\frac{1}{2}$ x $1\frac{1}{2}$. Vault.

136. CALENDAR NO. 6, 1873-83. 1 vol. Discontinued because overlapping Calendar 5, entry 133.
List of causes undefended in which judgment was entered by default, showing no. of cause, term, plaintiff, defendant, cause of action, date of note of issue, plaintiff's attorney, defendant's attorney, disposition of last court, remarks. Arr. by no. of cause under term of court. No index. Hdw. on printed ruled form. 250 double pp. $16\frac{1}{2}$ x 11 x $1\frac{1}{2}$. Vault.

137. BAR DOCKET, 1881--. 3 vols. Last entry 1930.
List for use of the bar of all cases on calendars 1, 2, and 3, showing no. of cause, no. of term, plaintiff, defendant, cause of action, plaintiff's attorney, defendant's attorney, order of last court, event of suit. Arr. by no. of cause under calendar for each term of court. No index. Hdw. on printed ruled form. 200 double pp. 14 x 10 x $1\frac{1}{2}$. Vault.

138. REFERENCE BOOK (Lawyer's Docket), 1881-85. 1 vol. Abandoned.
Shows parties and their attorneys, pleadings, judgment and costs, settlement, memoranda, etc. Arr. chron. Indexed by name of plaintiff. Hdw. on printed ruled form. 201 double pp. $11\frac{3}{4}$ x $9\frac{1}{2}$ x 1 . Vault.

Initiatory Proceedings

139. SUMMONS AND COMPLAINTS, 1925--. 3 file boxes.
Original summonses, complaints, answers, and proof of service in suits not brought to trial but settled before reaching that stage. No arr. No index. Hdw. and typed on printed form. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault

140. FILE DOCKET, 1880--. 1 vol. Last entry 1936.
Record of papers filed in civil suits, showing parties, attorneys, nature of action, papers filed, orders made and proceedings, remarks. Arr. chron. Indexed by name of plaintiff. Hdw. on printed ruled form. 146 double pp. 16 x $10\frac{3}{4}$ x $1\frac{1}{4}$. Vault.

Legal Notices

141. LIS PENDENS, 1887--. 2 file boxes.
Original papers filed in pending actions involving title to real estate. Arr.

For abbreviations and explanatory notes see pages 15-16

Circuit Court of Common Pleas - Attachments, Injunctions, and (142-149)
Bonds; Bankruptcy

chron. No index. Hdw., 1887-99; hdw. and typed, 1900--. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

142. RECORD OF LIS PENDENS, 1908--. 4 vols. (1+3). 1877-94, probably in Miscellaneous Index, entry 148. File book constituting due notice of pending action in cases involving title to real estate. Arr. chron. Indexed by name of defendant. Hdw. on printed form; 1908-36; typed, 1937--. 272 to 311 pp. $14\frac{1}{2}$ x $9\frac{3}{8}$ x $1\frac{1}{2}$ to $18\frac{1}{2}$ x 13 x $2\frac{1}{4}$. Vault.

Attachments, Injunctions, and Bonds

143. WARRANT OF ATTACHMENT, 1887--. 1 file box. Warrants ordering attachments of property, agreements as to settlement, and petitions for attachment. No arr. No index. Hdw., typed, and hdw. and typed on printed form. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

For transcript of attachments, see entry 145.

144. ATTACHMENT BONDS, 1889--. 1 file box. Last bond 1928. Bonds filed by those attaching property, to ensure payment of possible damages arising from the attachment. No arr. No index. Hdw. and typed. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

145. LEDGER ("Attachment Book", pasted title), 1897--. 1 vol. Record of attachments, showing plaintiff, defendant, date of warrant, sum demanded, officers' return; later, transcripts of warrant of attachment, and of officers' and appraisers' return. Also contains: 1902, list of magistrates receiving copies of statutes; and Roll of Notaries Public, etc., 1900-1911, entry 69. Arr. chron. Indexed by plaintiff. Hdw., typed, and hdw. on ruled form. 284 pp. (106 used) $14\frac{1}{2}$ x 9 x $1\frac{1}{2}$. Vault.

For original Warrant of Attachment, see entry 143.

146. AGRICULTURAL WARRANTS, 1873-1910. 1 file box. Abandoned. Warrants issued by the clerk of court to peace officer to prevent the disposition of a crop which is under an agricultural lien. No arr. No index. Hdw. on printed form. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault.

147. INJUNCTION BONDS, 1886-1920. 1 file box. Abandoned. Bonds made by plaintiffs to ensure payment of possible damage in cases where injunction was obtained. No arr. No index. Hdw. and typed. $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault

148. MISCELLANEOUS INDEX, 1877-94. 1 vol. Shows owners against whom claimed, claimant, date of notice, description of property (always real estate), amount claimed. This is probably a Record of Lis Pendens, entry 142. Arr. alph. by name of claimant. Hdw. on ruled form. 500 pp. 18 x 12 x $1\frac{1}{2}$. Vault.

Bankruptcy

149. BANKRUPT BOOK, 1925--. 1 vol. Last entry 1935. Orders concerned with adjudication of bankruptcy in the district courts of

the United States. Arr. chron. Indexed by name of petitioner. Hdw. and typed on printed form. 203 pp. (24 used) $18\frac{1}{2} \times 13 \times 1\frac{3}{4}$. Vault.

150. RECORD OF ASSIGNMENT BOOK, 1887-99. 1 vol. Abandoned. Transcript of assignment of property to creditors by insolvent debtors, with schedules of assets and liabilities. Arr. chron. No index. Hdw. 348 pp. $16\frac{1}{2} \times 11\frac{1}{4} \times 1\frac{3}{4}$. Vault.

Minutes

151. COMMON PLEAS JOURNAL, 1873--. 13 vols. (1-13). Minutes of common pleas court, including orders, motions granted or refused, names of jurors, name of presiding judge, verdict, awards confirmed, confessions of judgment, final judgments, reports of master, and other matters specially ordered by court to be entered. Also contains, Decrees, 1920--, entry 121. Arr. chron. Hdw., 1873-1905; hdw. and typed, 1905--. 600 pp. $16\frac{1}{4} \times 11\frac{1}{2} \times 2\frac{1}{2}$ to $18\frac{1}{2} \times 12 \times 2\frac{1}{4}$. Vault.

For masters' records, see entries 174-77.

152. COMMON PLEAS INDEX, 1873--. 3 vols. Index to Common Pleas Journal, showing plaintiff, defendant, journal no., page no. Arr. alph. by name of plaintiff. Hdw., 1873-88; hdw. on printed ruled form, 1889--. 150 to 364 pp. $14 \times 9 \times 1$ to $21\frac{1}{2} \times 9 \times 1\frac{3}{4}$. Vault.

Estate Records

153. DIRILICT (sic) ESTATES, NO. 1, AND BOOK OF ORDERS APPOINTING RECEIVERS OF JUDGMENT DEBTORS, 1872--. 1 vol. No records 1888-1933. Last entry 1934. Transcript, 1872-87, of sales bills, appraisals, and accounts of the clerk of court in administration of estates which for various reasons are unadministered; 1934, a judicial order appointing receivers of estate of a judgment debtor. Arr. chron. No index. Hdw., 1872-87; typed 1934. 360 pp. (49 used) $18 \times 12 \times 1\frac{3}{4}$. Vault.

154. PUBLIC GUARDIANSHIP BOOK, 1881--. 2 vols. Last entry 1921. Reports to the court of common pleas from the judge of probate as guardian for persons who are incapable of handling their estates, and orders of court relating to same. Arr. chron. Indexed by name of estate. Hdw., 1881-1905; hdw. and typed, 1905-21. 280 pp. $15 \times 9 \times \frac{5}{4}$. Vault.

Naturalization

155. RECORD OF DECLARATION OF INTENTION, 1909-14. 1 vol. Discontinued 1919. Original declaration by aliens of intention to become citizen, giving description of person, date of entrance, and original signature. Arr. chron. No index. Hdw. on printed form. 100 pp. (6 used) $14 \times 9 \times \frac{1}{4}$. Vault.

For abbreviations and explanatory notes see pages 15-16

156. NATURALIZATION, PETITION AND RECORD, 1913-14. 1 vol.
Discontinued.

Record of proceedings for naturalization of aliens, including petition and certificate bureau of immigration United States Department of Commerce and Labor. Arr. chron. No index. Hdw. on printed form. 99 double pp (3 used) 18 x 12 $\frac{1}{2}$ x 1 $\frac{1}{2}$. Vault.

157. CERTIFICATE OF NATURALIZATION, 1913-14. 1 vol.

Stubs of naturalization certificates issued by clerk of court after admission of alien as citizen. Arr. chron. No index. Hdw. on printed form. 66 pp. 8 x 11 x $\frac{1}{4}$. Vault.

Miscellaneous

158. BOOK OF ESTRAYS, 1872--. 1 vol. Last entry 1897.

Record of stray live stock sold by magistrates to satisfy claims for damages to crops, or redeemed by their owners after damage claims are satisfied, showing date of entry, kind of estray, description by appraiser, name of trial justice, appraisers' valuation, by whom taken up, when sold, amount sold for, and disposition of proceeds. Arr. chron. No index. Hdw. on ruled form. 100 pp. (1 used) 14 x 8 $\frac{1}{2}$ x $\frac{1}{2}$. Vault.

159. RECEIPTS FOR PAPERS, 1914--. 1 vol.

Receipts for papers borrowed from the clerk of court's office, showing plaintiff, defendant, remarks, by whom taken out, by whom returned, date. Arr. chron. No index. Hdw. on printed ruled form. 198 pp. (12 used) 16 $\frac{1}{2}$ x 12 x 1. Vault.

XII. COURT OF EQUITY (defunct)

Until 1869, South Carolina had two parallel systems of courts, the one for common law and the other for equity. The courts of law were English in origin and developed out of immemorial custom. The courts of equity were Roman in origin, the Roman law having been transmitted through the canon law of the church. The courts of equity were concerned with correcting injustices of the courts of law, and were designed to give inexpensive relief in cases which could not be heard under the rigid rules of pleading of the law courts as then constituted.

During the colonial period, the court of chancery for equity cases sat at Charleston and was composed of the governor and his council (JGC, 1692, p. 25; 1721, Stat. VII, 163). After the flight of the last royal governor, the Constitution of 1776 provided that the court should be held by the vice president of the colony and a majority of the privy council (art. XVI). The Constitution of 1778 vested the court in the lieutenant governor and the privy council (art. XXIV); but in 1780 Charleston surrendered to the British, and courts were discontinued until revived by an act of 1783, with

all former powers and jurisdiction (Stat. VII, 206). Characteristically, the state legislature abolished the constitutional court of equity set up in 1778, and replaced it in 1784 with a judiciary of three chancellors (Stat. VII, 208-11). The register functioned as clerk of the court.

After the adoption of the federal Constitution, South Carolina drafted the state Constitution of 1790, which vested all judicial power "in such superior and inferior courts of law and equity" as the legislature might establish (art. III, 1). Accordingly, the next year an act provided for a circuit court of equity, which should sit at Charleston for cases in the district of the low country, at Columbia for the district of the middle country, and at Cambridge for the district of Ninety Six (Stat. VII, 258-61).

Abbeville, Pendleton, and Edgefield were grouped in 1799 into the southern equity circuit, the court sitting at Abbeville, where a register and a commissioner were located (Stat. VII, 297-98). In 1808, these three law districts were united into the equity district of Ninety Six as a part of the western circuit, and the court continued to sit at Abbeville (ibid. p. 304).

Proceedings in equity were instituted by petition for cases of less than \$100 and those which might "not be litigated"; and by bill for those of greater importance (Stat. VII, 259). Costs were on a fee system regulated by statute. The court was open at all times but "solemn" hearings were set for stated periods before a chancellor who rode the circuit (Stat. VII, 209, 260).

The routine of the local office was carried on by a commissioner, appointed and commissioned by the governor. The commissioner filed bills, answers and other papers, and performed all duties usually performed by a register or a master prior to hearings. He was authorized to grant writs of partition, to appoint guardians ad litem, and to make orders of reference, subject always to review at the next session of the court (Stat. VI, 412). His power to issue writs and attachments was similar to that of a judge at chambers (Stat. VII, 306). Each commissioner was required to attend court, to take down orders and minutes, to report upon matters referred to him, and to make sales under decree of the court (Stat. VII, 259). When a district had sufficient business to warrant it, a master was appointed as well as a register. Apparently the duties and the fees for the register, the commissioner, and master were the same; and the offices were usually combined as the "master and commissioner", and as the "register and commissioner", a separate series of records being required for each combination (Stat. XI, 114-19).

Under the Constitution of 1868, the court of common pleas received jurisdiction in all equity matters (art. IV, 16). In 1869, suits then pending in the court of equity were transferred with the records to the court of common pleas and to the probate court (Stat. XIV, 11), in which the functions of the court of equity were continued.

For abbreviations and explanatory notes see pages 15-16

Court of Equity - Papers of Record and Indexes; Registers of (160-165)
Initiatory Proceedings; Minutes and Reports

The records of Abbeville date from 1791 because, when the courthouse at Cambridge was abandoned on January 1, 1800, the records were distributed among the districts to which they pertained (Stat. VII, 288). They do not follow the standard requirements as to arrangement because after the fire in 1872, the county commissioners were directed to have the equity records, which were saved "in a mixed and disorderly condition", re-arranged (Stat. XV, 455).

Papers of Record and Indexes

160. EQUITY MATTERS, 1791-1869. 4416 pkgs. in 72 file boxes (1-72). Original papers pertaining to cases in the court of equity, including bills, petitions, reports, orders, bonds, and writs. Arr. numer. by pkg. no. For direct and cross indexes, see entries 128 and 129, obsolete index, 1791-1864, entry 161; also another, 1791-1842, folded in box 69, of this entry. Hdw., and hdw. on printed form. $10\frac{1}{2} \times 5 \times 13\frac{1}{2}$ to $16 \times 5 \times 13$. Clerk of court, vault.

161. GENERAL INDEX, 1791-1864. 1 vol. Obsolete index to equity rolls in file boxes 1-38 under previous arrangement, showing box no., names of parties, character of paper, year, no. of pkg. Arr. alph. by name of plaintiff. Hdw. on printed ruled form. 350 pp. $15\frac{1}{2} \times 10\frac{3}{4} \times 1\frac{1}{2}$. Clerk of court, vault.

Registers of Initiatory Proceedings

162. FILE BOOK, 1841-68. 1 vol. Register of bills and petitions filed with the commissioner in equity, showing title of papers, time of filing, and solicitor. Arr. chron. Indexed by name of plaintiff. Hdw. 250 pp. (155 used) $13 \times 8 \times 1\frac{1}{4}$. Judge of probate, vault.

163. APPEARANCE BOOK, 1864. 1 vol. Record of bills and petitions for hearings before the court of equity, showing no. of term, no. of cause, title of case, causes of action, solicitors. Arr. chron. No index. Hdw. on ruled form. 250 pp (12 used) $12\frac{1}{2} \times 8\frac{1}{2} \times 2$. Judge of probate, vault.

Minutes and Reports

164. MINUTES, COMMISSIONERS IN EQUITY, 1842-53. 1 vol. Minutes and orders of the court of equity. Arr. chron. Indexed by name of plaintiff. Hdw. 282 pp. $15 \times 10\frac{1}{2} \times 2\frac{1}{2}$. Judge of probate, vault.

165. COMMISSIONERS' MINUTE BOOK, 1843-68, 1922-23. 2 vols. Journal of the commissioner in equity, 1843-68, giving information as to his activities, hearings, findings, and orders. Also shows, 1922-23, names of

For abbreviations and explanatory notes see pages 15-16

lunatics and date committed. Arr. chron. Indexed by name of plaintiff. Hdw. 275 pp. 13 x 9 x $1\frac{1}{4}$. Judge of probate, vault.
For lunacy papers, see entry 200.

166. REPORT BOOK, 1839-68. 2 vols. Title varies: Reports. Transcripts of reports by the commissioner in equity to the court of equity, giving detailed information as to management of funds and other duties. Arr. chron. No index. Hdw. 500 pp. 15 x 10 x 1 to 18 x $12\frac{1}{2}$ x 2. Judge of probate, vault.

167. DECREE BOOK, 1839-58. 1 vol. Transcripts of decrees of the court of equity. Arr. chron. Index, self contained but detached, arr. alph. by name of plaintiff. Hdw. 550 pp. 13 x $8\frac{3}{4}$ x 2. Judge of probate, vault.

Estate Records

168. GUARDIANS AND OTHER BONDS, 1841-67. 3 vols. (1-3). Transcripts of guardians' and trustees' surety bonds given to commissioners in equity. Arr. chron. Indexed by name of guardian or trustee. Hdw. on printed form. 477 pp. 15 x $10\frac{1}{2}$ x $2\frac{1}{4}$. Judge of probate, vault.

169. GUARDIANS AND TRUSTEES RETURNS, 1841-63. 5 vols. (1-5). Transcripts of annual and final returns of guardians and trustees to the court of equity. Arr. chron. Indexed by name of guardian or trustee; except vol. 4, 1854-58, no index. Hdw. on ruled form. 450 pp. 15 x 11 x 2. Judge of probate, vault.

170. STOCK BOOK, 1842-69. 1 vol. Record of investments for estates by commissioner in equity, sales for money, transcript of bills for partition, transcript of bonds taken to secure the payment of bids accepted in the sale of land, and record of all property in hands of the commissioner by order of the court. Arr. chron. Indexed by name of estate. Hdw. 390 pp. (69 used) 13 x $8\frac{1}{2}$ x 2. Judge of probate, vault.

171. ACCOUNT BOOK, 1840-73. 2 vols. An open account of all moneys received and paid out by the commissioner in equity on account of estates or individuals by virtue of his office or order of decree of the court. Also contains Record of Sales, 1870-73, entry 176. Arr. chron. by accounts. Indexed by name of estate or account. Hdw. on ruled form. 450 pp. 13 x $8\frac{1}{2}$ x 2. 1 vol., 1840-55, judge of probate, vault; 1 vol., 1855-73, clerk of court, vault.

172. (SALE BOOK), 1850-68. 1 vol. Missing: 1840-49. Record of sales of real and personal property by commissioner in equity, showing newspaper clipping, list of property sold, price, buyer, and distribution of proceeds. Arr. chron. No index. Hdw. Poor condition, 250 pp. 12 x 8 x 1. Clerk of court, vault.

For abbreviations and explanatory notes see pages 15-16

173. RECEIPTS, 1855-96. 1 vol.
Receipts, 1855-69, from various parties to commissioner in equity for moneys received from distributions; 1870-96, receipts of the clerk of court as special referee. Arr. chron. No index. Hdw. 400 pp. 14 x 9 x 1 $\frac{1}{2}$. Clerk of court, vault.

For receipts of master, see entry 177.

XIII. 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 Abbeville County, the office of referee was abolished by an act of December 24, 1880, and the office of master was re-established (Stat. XVII, 392) much as it had existed under the court of equity in 1840, except that it should now function under the court of common pleas.

The master is appointed by the governor with the advice and consent of the senate for a term of four years (Code 3678). Under court order, he has hearings of cases praying equitable relief, and he may grant orders for partition of estates and admeasurement of dower, but these are valid only when 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). He has power to compel the attendance of witnesses, to punish for contempt, to administer oaths, and to take affidavits (Code 3699). He attends the sittings of court in all cases in which he has acted officially, and he employs an auctioneer (Acts 1937, p. 112) to make such sales as the court may order in granting equitable relief (Code 3692).

The master makes an annual report to the court of all estates in his charge, showing full accounts of money received and paid, with vouchers for such transactions (Code 3701). He is required to keep a Reference Book for recording all proceedings in the hearings he holds, and a Ledger for the accounts of funds in his hands (Code 3702). By special provision, the master in Abbeville County, if a lawyer, is permitted to practice law in the circuit courts (Acts 1926, p. 1014).

For reports of the master, see Common Pleas Journal, entry 151.

For abbreviations and explanatory notes see pages 15-16

174. MINUTE BOOK (Reference Book), 1881--. 1 vol. Last entry 1885. Record of orders and proceedings of a judicial nature by the master in official capacity, including orders appointing guardian ad litem, and complaints for partition, or for relief. Arr. chron. Indexed by name of plaintiff. Hdw. 342 pp. (109 used) $14\frac{1}{4} \times 9 \times 1\frac{1}{4}$. Clerk of court, vault.

175. ACCOUNT BOOK, 1885--. 8 vols. Missing: 1890-96, 1901-7. Record of receipts and disbursements on cases handled by the master, showing date, description, payee, and amount of all items. Arr. by accounts. Indexed by name of plaintiff. Hdw. on printed ruled form. 331 pp. $16 \times 11 \times 2$. 2 vols., 1885-1900, clerk of court, vault; 1 vol., 1908-13, basement; 5 vols., 1913--, master's office.

176. RECORD OF SALES, 1875--. 6 vols. Missing: 1882-84, 1897-1923. Title varies: Sales by the Clerk; Sales Book; Cash Book. 1870-73 in Account Book, entry 171. Record, 1878-81, of sales by clerk of court as special referee, showing title of cause, attorney, term and date of decree, interest of parties, amount of sale, costs, fees; 1885-1926, record of sales by master, showing title of cause, description of property sold, purchaser, when sold, amount of sale, terms of sale, bond due, remarks; 1925--, (overlapping dates 1925-26), memorandum book of sales, showing amount, to whom sold, advertisement and description of property; 1875, cash account of private business. Arr. chron. by accounts. Indexed by name of plaintiff, 1885-1926; no index, 1927--. Hdw. with clippings of sale notices inserted, 1875-81; hdw. on printed ruled form, 1885-96; hdw. and typed on printed ruled form, 1924-26; hdw. with sales notices inserted, 1925--. 150 to 400 pp. $14 \times 8\frac{1}{2} \times \frac{3}{4}$ to $18 \times 12 \times 2\frac{1}{4}$. 3 vols., 1875-96, clerk of court, vault; 3 vols., 1924--, office.

177. INVOICES (Receipts), 1881-99. 2 vols. Receipted bills and receipts resulting from transactions of the master in settling cases. Arr. chron. No index. Hdw., typed, hdw. and typed on printed form, pasted. 525 pp. $14 \times 9\frac{1}{2} \times 3$ to $16 \times 12 \times 3$. Clerk of court, vault.

For receipts of clerk of court as special referee, see entry 173.

XIV. JUDGE OF PROBATE

This office began in South Carolina in 1671, when wills were proved before the governor as the ordinary, presiding over the grand council as an orphans' court (JGC, pp. 42, 49). Until the Revolution, the governor was the sole ordinary of the province. When the last royal governor fled in the autumn of 1775, the revolutionary assembly elected an ordinary (JGA, March - April 1776, Columbia, 1906, p. 7) who carried on the office in Charleston. Under the mandate of the Constitution of 1778, that ordinaries should be provided for each of the seven circuit court districts (art. XXIV), the general assembly which convened at Jacksonborough in 1782, considered

suitable candidates (Journal House of Representatives 1782, Columbia, 1916, p. 39; SJ, p. 49). Immediately thereafter, John Ewing Calhoun opened his office as ordinary of Ninety Six District, with Patrick Calhoun as his surrogate, or substitute. When the duties of ordinary were given to the county courts in 1787 (Stat. VII, 246), Abbeville received the Ninety Six District records, entry 204, which now survive as the oldest official records of the South Carolina backcountry. The county justices sat as a court of ordinary when necessary until county courts were abolished at the close of 1799. An ordinary was then elected by the legislature for Abbeville as one of the twenty-four circuit court districts which came into existence on January 1, 1800 (Stat. VII, 281-99). To him four years later, the clerk of court was directed to transfer the county court records pertaining to the office (Stat. V, 482). During the next sixty-eight years the ordinary presided over what was more a civil office than a court, although he was given the status of a magistrate in 1839 (Stat. XI, 44), and whatever force was needed was supplied by the courts of common pleas and equity.

Under the Constitution of 1868, the court of ordinary became a constitutional probate court (art. IV, 20), with little change except in name. Appropriately, the probate court inherited the functions and records of the defunct court of equity relating to guardians and trustees. In 1868, by legislative enactment, the probate court became a court of record, with power to issue warrants and processes to be enforced by the sheriff (Stat. XIV, 76-77).

The Constitution of 1895 made the probate court dependent upon the general assembly in all counties except Charleston, where alone it remained a constitutional court (art. V, 19).

The judge of probate is a statutory official elected for a term of four years (Code 3640), whose duties are concerned with transmission of estates and with domestic relations. His title is derived from his duty to prove or test the genuineness of the wills brought to be recorded. Proceedings in the court are instituted by petition, under rules of practice made by the state supreme court. After petition and publication of citation, a surety bond is signed by a representative of the estate, to whom the judge then issues a letter authorizing him as fiduciary to perform his duties. No change has been made in this procedure since the beginning of the office in South Carolina, except that letters dismissory were added in 1869.

The records system was standardized in 1839, to require that an alphabetical index be kept in a book, showing the location of the packages of original papers of record for each estate; and that transcriptions be made, in separate volumes for each series, of wills, inventories (with appraisements and sales), bonds, letters, and returns of administrators and guardians, each book with an "index in the surnames of the parties" (Stat. XI, 47-48). In 1824, the ordinary was authorized to order sale for division of real estate not to exceed \$1000 (Stat. VI, 248-51). In 1882, all suits for partition of real estate were placed under the jurisdiction of the court of common pleas (Stat. XVII, 982), but the judge of probate may order sale of real property as an asset for debt and he is still required to keep a record of division

and sale of real estate. At all times, his cash book, showing accounts with individual estates, is open to inspection as a public record. (Ibid.; Code 3648).

In addition to records of estates, he is required to keep a file book for papers filed in any probate suit (probate court rules, I), and a calendar or docket of cases (ibid.); a journal for every judgment, sentence, act, or order in his official capacity; and an index to his decrees for the payment of money, which he must enroll in the court of common pleas to give them the force of judgments against the estates concerned (1839, Stat. XI, 63; Code 3648).

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). When no other guardian can be found, the judge of probate must act as public guardian (1880, Stat. XVII, 463; Code. 8623). Since 1882, he has been required to keep an index to lands devised, with a full description of the property, for convenience in tracing land titles (Stat. XVIII, 131). Since 1922, he has reported to the state tax commission the value of each estate and has filed a copy of the statement in the package of estate papers (Stat. XXXII, 800). Since 1925, he has settled estates of \$500 and less without administration (Stat. XXXIV, 93; Code 9028).

Under certain conditions, he may commit insane persons to the State Hospital (1870, Stat. XIV, 436; Code 6226-27); and incorrigible children to reformatories (1912, Stat. XXVII, 764; Code 247). Since 1911, he has issued marriage licenses and kept a marriage register (Stat. XXVII, 131-33; Code 8557-60). In 1919, he became clerk of the board of honor (Acts p. 277), disbursing state pensions to veterans, widows, and faithful negro servants of the Confederacy (Code 4981), but in 1937, the state comptroller general assumed this duty (Acts p. 639). Under the "quart a month" law of 1917 (Acts p. 70), he issued permits to import by public carrier intoxicants from "wet" states until the 18th amendment to the federal constitution went into effect on January 1, 1919. Upon national repeal in 1933, he resumed this duty until a state law of 1935 repealed state prohibition (Acts p. 325).

Transmission of Property

Papers of Record and Indexes

178. (ESTATES), 1782--. 8925 pkgs. in 227 file boxes (apartments 1-351). Original papers for Ninety Six District 1782-87, Abbeville County court 1787-99, court of ordinary 1800-1868, and probate court 1869-- connected with settling estates, including wills, inventories, appraisements, sales, letters, bonds, petitions and orders, returns, citations, inheritance tax certificates from the tax commission, and papers concerning incorrigible children. Also contains: (Real Estate Papers), 1870--, entry 181; Lunacy Papers, 1931--, entry 200. Arr. numer. by pkg. no. Hdw., typed, and hdw. or typed on printed

For abbreviations and explanatory notes see pages 15-16

form. Boxes $10\frac{1}{2}$ x 5 x $13\frac{1}{2}$. Vault

179. INDEX TO PROBATE COURT, 1782--. 4 vols.

Index to estates, showing name of decedant, minor, ward; administrator, executor, guardian; box, pkg., date. Arr. alph. by name of estate; sub-indexed by family name, Cott system. Hdw. on printed ruled form. 400 pp. $9\frac{1}{2}$ x 17 x 4. Vault

180. INDEX BOOK, 1782-1919. 1 vol.

Obsolete index to estates, showing name of estate, administrator, box, pkg. Arr. alph. by name of estate. Hdw. on printed ruled form. 600 pp. 18 x 12 x 2. Vault.

181. (REAL ESTATE PAPERS), 1840-69. 8 pkgs. 1870-- in (Estates), entry 178.

Original petitions, summonses, orders for sale, sheriff's reports of sale, appraisals, and other papers concerned with the partition of real estate in process of settlement in ordinary's court. Arr. alph. by name of estate or plaintiff. Hdw. and hdw. on printed form. 8x 4 x 5. Vault.

182. INDEX DIVISES (sic) REAL ESTATE, 1872--. 1 vol. Last entry 1912.

Register of land devised by will, showing names of devisors, devisees, description of lands devised, date of will, and where recorded. Arr. alph. by name of estate or devisor. Hdw. on printed ruled form. 50 pp. (blank pp. cut out) 19 x 12 x 1. Basement.

Transcripts

183. WILL BOOK, 1787--. 11 vols. (1787-1904, 1-7; 1905--, 1-4).

Title varies: Probate of Wills

Transcript of wills probated in the county court 1787-99, in court of ordinary 1800-1868, and in probate court 1869--, with oath of witness, certificate of proof, order admitting will to probate. Arr. chron. Indexed by name of estate. Hdw., 1787-1904; hdw., and hdw. on printed form, 1905--. 500 pp. 16 x 11 x $2\frac{1}{2}$. Vault.

184. GUARDIANSHIP BONDS, 1850--. 5 vols. (1-5). 1840-50 in Administration Bond, entry 185.

Transcripts of bonds made by guardians to ensure the proper performance of duties. Arr. chron. Indexed by name of minor. Hdw. on printed form. 289 to 546 pp. $14\frac{1}{2}$ x $9\frac{1}{2}$ x $1\frac{1}{2}$ to $16\frac{1}{2}$ x 12 x $2\frac{3}{4}$. Vault

185. ADMINISTRATION BOND, 1840--. 9 vols. (1-9), Missing: 1800-1818, 1827-39. Title varies: Bonds. 1819-26 in (Record Book), entry 187.

Transcripts of surety bonds of administrators, made payable to judge of probate in case of improper administration of estates. Also contains: Guardianship Bonds, 1840-50, entry 184; Administration Bonds With Will Annexed, 1840-68, 1924--, entry 186. Arr. chron. Indexed by name of estate. Hdw. on printed form. 219 to 400 pp. $13\frac{1}{2}$ x 9 x $1\frac{5}{4}$ to 14 x 10 x 3, Vault

For abbreviations and explanatory notes see pages 15-16

186. ADMINISTRATION BONDS WITH WILL ANNEXED, NO. 2, 1869-1923. 1 vol. 1840-68, 1924-- in Administration Bond, entry 185. Transcripts of bonds of administrators appointed when executors do not qualify. Arr. chron. Indexed by name of estate. Hdw. on printed form. 350 pp. 14 x 9 x $1\frac{1}{2}$. Vault.
187. (RECORD BOOK), 1819-40. 2 vols. Transcripts of citations and 1819-26, of warrants of appraisement. Also contains: Administration Bonds, 1819-26, entry 185; Letters Testamentary, entry 188; and Letters of Administration, entry 189. Arr. chron. No index, 1819-26; indexed by name of estate, 1827-40, all but Y's lost. Poor condition. 100 pp. 16 x 10 x 2 to 17 x 10 x 2. Vault.
188. LETTERS TESTAMENTARY, 1850--. 5 vols. (2-5, 2). 1819-40 in (Record Book), entry 187; 1840-50 in Letters of Administration, entry 189. Transcript of letters issued to executors giving them charge of the estates. Arr. chron. Indexed by name of estate. Hdw. on printed form. 330 to 600 pp. 14 x 9 x $1\frac{1}{4}$ to $14\frac{1}{2}$ x $10\frac{1}{2}$ x $2\frac{1}{2}$. Vault.
189. LETTERS OF ADMINISTRATION, 1840--. 9 vols. (1-9). Title varies: Letters. 1819-40 in (Record Book), entry 187. Transcripts of letters of administration. Also contains: Letters Testamentary, 1840-50, entry 188; Letters of Administration, Will Annexed, 1840-68, 1924--, entry 190; Letters of Guardianship, 1840-50, entry 191. Arr. chron. Indexed by name of estate. Hdw. on printed form. 250 to 500 pp. 14 x 9 x $1\frac{1}{2}$ to 3. Vault.
190. LETTERS OF ADMINISTRATION, WILL ANNEXED, 1861-1923. 1 vol. 1840-68, 1924-- in Letters of Administration, entry 189. Transcripts of letters giving administrators charge of estate when executors do not qualify or when will does not name executor. Arr. chron. Indexed by name of estate. Hdw. on printed form. 300 pp. 14 x 9 x $1\frac{1}{2}$. Vault.
191. LETTERS OF GUARDIANSHIP, 1830--. 6 vols. (1 unlabeled, 2, 2-5). Title varies: Precedent Book; Guardianship Book. 1840-50 in Letters of Administration, entry 189. Transcripts of letters issued to guardians granting them charge of the estates of minors; 1830-40, notation of appointment of guardian; 1926--, committee letters for persons non compos mentis. Arr. chron. No index, 1830-40; indexed by name of estate, 1850--. Hdw. 1830-40; hdw. on printed form, 1850--. 113 to 413 pp. 13 x $8\frac{1}{2}$ x 1 to $14\frac{1}{2}$ x $9\frac{1}{2}$ x $2\frac{1}{2}$. Vault.
192. INVENTORIES, APPRAISEMENTS AND SALES, 1787--. 28 vols. (1-29). Missing: No. 8, 1829-30. Title varies: Journal; Day Book; Record Book, Transcript of itemized real and personal property, with value set by appraisers and amount realized from sale. Arr. chron. Indexed by name of estate, 1787-1815, 1824--; no index, 1816-23. Hdw. on ruled form. 1787-1830, poor condition. 468 pp. $11\frac{1}{2}$ x 6 x $2\frac{1}{2}$ to $18\frac{1}{2}$ x $13\frac{1}{2}$ x $3\frac{1}{2}$. Vault.

193. RETURNS, 1836--. 25 vols. (1 unlabeled, 1-24). Transcript of annual and final returns of executors, administrators, guardians, and trustees. Arr. chron. No index, 1836-40; indexed by name of estate, 1841--. Hdw. on ruled form. Poor condition, 1836-40. 264 to 750 pp. 13 x 8 x 1 to 18 $\frac{1}{2}$ x 12 $\frac{1}{2}$ x 4. Vault.

194. REAL ESTATE, 1825--. 5 vols. (1 unlabeled, 1-4). Last entry 1930. Title varies: Partition. 1931-- in Journal, entry 199. Transcript of papers pertaining to partition or sale of real estate, including petitions, summonses, complaints, orders, and answers. Arr. chron. Indexed by name of estate. Hdw. and typed. 400 to 750 pp. 12 x 8 x 1 to 18 x 12 x 3. Vault.

Accounts

195. CONTROL JOURNAL, 1931--. 1 vol. Record of funds received and disbursed by judge of probate for public guardianship, trust account, or other reason, showing for each item, date, description, distribution, public guardianship, trust, total, investments. Arr. chron. No index. Hdw. on printed ruled form. 200 double pp. 16 x 18 x 2. Vault.

196. LEDGER, 1840--. 6 vols. (1-3; 3 unlabeled). Title varies: Cash Book. Ledger accounts of ordinary and of judge of probate, showing by accounts all receipts and disbursements of trust funds, showing date, description, and amount. Arr. by accounts and chron. thereunder. Indexed by name of account or estate, 1840-68, 1897--; no index, 1869-96. Hdw. on ruled form, 1840-1930; hdw. on printed ruled form, 1930--. 196 to 640 pp. 9 x 14 x 3 to 18 x 12 x 1 $\frac{1}{4}$. Vault.

197. (SALES MEMORANDUM BOOK), 1895-1927. 2 vols. Newspaper clippings of notices of land sales, and memorandum of sales; 1895-96, list of fees due from estates. Arr. chron. No index. Hdw. 100 pp. 15 x 6 x $\frac{1}{2}$. Vault.

Court Procedure

198. PROBATE DOCKET, 1909--. 3 vols. A list of cases in probate court, showing name of estate, petitioner, nature of process, date of appearance, disposition; 1913--, no. of case, parties, attorneys or petitioner, nature of process, date of service, date of hearing, proceedings, orders, and fees. Arr. chron. No index, 1913-30; indexed by name of estate, 1909-12, 1931--. Hdw. on printed form, 1909-13; hdw. on printed ruled form, 1913--. 159 to 200 pp. 14 x 8 $\frac{1}{2}$ x 1 to 16 $\frac{1}{2}$ x 12 x 1 $\frac{1}{2}$. Vault.

199. JOURNAL, 1819--. 9 vols. (2 unlabeled, 1-7). Missing: 1827-39. 1924-31, only one entry. Minutes, 1819-68, of court of ordinary and 1869--, of probate court, showing

Judge of Probate - Commitments; Marriage; Liquor Permits; (200-204)
Ninety Six District

1872-- , orders and petitions transcribed in full. Also contains Real Estate, 1931-- , entry 194. Arr. chron. Indexed by name of estate. Hdw. and typed. 95 to 720 pp. $13\frac{1}{4}$ x 8 x $\frac{1}{2}$ to $18\frac{1}{4}$ x 13 x 3. Vault.

Commitments
(See also entry 165)

200. LUNACY PAPERS, 1877-1930. 2 boxes. 1931-- in (Estates), entry 178.

Original commitments to state hospital for insane, showing examinations by physicians, receipts for patients, notices of release from hospital, and related papers. Arr. alph. by name of patient. No index. Hdw. on printed form. 8 x 4 x 15. Vault.

Marriage

201. MARRIAGE LICENSES, 1911-- . 2 compartments, containing 5731 licenses in 52 pkgs.

Original marriage licenses, showing affidavits of eligibility of contracting parties, returned with certificate of marriage by officer performing ceremony. Arr. numer. by no. of license. Hdw. on printed form. Compartments $17\frac{1}{2}$ x 30 x 15; pkgs. 8 x 4 x 5. Vault.

202. MARRIAGE REGISTER, 1911-- . 4 vols. (1-4).

Record of marriages, serving as index to marriage licenses, showing file no., name and residence of man, age, color, name and residence of woman, age, color, date of issue of license, name and title of minister or officer celebrating marriage, date of marriage, date of return, remarks. Arr. alph. by name of man; 1931-- , also by name of woman. Hdw. on printed ruled form. 500 pp. $16\frac{1}{2}$ x 12 x $2\frac{1}{2}$. Vault.

Liquor Permits
(See also entry 83)

203. RECORD OF LIQUOR PERMITS, 1917-18. 1 vol.

Register of permits for importation by public carrier of one quart of liquor, showing date of permit, certificate no., name of applicant or consignee, office, carrier, amount and kind of liquor, remarks. Arr. alph. by name of person receiving permit. Hdw. on printed ruled form. 400 pp. $18\frac{1}{2}$ x 13 x $2\frac{1}{4}$. Vault.

Ninety Six District

204. (ORDINARY'S BOOK), 1782-86. (AB). 53 loose sheets in vellum cover. Also 2 modern copies, one entitled Journal No. 6.

Fragments of records from ordinary's office, Ninety Six District, apparently remains of two or possibly three volumes:

For abbreviations and explanatory notes see pages 15-16

pp. 2-31, journal of proceedings, Dec. 22, 1782- Oct. 21, 1786;
pp. 35-107, transcripts of inventories, Jan. 9 - Nov. 2, 1782;
pp. 27-55 (renumbered) transcripts of wills, April 8, 1782 - March
24, 1783. (CWA project made hdw. copy called "Journal No. 6"; WPA project
made 3 typed copies, 1 for judge of probate, 2 for Library University
South Carolina). Arr. approx. chron. No index. Hdw. Poor Condition.
110 pp. 9½ x 7½ x 1. Vault.

XV. MAGISTRATES

The magistrate is an ancient English institution 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 Abbeville County and they probably arrived with the pioneers. In 1776, fifty-four names appear on the list of justices approved by the general assembly for Ninety Six District (Journal, March 30, p. 18), and in 1785 four of these names re-appear on the list for Abbeville County (SJ, pp. 386-87), authorized to sit in the county court.

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 (supra, p. 25). The Constitution of 1790 continued them without change (art. VI, 2), but in 1791 they lost their seats in the county court (Stat. VII, 266-8). 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 Democratic primary (Code 2365).

The number of magistrates in each county has varied widely from time to time, and in Abbeville County at present there is one in each of the six districts of Abbeville, Donalds, Due West, Calhoun Falls, Lowndesville, and Diamond Hill. Magistrates may sit as an examining court, administer oaths, take depositions and renunciations of dower (1839, Stat. XI, 30; Code 3714), and they may bind to keep the peace not to exceed twelve months (Const. 1895, art. V, 21). In certain cases a magistrate may act as coroner (1839, Stat. XI, 23; Code 3562).

Proceedings are instituted in criminal cases by information under oath (Code 930), and indictment by the grand jury is not essential.

Magistrates are required to make monthly reports of fines collected to the auditor, and to the treasurer (1871, Stat. XIV, 655; Code 3723) to whom these collections must be paid. Their accounts are audited by the board of

For abbreviations and explanatory notes see pages 15-16

commissioners, to whom they submit their dockets at quarterly meetings (1875, Stat. XV, 863; 1898, XXII, 750; Code 3719, 3730).

Although the magistrate must make records, his court is not a court of record. On demand of a person in whose favor he has rendered judgment, the magistrate must give a transcript thereof, which may be docketed in the court of common pleas, and entered by the clerk of court upon the abstract of judgments (1870, Stat. XIV, 990; Code 273). Should the judgment become null the entry becomes null. The magistrate is required to keep only two records: a docket for criminal cases and a docket for civil cases (1839, Stat XI, 14; Code 3717), and when he goes out of office these should be turned over to his successor, who will proceed with unfinished cases.

For other records relating to magistrates, see Convict Record, entry 18; Commitments to Chaingang, entry 19; Roll of Notaries Public, entry 69; Trial Justices and Constables Roll, entry 70; Ledger, entry 145; Book of Estrays, entry 158; (Magistrates Reports), entry 223.

205. (MAGISTRATE'S DOCKET), 1875-1930. 21 vols. 1931-- in the custody of magistrates.

Record of cases in magistrates' court, showing of criminal cases: date, defendant, offense, witnesses, jurors, officer, magistrate, costs, fines, constables's costs, verdict and disposition of the case; of civil cases: date, parties, cause of action, attorneys, witnesses, jurors, amount and disposition of the case. Volumes are divided among districts as follows:

Volumes	Dates	Magistrate or District	Location
2	1921-1930	M. E. Hollingsworth	Clerk of court, vault
1	1913-1915	J. F. Bradley	" " " "
		J. S. Hammond	" " " "
1	1885-1907	Long Canes	" " " "
1	1875-1881	Unknown	" " " "
2	1921-1925	"	Basement
7	1897-1919	"	"
1	1913-1914	J. B. Dawson	"
1	1903-1911	Mount Carmel	"
1	1913-1919	Hodges	"
1	1897-1905	Calhoun Falls	"
1	1903-1908	Due West	"
2	1900-1917	L. P. Harkness	"

Arr. chron. No index. Hdw, on printed ruled form. 35 to 100 double pp.
12 x 10 x 1/4 to 16 x 11 x 1/2.

XVI. COURT OF MAGISTRATES AND FREEHOLDERS (defunct)

Until 1865 slaves and free persons of color, including Indians and mestizos, were not tried in the regular courts. Single magistrates might try cases of larceny under twelve pence (1712, Stat. VII, 355), but all major offenses, ranging from murder and arson to the stealing of fowls, were tried

For abbreviations and explanatory notes see pages 15-16

in the court of magistrates and freeholders. The foundation of the judicial attitude toward colored races was an act for the better ordering of slaves passed in 1690 (Stat. VII, 345). Though this law was repealed, amended, revised and re-enacted with variations, notably in 1740, 1743, and 1783, the powers and structure of the court were not greatly changed.

Under the various laws, any justice of the peace upon complaint was required to issue a warrant for apprehending the offender, and to summon for examination the witnesses to the offense. If the evidence was sufficient, the justice of the peace was required to certify this to the next magistrate, who should then associate himself with the first, and the two should issue their summonses to three freeholders, appointing a day for the two justices and the three freeholders to sit as a court upon the case. The court might inflict any punishment prescribed by law, and death sentences were carried out immediately. During colonial times the proceedings of the court were required to be written and sent to the clerk of the crown in Charleston, there to be recorded (1712, Stat. VII, 359; 1735, p. 391). Later they were recorded with the clerk of court in the respective districts. (Laws relating to slaves have been assembled in Statutes of South Carolina, VII, 343-472, indexed in X).

All records of this court were lost in the fire of 1872.

XVII. SHERIFF

Although the sheriff is one of the most ancient of English offices, the title in early South Carolina was applied to the chief justice (Stat. I, 50; PR, II, 37), and sheriff's duties were performed by a marshal (1671, JGC, p. 11). The circuit court act of 1769 abolished the office of provost marshall of the province, and established a sheriff for each of the circuit court districts, to be elected by the general assembly (Grimke, Public Laws pp. 268-75). The sheriff of Ninety Six District served writs and processes in what is now Abbeville County until county courts were set up in 1785.

The first high sheriff of Abbeville County was elected by the justices of the county court at its first meeting, and was commissioned by the governor for a term of two years, to hold office upon the same terms and conditions as the district sheriff (Stat. VII, 223). When Abbeville County became a district, the county sheriff was required to serve until the district sheriff could be elected by the legislature, and commissioned by the governor, for a term of four years (ibid., pp. 288-89).

Under the five state constitutions of 1776, 1778, 1790, 1868, and 1895, the sheriff has been a constitutional officer, and under the last is now elected for a term of four years (art. V, 30). He is the arm of the courts, to execute writs and processes, and to enforce orders and judgments (Code 3520). He is required to attend each session of the circuit courts (Code 3519). In preserving the peace, he may call to his assistance any person

For abbreviations and explanatory notes see pages 15-16

Code, 1952) and in the duties of the office in Abbeville County he is assisted by a deputy (Code 3486, 3489). The sheriff has charge of the jail and all prisoners (Code 1938). He collects delinquent taxes under execution (Code 2853-56), makes judicial sales (Code 3542), and once a month he has a regular sales day at the courthouse (Code 9073). Every sixty days he has a settlement with the treasurer, to whom he pays county funds he has collected (Code 3547); and once a month he makes statements in writing to the auditor and to the treasurer of fines and moneys collected (Code 3544).

The required records of this office date back to immemorial usage, and have been standardized since 1839 as the Writ Book, Execution Book, and Sale Book (Stat. XI, 27; Code 3511). The Tax Execution Book was added in 1900 (Stat. XXIII, 305-7).

In 1791, every sheriff throughout the state was directed to have made at his own expense, within three months after the expiration of his term, a true copy of his books, to be lodged well bound in the office as permanent public records (Stat. VII, 274). In Abbeville County these were probably burned in the fire of 1872.

206. WRIT BOOK, 1872--. 12 vols. (1-9; 3 unlabeled). Register of civil and criminal mesne processes served by sheriff, showing names of parties, attorneys, kind of process, kind of action, when lodged, by whom served, how served, when served, miles, costs. Arr. chron. Indexed by name of plaintiff, 1872--; also indexed by name of defendant, 1872-76, 1882. Hdw. on printed ruled form. 350 double pp. 18 x 12 x 3. 9 vols., 1872-1915, basement; 3 vols., 1915--, office.

207. EXECUTION BOOK, 1872--. 6 vols. (1-6). Register of final processes served 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. Doubly indexed by names of plaintiff and defendant. 300 pp. 18 x 12 x 3. 5 vols., 1872-1915, basement; 1 vol., 1915--, office.

208. SALES BOOK, 1872--. 4 vols. Last entry 1919. Overlapping dates. Title varies: Private Sales Book No. 1. Record of sales by sheriff, showing names of parties, description of property sold, when sold, to whom sold, amount of sale, names of sureties, bond due, how applied, advertisement, and receipt; 1878-1909, has newspaper advertisements with hdw. notices. Arr. chron. No index, 1878-1909, 1872-76; doubly indexed by names of plaintiff and defendant, 1877-1919. Hdw. and pasted, 1878-1909; hdw. on printed ruled form, 1872-1919. 120 to 290 pp. 16 x 10 x 1 to 18 x 12 x 3. Basement.

209. SHERIFF'S TAX EXECUTION BOOK, 1900--. 12 vols. Missing: 1906-10, 1917, 1919-30. Record of delinquent taxes turned over to sheriff for collection under execution from treasurer, showing no., name, date of payment, no. acres, total taxes, taxes and penalties, polls, penalty on polls, dogs, no., capitation

tax, penalty on capitation, dog tax, road tax, total taxes and penalties, executions collected and paid to treasurer, executions nulla bona, treasurer's cost, sheriff's cost, remarks. Arr. alph. by name of property owner, under twp., 1900-1915; under school district, 1916--. Hdw. on printed ruled form. 200 double pp. 18 x 12 x $\frac{1}{2}$. 2 vols., 1900-1915, basement; 10 vols., 1916--., office.

For treasurer's parallel record, see entry 230.

210. JAIL BOOK, 1889--. 3 vols. Missing: 1911-31. Record of prisoners committed to county jail, showing no., date of commitment, name of prisoner, by whom committed, offense, term of confinement, by whom released, date of release, no. of days, rate per day, amount for dieting, commitment, discharge, total amount, remarks. Arr. chron. No index. Hdw. on printed ruled form. 147 pp 16 x 11 x $\frac{1}{4}$. 2 vols., 1889-1910, basement; 1 vol., 1932--., office.

XVIII. RURAL POLICEMEN (defunct)

In South Carolina, deputy sheriffs, constables and rural policemen perform duties which overlap and are constantly shifting from one to the other. The last came into existence during the 1890's as a result of the development of mill villages outside of the limits of incorporated towns.

In Abbeville County, a special act of 1911 authorized the governor to appoint as rural policemen two men from the registered voters of the county, upon recommendation of the sheriff, supervisor and sub-supervisors. These policemen were to provide themselves with "billets" and fire arms, with horses for riding over the county, and were to "bear all expenses incident to their service". They were under the direction and control of the sheriff, to whom they were to report at least once a week. Before entering upon duty, each policeman had to file an approved surety bond and to take the oath of office. (Stat. XXVII, 212-14).

The rural police were voted out in a special election in August 1914 (Stat. XXVIII, 899) and in 1915 a single deputy sheriff was provided for in the supply act (Acts, p. 266).

This was not a records office.

XIX. CORONER

The office of coroner was transplanted from England to South Carolina, and in 1692 was held in combination with that of clerk of the crown and peace (JGC, p. 11).

For abbreviations and explanatory notes see pages 15-16

Auditor

The first coroner of Abbeville County was chosen in 1785 by the justices of the county court at their first meeting, and was commissioned by the governor for a term of two years (Stat. VII, 242).

Formerly the office was of great importance in civil as well as criminal procedure, and when the sheriff was personally interested, the coroner was required to assist in the collection of delinquent taxes (Stat. V, 456). 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 present coroner is a constitutional officer, nominated in the Democratic primary and elected for a term of four year (Const. 1895, art. V, 30). He is charged to inquire into the cause of violent or mysterious deaths (1839, Stat. XI, 72; Code 3561). Because historically the office is closely related to that of sheriff, the coroner is not permitted to act under any order or appointment of the sheriff (1839, Stat. XI, 71; Code 3559); he must act as sheriff when that official is interested in a case (1839, Stat. XI, 78; Code 3566) or when there is a vacancy in the office (Code 3567), and he is the only official who legally may arrest the sheriff.

The coroner is required to keep a book of inquisitions (1839, Stat. XI, section 32; Code 3563), and to file original inquisitions with the clerk of court (1839, Stat. XI, section 33; Code 3565).

211. INQUISITION BOOK OF CORONER, 1889--. 3 vols. 1889-1918, not found on the re-check; 1919--, believed to be in home of A. J. Alewine at Due West. Overlapping dates. Record of testimony and verdicts of coroner's inquest into sudden or violent death. Arr. chron. No index. Hdw. 116 pp. 9 x 7 x $\frac{1}{2}$ to 12 x 8 x $\frac{1}{2}$. 1 vol., 1897-1908, clerk of court, vault; 1 vol., 1900-1904, basement; 1 vol., 1889-1918, supervisor's vault.
For original papers, see entry 95.

XX. AUDITOR

The county auditor is the chief tax assessing official of the county. The office dates from 1868, when it was created as a part of the state financial system that was instituted in the general reorganization which followed the Civil War.

During colonial times, lands of the pioneers were exempt from taxation for the first ten years, but slaves and money at interest were assessed (1764, Stat. IV, 190). The duties of locating and assessing taxable property were performed by tax collectors (who were also "enquirers" and "assessors") named each year in the general appropriation act, until in 1836, they were named by the electorate (Stat. VI, 558). Between 1868 and 1870, the duties of assessment were taken over by the newly created county auditor and the

For abbreviations and explanatory notes see pages 15-16

local assessors (Stat. XIV, 28-67; XV, 777-78).

The county auditor is a combination state and county statutory 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 and appointed by the governor with the consent of the senate for a term of four years (Code 2698). In 1926 he became ex officio a member of the forfeited land commission (infra, p. 78).

Records for the office were standardized in 1874, at which time a register of current conveyances became a requirement (Stat. XV, 761; Code 2727). Since 1871, the auditor has received the returns of taxpayers (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 current conveyances), 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 the 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 years as settlement papers (see entry 225). 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 in his office quarterly reports of sales by dealers in explosives (Stat. XXIV, 125; Code 1304)

Among the obsolete records of the office are Forfeited Lands (1868, Stat. XIV, 63), Sales of Lands for Taxes (ibid., p. 60), Dispensers' Request Books (1898, Stat. XXII, 745) and Returns of Dispenser (1896, Stat. XXII, 132-33).

Tax Records

212. (TAX RETURNS), 1908--. 662 vols. and 23 file boxes. Missing: 1913-18, 1924-25.

Original returns of real and personal taxable property, showing name of taxpayer, school district, twp., post office address; if on farm, whether or not taxpayer owns farm, or, if not, on whose farm he lives; if last return was made in present school district, liability of party to poll tax, road tax, dog tax (now abolished), detailed list of personal property with value by taxpayer, by twp. board of assessors, by county board of equalization (if changed), detailed description of each piece of real estate listed since

For abbreviations and explanatory notes see pages 15-16

Auditor - Tax Records

last return, oath of taxpayer. In years when real estate is returned, main heads are: real estate in country - land, buildings; real estate in cities and towns - lots, buildings; total value in real estate, total value of personal property. Arr. alph. by name of taxpayer, under twp., 1908-12; under school district, 1919--. No index. Hdw. on printed form. File boxes, $10\frac{1}{2} \times 5 \times 13\frac{1}{2}$; vols., 40 to 400 pp. $14\frac{1}{2} \times 9 \times 1$ to 3. 23 file boxes, 1908-12, vault; 235 vols., 1919-23, basement; 220 vols., 1926-30, treasurer's office; 207 vols., 1926-- , office.

213. SUPPLEMENTAL TAX RETURNS, 1931--. 5 vols. and 2 file boxes. Record of returns received after tax duplicate was made up. Arr. chron. No index. Hdw. on printed form. Vols., 50 pp. $9 \times 6 \times \frac{1}{4}$; file boxes, $10\frac{1}{2} \times 5 \times 13\frac{1}{2}$. Vault.

214. TAX RETURNS FROM SOUTH CAROLINA TAX COMMISSION, 1929--. 3 file boxes. Record of the property assessment by school districts of merchants, corporations, and power companies, as determined by state tax commission. Arr. chron. No index. Typed on printed form. $10\frac{1}{2} \times 5 \times 13\frac{1}{2}$. Vault.

215. AUDITOR'S DUPLICATE, 1869--. 66 vols. Missing: 1885-86, 1889-90, 1893-94, 1899, 1900. Schedule of all taxable real and personal property, made from tax returns and itemized in detail, showing name and address of taxpayer, no. of acres and value of buildings in rural area; no. and value of lots and buildings, in cities, towns and villages; amount and value of each kind of personal property, total value of all taxable property, total tax and levy. Also contains Special School Book, 1916-- , entry 216. Arr. alph. by name of taxpayer, under twp., 1869-1915; under school district, 1916-- . Hdw. on printed ruled form. 300 double pp. $18\frac{1}{2} \times 29 \times 3$. 31 vols., 1869-1902, 1904, basement; 9 vols., 1903, 1905-11, auditor's storage room; 26 vols., 1912-- , vault.

For treasurer's corresponding record, see entry 226.

216. SPECIAL SCHOOL BOOK, 1908-15. 4 vols. 1906-7, 1911 in Treasurer's Execution Book, entry 230. 1916-- combined with Auditor's Duplicate, entry 215. Record of taxes levied by school districts for the support of schools, showing name of taxpayer, no. of polls, no. of dogs, value of realty, value of personalty, total value, total tax, remarks. Arr. alph. by name of taxpayer under school district. Hdw. on printed ruled form. 239 double pp. $18 \times 12 \times 1\frac{1}{2}$. 1 vol., 1908-10, basement; 3 vols., 1912-15, auditor's storage room.

217. (ABSTRACTS OF REAL PROPERTY), 1906. 10 vols. Abstract prepared by auditor from tax returns to aid in assessment of real estate by board of equalization, showing name of owner, amount and value of real estate. Arr. alph. by name of taxpayer under twp. Hdw. on printed ruled form. 30 double pp. $8 \times 13 \times \frac{1}{4}$. Basement.

218. ABATEMENT BOOK, 1907--. 1 vol. Missing: 1900-1902, 1905-6. Last entry 1934. 1903-4 in Private Income Tax Returns, entry 223.

For abbreviations and explanatory notes see pages 15-16

Record of abatement of taxes on over-assessed or erroneously assessed property, showing under tax duplicate charges, abatements allowed, name of taxpayer, fiscal year, total value and no. of lots, building, personal property, total taxable property, state tax, county, school, and special tax abated, polls abated by county auditor, remarks. Arr. chron. No index. Hdw. on printed ruled form. 50 double pp. 17 x 14 x $\frac{1}{4}$. Vault.

For treasurer's abatement records, see entry 238, i.

219. RECORD OF CONVEYANCES, 1903--. 7 vols. Missing: 1874-1902. Record of real estate changing ownership in county, showing date of sale, date of entry, name of seller, name of purchaser, property outside of cities and towns, no. of acres, no. of buildings, price paid, assessed value, percentage of valuation, property in cities and towns, lots, houses, price paid, address, value, percentage of valuation, remarks. Arr. chron. under twp. No index. Hdw. on printed ruled form. 275 pp. 16 x 20 $\frac{1}{2}$ x 2 $\frac{1}{2}$. 5 vols., 1903-30, storage room; 2 vols., 1930--, vault.

Miscellaneous Financial Records

220. ABSTRACTS AND SETTLEMENT SHEETS, 1920--. 15 file boxes. Abstracts of tax lists for districts, showing property, taxes and totals; settlement sheets, showing nulla bona executions, penalty on delinquent taxes, and final total of receipts and disbursement by classes. Arr. chron. No index. Hdw. on printed form. 10 $\frac{1}{2}$ x 5 x 13 $\frac{1}{2}$. Vault.

For settlement papers, see entry 225.

221. (FEES COLLECTED), 1937--. 1 vol. Carbon copy of list of recording fees collected by auditor and turned over to treasurer, showing date recorded, name of seller, name of purchaser, fee, no. acres, no. lots, no. buildings, price. Arr. chron. No index. Hdw. on printed ruled form. 50 pp. 9 x 8 x $\frac{1}{2}$. Vault.

222. LEDGER, 1910-15. 1 vol. Abandoned. Record of accounts of fines and collections turned over to treasurer by various parties, showing dates, payee, description, and amount. Arr. by accounts. No index. Table of contents. Hdw. on ruled form. 200 pp. 14 x 9 x 1. Vault.

223. PRIVATE INCOME TAX RETURNS (Magistrates' Reports), 1908-9. 2 vols. Abandoned. Magistrates' reports to auditor on fines collected and receipts of treasurer for same. Also contains, Abatements, 1903-4, entry 218. Arr. chron. No index. Hdw. on printed form, pasted. 200 pp. 14x 9 x 1. Basement.

224. TREASURER'S REPORTS, 1935--. 2 file drawers. Monthly reports of county treasurer on receipts and disbursements, copies of which are sent to comptroller general, superintendent of education, and county commissioners. Arr. chron. No index. Hdw. on printed form. 2 x 9 x 12. Vault.

For abbreviations and explanatory notes see pages 15-16

Board of Equalization

225. (SETTLEMENT PAPERS), 1904--. 9 boxes, 9 bundles, and 14 file boxes. Missing in part: 1932-33, 1934-35.

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. chron., 1904-9, 1927--; no arr., 1909-26. No index. Hdw. on printed form. Boxes, 15 x 12 x 6 to 24 x 18 x 12; bundles, 8 x 4 x 6; file boxes, 10 $\frac{1}{2}$ x 5 x 13 $\frac{1}{2}$. 14 file boxes, 1904-9, auditor's vault; 8 boxes, 1909-32, basement; 1 box and 9 bundles, 1933-34, 1935--, treasurer's vault.

For supervisor's warrants, see entries 9, 16; for settlement sheets, see entry 220; for other settlement records, see entries 241, 242; for school warrants, see entry 245.

XXI. 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 1918, and is composed of the chairmen of the town and township boards of assessors which in Abbeville County are the boards of school district trustees or their appointees (Stat. XXX, 722; Code 2737). 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 records see entry 212.

XXII. 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 treasurer. He levied upon defaulting taxpayers by warrant upon 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, p. 67).

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Treasurer - Taxation

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 Democratic primary, 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. 78).

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 from the treasurer such surety bond as he may deem advisable (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 his 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 permanent records (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). The Abbeville treasurer has concentrated most of his records upon the General Ledger.

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 2844; see (Settlement Papers), entry 225).

Taxation

226. TREASURER'S DUPLICATE, 1875--. 52 vols. Missing: 1868-74, 1884-85, 1887-88, 1890-92, 1893-94, 1895-97, 1903, and 1904.
Record of taxable property in the county, showing name and residence or post

For abbreviations and explanatory notes see pages 15-16

Treasurer - Taxation

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 4 being columns for Treasurer's Tax Execution Book, 1934--, entry 230. Arr. alph. by name of taxpayer, under twp., 1875-1915; under school district, 1916--. No index. Hdw. on printed ruled form. Fair condition, 1875-1902. 300 double pp. 18 x 12 $\frac{1}{2}$ x 2 $\frac{1}{2}$. 18 vols., 1875-1902, basement; 17 vols., 1880-81, 1918-34, auditor's office; 14 vols., 1905-17, auditor's storage room; 3 vols., 1935--, office.

For auditor's parallel record, see entry 215.

227. TAX RECEIPTS, 1905--. 277 vols.

Carbon copy of tax receipts issued by the treasurer for taxes paid as assessed and shown in treasurer's duplicate. Also contains (Road Tax Receipts), 1937--, entry 228; and (Tax Executions), 1927--, entry 231. Arr. numer. by receipt no. and alph. by name of taxpayer, under twp., 1905-15; under school district, 1916--. No index. Hdw. on printed form. 150 pp. 16 x 11 x 1. 203 vols., 1905-32, basement; 62 vols., 1920-36, vault; 12 vols., 1937, office.

228. (ROAD TAX RECEIPTS), 1917-36. 102 vols. 1937-- in Tax Receipts, entry 227.

Carbon copy of receipts for capitation road tax. Arr. chron. and numer. by receipt no. No index. Hdw. on printed form. 50 to 100 pp. 5 x 7 x $\frac{1}{2}$ to 12 x 8 x 1. 50 vols., 1917-22, basement; 11 vols., 1929-36, supervisor's vault; 38 vols., 1920-31, office; 3 vols., 1936, vault.

229. (DOG TAX RECEIPTS), 1921-28. 29 vols. Discontinued.

Receipts for dog tax, showing date, no., name of taxpayer, amount and purpose, school district, twp., treasurer's signature. Arr. chron. and numer. No index. Hdw. on printed form. 107 pp. 12 x 7 $\frac{1}{2}$ x $\frac{1}{2}$ to 8 x 9 x $\frac{1}{2}$. 16 vols., 1921-22, basement; 13 vols., 1922-28, office.

230. TREASURER'S TAX EXECUTION BOOK, 1887-1933. 12 vols. Missing: 1892, 1894-96, 1898, 1900, 1902-6, 1909, 1915-18, 1923-33. 1934-- in Treasurer's Duplicate, entry 226.

Record of delinquent taxes turned over to the sheriff for collection, showing no. 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. Also contains Special School Book, 1906-7, 1911, entry 216. Arr. alph. by name of taxpayer, under twp., 1887-1915; under school district, 1916--. No index. Hdw. on printed form. 200 double pp. 18 x 12 x 1 $\frac{1}{2}$. 5 vols., 1887-1907, basement; 3 vols., 1919-22, auditor's storage room; 4 vols., 1907-21, office.

For sheriff's parallel record, see entry 209.

231. (TAX EXECUTIONS), 1906-26. 48 vols. 1927-- in Tax Receipts, entry 227.

For abbreviations and explanatory notes see pages 15-16

Carbon copy of tax execution warrants issued by the treasurer to the sheriff for the collection of delinquent taxes. Arr. chron. No index. Hdw. on printed form. 125 pp. 16 x 22 x 1 to 16 x 13 x $1\frac{1}{2}$. 15 vols., 1908-26, basement; 33 vols., 1909-21, office.

232. (POLI TAX WARRANTS), 1906-17. 15 vols. Discontinued because execution on reverse of receipt serves in place of warrant.

Stubs of warrants issued by magistrate, with treasurer's complaint, for the arrest of those failing to pay poll tax as assessed on the tax duplicate. Arr. numer. by stub no. No index. Hdw. on printed form. 250 pp. 13 x 12 x 1. Basement.

For poll tax collections, see entries 234, 238 ix.

233. (TREASURER'S CASH), 1887-89. 1 vol. Abandoned.

Record of daily collection of taxes, showing date, no. of receipt, name of taxpayer, general state tax, penalty on state tax, poll tax, total receipts issued consecutively. Arr. chron. No index. Hdw. on printed ruled form. 480 pp. 18 x 12 x 2. Basement.

234. DAILY ABSTRACT OF PROPERTY AND POLL TAX COLLECTED, 1928-34. 1 vol. Abandoned 1934.

Abstract showing property and polls collected by school district each day of the month, showing district, property, polls, dogs, roads. Arr. chron. No index. Hdw. on printed ruled form. 95 pp. 14 x $23\frac{3}{4}$ x 1. Vault.

For other poll tax records, see entries 232, 238 ix.

235. MONTHLY ABSTRACT OF PROPERTY TAX, POLLS AND DOGS, ETC., 1927-34. 2 vols. Discontinued 1934. Title varies: S. E. Ledger.

Record of distribution, as by tax levy, of the total monthly tax collections, showing district no., property, levy, tax, special school levy, school bonds, polls, dogs, and remarks. Arr. chron. by months. No index. Hdw. on ruled form, 1927-28; hdw. on printed ruled form, 1928-34. 50 to 300 pp. 12 x 7 x $\frac{1}{2}$ to 13 x $10\frac{3}{4}$ x $1\frac{1}{2}$. Vault.

Bookkeeping Records

236. RECEIPT BOOK, 1916--. 4 vols. Missing: 1920-23.

Carbon copy of receipts given by treasurer for all miscellaneous collections other than taxes, showing no., date, received of, amount, what for, and treasurer's signature. Arr. numer. and chron. No index. Hdw. on printed form. 125 to 200 pp. 12 x 8 x 1. 1 vol., 1916-19, basement; 2 vols., 1924-34, vault; 1 vol., 1934--., office.

237. COUNTY TREASURER'S CASH BOOK, 1915--. 5 vols. Missing: 1893-1914. Tittle varies: Cash; Cash Book; Ledger.

Record of general cash account of treasurer for all funds in his custody (1915-18, county ordinary funds only), including state, county, and school funds, and showing with variations the date, from whom received, on what account, amount, date, no. of (bank) check, to whom paid, for what purpose, and amount; 1919-21, ledger accounts of school district bonds. Arr. chron under accounts. arr. numer. by no. of district. Indexed by name of district.

For abbreviations and explanatory notes see pages 15-16

Hdw. on printed ruled form, 1915-18, 1922--; hdw. on ruled form, 1919-21. 150 double pp. 14 x 9 x 1 to 16 x 11 x $1\frac{1}{2}$ 3 vols., 1919-23, office; 2 vols., 1923--, vault.

For school district bonds, see entries 238 x, 240.

238. GENERAL LEDGER, 1893--. 12 vols. Missing: 1897-99, 1902-5, 1909-16, 1920. Title varies: Journal; Cash Book; D. E. Ledger; Ledger.

Treasurer's ledger accounts of collections and disbursements, showing date, amount and purpose; among the various subjects included are:

- i. 1893-1908, abatement record, showing name of taxpayer, twp. no., amount, reason for abatement. See entry 218.
- ii. 1893-- , accounts of money borrowed on notes in advance of tax collections.
- iii. 1893-1908, collections of dispensary profits. See entry 252.
- iv. 1893-- , collections of fines, forfeitures, and fees. See entry 112.
- v. 1893-- , county bond issue accounts.
- vi. Register of Warrants Paid by Treasurer, 1917-30, July 1935-- , entry 239.
- vii. 1933-- , general accounts forfeited land commission. See p. 78.
- viii. 1933-- , general account South Carolina sinking fund commission.
- ix. 1893-1908, poll tax warrant list and collection account. See entries 232, 234.
- x. 1893-1930, July 1935-- , school bond issue accounts. See entries 237, 240. r.
- xi. School Ledger, 1893-1908, 1917-19, entry 240.
- xii. Minutes (county commissioners), 1925, entry 1.

Arr. by accounts. Table of contents, no index, 1893 - June 1907; no index, July 1907-8; indexed by name of account, 1917-35; table of contents, no index, 1935--. 137 to 400 pp. 12 x 8 x 1 to 18 x 12 x $2\frac{1}{2}$. 6 vols., 1893-1908, basement; 1 vol., 1896-97, supervisor's vault; 1 vol., 1917-19, office; 4 vols., 1921-- , vault.

239. REGISTER OF WARRANTS PAID BY TREASURER, 1930-35. 1 vol. and 3 rolls of loose-leaf sheets. 1917-30, July 1935-- in General Ledger, entry 238 vi.

Ledger of county ordinary accounts, showing of warrants paid, date, no., name, and amount. Arr. by accounts. Table of contents arr. alph. by name of account, no index. Hdw. on printed ruled form. 150 pp. 14 x 12 x 1. Vault.

240. SCHOOL LEDGER, 1916--. 5 vols. Missing: 1920 - June 1929. Title varies: Treasurer's Record of School Taxes by Districts; Day Book; Journal. 1893-1908, 1917-19 in General Ledger, entry 238 xi.

Record of school district expenditures and receipts, showing date, description, no., expenditures, receipts, balance; also, 1931-35, school district bond accounts, entry 238 x. Arr. by school district accounts, which are arr. numer. by school district no. Hdw. on printed ruled form, 1916- June 1917, 1935--; hdw. on ruled form, July 1929 - June 1935. 204 to 400 pp. 14 x 9 x 1 to 18 x 12 x $2\frac{1}{2}$. 1 vol., 1916-17, office; 4 vols., 1929-- , vault.

For supt. of education record, see entry 247; for bonds, see entry 237.

Forfeited Land Commission

241. SCHOOL SETTLEMENT BOOK, 1894-1929. 3 vols. Abandoned 1929.

Title varies: Record of School Taxes.

File book of paid school claims (warrants), showing date, no., payee, and amount, and 1894-99, 1908-25, amount under fund drawn on. Arr. chron. No index. Hdw. on printed ruled form. 200 to 574 pp. 16 x 11 x 1 to 19 x 13 x 2. 1 vol., 1894 - June 1908, basement; 2 vols., July 1908-29, office.

For superintendent's parallel record, see entry 246; for warrants, see entries 225, 245.

242. COUNTY SETTLEMENT BOOK, 1894-1930. 4 vols. Missing: 1862-93.

Abandoned 1931. Title varies: County Warrant Records; Record of County Taxes; County Claims.

File book of county warrants paid by treasurer, showing date, no. of warrant, payee, and amount. Arr. numer. by warrant no. No index. Hdw. on printed ruled form, 1894-1907, 1925-30; hdw. on ruled form, 1907-25. 308 pp. to 300 double pp. 16 x 7 x 2 to 18 x 12 x 2. 1 vol., 1894-1907, basement; 1 vol., 1907-17, auditor's storage room; 2 vols., 1917-30, office.

For cancelled warrants, see entry 225; for supervisor's record, see entry 16.

XXIII. FORFEITED LAND COMMISSION

In 1926 a forfeited land commission was provided for each county, to consist of the auditor, the treasurer, and the clerk of court; it took over the duties previously performed by the state sinking fund commission (Stat. 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. 920; 1929, p. 203; 1933, p. 212). These lands 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 (Code 2167).

As in most counties, no separate records are kept by this commission. Sales are in the sheriff's Sales, entry 208. Land titles are recorded with other deeds in Deed Book, entry 37. See also the accounts in General Ledger, entry 238, vii.

XXIV. SUPERINTENDENT OF EDUCATION

Private schools and academies afforded the sole opportunities for education until 1811, when a statewide system of free schools was provided, primarily for poor children, but every citizen was entitled to send his child or ward. From three to thirteen commissioners were named by the legislature for each election district for a term of three years. These school commissioners were authorized to locate the school, appoint and remove school master, and arrange the systems of instruction until a general system could be organized. (Stat. V, 639-41.)

For abbreviations and explanatory notes see pages 15-16

The Constitution of 1868 provided for a state superintendent of education, a county school commissioner elected by the people, and a system of special taxation for the support of schools (art. X, 1-3), the details of which were prescribed in a comprehensive act in 1870 (Stat. XIV, 343-46). The regulations for the county board of examiners for the certification of teachers were slightly altered by amendment in 1887 (Stat. XIX, 868-89).

Very full provision for public education was made in the Constitution of 1895 (art. XI, 1-12), and in 1896, the county school commissioner was replaced by the county superintendent of education, a statutory official elected for a four-year term (Stat. XXII, 156; Code 5308). He visits the schools of the county and makes suggestions for improvements (Code 5310) but his primary function is to administer the financial affairs of the schools. He serves as clerk and chairman of the county board of education (Code 5349), the two other members of which are appointed by the state board of education (Code 5335) to act with him as advisor and to settle controversies that may arise in school districts about school matters (Code 5348). The board also divides the county into school districts (Code 5350) and appoints the district trustees (Code 5369) where no other method is prescribed by statute.

In 1872 provision was made for a uniform system of school records (Stat. XV, 186; Code 5276). In 1892, the county school commissioner was required to keep a General Cash Account of school funds (Stat. XXI, 79), an important record which appears to have been superseded by the Superintendent's Ledger, made up on a form printed as a uniform series for the state, showing receipts and disbursements of school funds (1919, Stat. XXXI, 65; Code 5276). Other standard requirements are a record of school district bonds (1924, Stat. XXXIII, 998; Code 5311); a record of the names, addresses, age, sex, color and date of certificate of all teachers and applicants for teacher's certificates (1896, Stat. XXII, 161; Code 5349); and a record of pupils enrolled in the district schools, as well as all transfers (1896, Stat. XXII, 166; 1929, XXXVI, 69; Code 5372-73). On the first day of every month the superintendent files with the trustees of each school district a statement showing the amount of money on hand to the credit of the districts, and it is unlawful for the county commissioners to issue salary vouchers to the treasurer and the superintendent of education unless this provision is carried out, (Acts 1927, p. 434). The superintendent of education submits an annual report to the grand jury of all claims filed, audited and paid, and he keeps a register for these (1896, Stat. XXII, 158; Code 5321). At the end of each school year he files a standardized annual report with the state superintendent of education, giving a complete statistical record of all schools in the county (1896, Stat. XXII, 150; 1913, XXVIII, 191; Code 5274, 5378).

Minutes and Reports

243. RECORD CO(UNTY) B(OAR)D OF EDUCATION (Minutes), 1907--. 2 vols. Missing: 1914-20. 1894-1906 in County Superintendent's Ledger, entry 247.

Minutes of county board of education. Arr. chron. No index. Hdw. 100

For abbreviations and explanatory notes see pages 15-16

pp. 10 x 8 x $\frac{1}{2}$. 1 vol., 1907-13, basement; 1 vol., 1921--., office.

244. (ANNUAL REPORT), 1931--. 6 vols.

Copy of annual report of county superintendent to state superintendent of education, on enrollment, attendance, property, and finances of all county schools. Arr. by topics. No index. Hdw. on printed ruled form. 50 double pp. $9\frac{1}{2}$ x 15 x $\frac{1}{2}$. Office.

Financial Records

245. CLAIMS (school warrants), 1936--. 1 box.

Duplicate school claims approved by district trustees and county superintendent of education for materials and services. Arr. chron. under districts. Hdw. on printed form. 12 x 6 x 10. Office.

For cancelled warrants, see entry 225; for treasurer's record, see entry 241.

246. RECORD SCHOOL TAXES, 1901--. 2 vols. Missing: 1896-1900; unrecorded, 1925--. Title varies: S. E. Ledger. 1902-7 in Superintendent's Ledger, entry 247.

Register of claims approved, showing date of claims, date of approval, no. of claim, no. of district, name of payee, amount; 1909, 1913, inventory of school books turned over to successors. Arr. chron. No index. Hdw. on ruled form, 1901-2; hdw. on printed ruled form, 1908-25. 100 pp. to 200 double pp. 16 x 8 x $\frac{1}{4}$ to 19 x 15 x 3. Basement.

For treasurer's parallel record, see entry 241.

247. COUNTY SUPERINTENDENT'S LEDGER, 1870--. 33 vols. Missing: 1873-74, 1881-83, 1889-97, 1906-7, 1908-9. Title varies: School Ledger; Ledger; School Record.

Record of claims approved by school commissioner (later superintendent of education), and record of receipts from the apportionment of school funds and other sources, showing on a variety of forms, date, description, no., page, and amount of all receipts and disbursements; 1935--., school bond accounts, lists of trustees and teachers, newspaper clippings, and miscellaneous information. Also contains Minutes, 1894-1906, entry 243; Record School Taxes, 1902-7, entry 246. Arr. by accounts, which are arr. numer. by school district no. Hdw. on ruled form, 1870-80, 1898-1900; hdw. on printed ruled form, 1884--. 64 to 600 pp. 13 x 9 x $1\frac{1}{4}$ to 20 x 20 x 2. 27 vols., 1870-1930, basement; 6 vols., 1924-25, 1930--., office.

For treasurer's school ledger, see entry 240.

248. (DISTRIBUTION OF SCHOOL FUNDS), 1932--. 1 vol. Missing: 1928-32.

Carbon copy of superintendent's apportionment of school funds (reported to him by treasurer on monthly report of tax collections and expenditures), showing amount to be credited to each district from school tax levies. Arr. chron. No index. Hdw. on printed form. 200 pp. 12 x 8 x $1\frac{1}{4}$. Office.

For abbreviations and explanatory notes see pages 15-16

Miscellaneous

249. TEACHERS REGISTER, 1914--. 2 vols. Missing: 1895-1913. 1894 in District School Census, entry 250.

Register of teachers' certificates, showing name, age, sex and race of teacher, no. of certificate, class, grade, date of issue, basis of issue, date of renewal. Arr. chron., 1914-26; arr. alph. by name of teacher, 1927--. No index. Hdw. on ruled form, 1914-26; hdw. on printed ruled form, 1927--. 300 to 600 pp. 14 x 10 x 1 to 18 x 12 x 2 1/2. Office.

250. DISTRICT SCHOOL CENSUS, approx. 1877, 1894. 1 vol.

List of 630 school children between ages of 6 and 16 inclusive, living in Calhoun Township, no. 15, showing names, race and sex. Also contains Teachers Register, 1894, entry 249. Arr. alph. by name of child, 1877; arr. under district nos., which are arr. numer., 1894. Hdw. on printed ruled form. 200 pp. (35 used) 11 x 6 x 1. Basement.

251. SCHOOL TRUSTEES RECORD, 1874-94. 4 vols. Abandoned.

Record of trustees' oath, warrants issued, teachers' accounts, names of teachers and trustees, and trustees' minutes. Records are from school districts as follows:

Volumes	Township	Dates	Location
1	Donalds, no. 4	1890-94	basement
1	Abbeville, no. 11	1874-76	"
1	Lowndesville, no. 16	1877-78, 1883-84	"
1	Unknown	1889-94	"

Arr. by sections. No index. Hdw. on printed form. 200 pp. 11 x 9 x 1. Basement.

XXV. 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). It conducts the registration of qualified voters, those who are denied registration having a right to appeal to the courts (1896, Stat. XXVII, 38; Code 2273). The board keeps two copies of an enrollment book 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

For abbreviations and explanatory notes see pages 15-16

Commissioners of Election

election, to be returned to the board of registration after the election (1896, Stat. XXII, 44; Code 2286). The board also has a separate list of persons who were registered prior to January 1, 1898, who are eligible for life regardless of present day educational requirements (Const. 1895, art II, 4 (c); 1896, Stat. XXII, 36; Code 2271). By law all records and books are deposited with the clerk of court for safekeeping (1896, Stat. XXII, 44) as public records, open to inspection at all times (Const. 1895, art. II, 8) and removable solely by the board, for so long as may be necessary for performance of duties (Code 2285).

For Registration Books, see entries 85 and 86.

XXVI. COMMISSIONERS OF ELECTION

Commissioners of election date from 1868, after two centuries of evolution from the first election held in South Carolina.

Patrick Calhoun of Long Canes was elected to the general assembly in 1769 (supra, p. 4), but the election of December 1774 for delegates to the first provincial congress was the first election that really included the people of Ninety Six District. The Constitution of 1776 (art. XI), of 1778 (art. XIII), and of 1790 (art. I), named the election districts of the state. Where churches did not exist and there were no church wardens to hold elections, the general assembly appointed managers of elections, who, as the immediate predecessors of the commissioners, passed upon the qualifications of voters, held elections, and made the returns, until after the Civil War.

In 1868 the governor was authorized to appoint three commissioners of election for each county. This board appointed for each precinct three managers, who had charge of the registration of voters and the conduct of the election. After the election the commissioners became a county board of canvassers that decided all protests. (Stat. XIV, 136-43.) In 1878 two sets of commissioners were provided, one for state, district, and county elections, and the other for presidential electors and members of congress (Stat. XVI, 632-33). When the office of supervisor of registration was created in 1882, the duty of registering voters was taken from the managers (Stat. XVII, 1111-15). In 1896 the election law was rewritten without essential change as to commissioners of elections (Stat. XXII, 29-48). After an election each commission, as a county board of canvassers, prepares a statement of each protest as well as the total vote for each candidate, which must be filed in the office of the clerk of court. Signed copies are also sent to the governor, to the state board of canvassers and to the secretary of state, by mail and by express. (1882, Stat. XVII, 1119; Code 2310-15.)

The county board of commissioners audits and pays the expenses of the election (1882, Stat. XVII, 1100; Code 2316).

For abbreviations and explanatory notes see pages 15-16

For records, see entry 84.

XXVII. COUNTY BOARD OF CONTROL (defunct)

The state dispensary system for the control of the alcoholic liquor traffic went into operation on July 1, 1893. A state board of control appointed county boards of control of three members each, which met monthly in the office of the county board of commissioners, and provided for the location of dispensaries for the sale of intoxicants. The clerk of the county board of commissioners, as clerk of the board of control, kept records of petitions and permits. (1892, Stat. XXI, 62-76.) In 1894 the county supervisor was made ex officio a member of the county board of control (ibid. p. 725). He was relieved of membership in 1896, but his office continued to be the place of meeting (Stat. XXII, 127, 130). In 1900 a revision of the law provided for appointment of the county board by the state board on approval of the legislative delegation (Stat. XXIII, 440).

The state dispensary was abolished in 1907 but local dispensaries were allowed by local option under county dispensary boards in the counties voting for their continuance (Stat. XXV, 465-81). An act of 1908 provided for the distribution of Abbeville dispensary profits from sales of alcoholic liquors, one-third to go to the county, one-third to the city, and one-third to public schools (ibid., p. 995). The following year Abbeville County abolished the dispensary by local option and disposed of its assets under the law for statewide prohibition (Stat. XXVI, 423-25).

252. (DISPENSARY REPORTS), May 1907 - Nov. 1908. 1 vol. Record of expenses and breakage of Abbeville Dispensary, showing date, description, amount of each, in dollars until Oct. 1908; Oct. - Nov. 1908 inventory only. Arr. chron. No index. Hdw. on printed form. 152 pp. (22 used) 14 x 14 x 1. Basement

For treasurer's dispensary record, see entry 238 iii.

XXVIII. BOARD OF HONOR (inactive)

In 1866 the provisional state government made the first attempt to aid disabled Confederate veterans by an appropriation of \$20,000 for artificial legs (Stat. XIII, 401), but the Republican government which immediately followed was not friendly to the idea,

The first state pension act, passed in 1887 (Stat. XIX, 826), required the clerk of court to keep a record of applications and the state comptroller general to make payments. The next year a county examining board

For abbreviations and explanatory notes see pages 15-16

Service Officer

was created (Stat. XX, 26).

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). This was put into effect in 1896 (Stat. XXII, 185); and until 1918 the pensions were paid by the comptroller general through the clerk of court. A reorganization in 1919 made the judge of probate secretary of the county pension board, charged with the duty of paying pensions, and keeping the records in his office (Stat. XXII, 277). In 1923, faithful negroes who had served the Confederacy became eligible for a small pension (Stat. XXXIII, 107).

Under the law of 1929, a board of honor was created for each county, to consist of three Confederate veterans, with the judge of probate as clerk (Stat. XXXVI, 177). 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. In 1937 the state comptroller general resumed the duty of paying Confederate pensions (Stat. XL, 639).

For records, see entries 81, 82.

XXIX. SERVICE OFFICER

In 1927 the state of South Carolina created a service bureau to assist ex-service men in securing benefits to which they were eligible under federal legislation and under the terms of federal insurance policies (Stat. XXXV, 158; Code 2967). Beginning in 1931, several counties made provision for county service officers in cooperation with the American Legion. The supply act of Abbeville County of that year carried an appropriation for stenographic work under the direction of the service officer (Stat. XXXVII, 468). At present the judge of probate is the county service officer. He is elected by the Abbeville post of the American Legion. The clerk of the judge of probate, by law, serves as clerk to the American Legion, the stamps and stationery being supplied by the county (Acts 1937, p. 714).

253. (CASE FILE), 1925--. 1 file drawer. Correspondence, commitments, applications, discharges, and all papers concerned with the applications for pension, compensation, hospitalization, and other matters for veterans of United States military service and their dependants. Arr. alph. by name of veteran. No index. Typed, and typed on printed form. 12 x 16 x 27. Judge of probate, vault.

For abbreviations and explanatory notes see pages 15-16

XXX. 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 1935, Abbeville, Laurens and Union were united to form a health district. Abbeville and Laurens now have a health unit which functions under the bureau of rural sanitation, and is financed from state and federal funds, but receives aid from the county. ("Fifty-seventh Annual Report of the State Board of Health" in Reports of Officers, Boards and Committees, 1936, II, 7, 94.) The district employs a full-time sanitation officer, and a physician as health officer. The Abbeville office has two nurses and a clerk. Records are kept on cards filed in the office in the Municipal Building. They belong to the state board of health rather than to the county, and form the basis of reports of the office to the state board, which incorporates them in the annual report to the legislature.

Correspondence and Reports

254. LETTERS, REPORTS, 1935--. 1 file drawer.
Correspondence and reports of varied nature, also cards of clinical immunizations, showing name of patient and date of treatment. Arr. alph. under topics. No index. Hdw., typed, hdw. and typed on printed form. 14 x 16 x 30. Office.

255. LABORATORY TESTS, 1936--. 1 file drawer.
Reports of state laboratory on samples of all kinds taken at clinics or elsewhere for analysis in the detection of syphilis and other diseases. Arr. alph. by name of patient. No index. Hdw. and typed on printed form. 10 x 6 x 10. Office.

256. SANITARY INSPECTIONS, 1937--. 1 file drawer.
Various reports, correspondence, reports of inspections, file of food handlers' permits issued by inspector, water analysis of the state laboratory made for the sanitary inspector. Arr. chron. under topics. No index. Hdw., typed, hdw. and typed on printed form. 14 x 16 x 30. Office.

Examinations

257. CRIPPLED CHILDREN AND TUBERCULOSIS, 1936--. 1 file drawer.
Record of treatment and clinical examinations of crippled children; of examinations of tubercular patients and suspects by x-ray or otherwise. Arr. alph. under topics. No index. Hdw., and hdw. on printed form. 14 x 16 x 30. Office.

258. SCHOOL INSPECTIONS, 1936--. 2 file drawers.
Record of physical inspections made of school children in rural and urban areas. Arr. alph. under name of school. No index. Hdw. on printed form. 10 x 6 x 10. Office.

For abbreviations and explanatory notes see pages 15-16

Hospital

Maternal and Child Health

259. M. C. H. DIVISION (Maternal-Child Health), 1936--. 1 file drawer.

Report and record of examinations made at prenatal and well-baby clinics. Arr. alph. by name of patient under clinic. No index. Hdw. on printed form. 14 x 16 x 30. Office.

260. MIDWIFE CERTIFICATES, 1936--. 1 file drawer.

Card record of licensed midwives, showing training, physical examinations, and equipment. Arr. alph. by name of midwife. Hdw. on printed form. 10 x 6 x 10. Office.

XXXI. HOSPITAL

Abbeville County Memorial Hospital originated in 1920, when it was chartered as a memorial to World War veterans. The following year the county supply act carried an appropriation for charity patients' expenses there. By the supply act of 1928, the county auditor was authorized to levy a one mill tax for support of the hospital (Acts, p. 1422). A board of three trustees was created by special act of 1928, one elected by Abbeville city council, one by the legislative delegation, and one by the county medical association; they now serve a term of six years (Acts 1928, p. 1707) By a referendum, the hospital was deeded to these trustees, and an annual county appropriation is made for its maintenance (ibid.; Acts 1937, p. 716).

The hospital was burned in 1930, but all records except the radiographs were saved. The present building is 50% fireproof. The county appropriation is supplemented by the Duke Foundation, which audits and approves the financial records. The American College of Surgeons prescribes the clinical records system. All records are in the hospital, except the minutes.

261. (MINUTES), 1928--. 1 vol.

Minutes of the board of trustees with audits and similar papers. Arr. chron. No index. Typed. 150 pp. 12 x 8 x 1/2. Home of Rev. G. M. Felford.

262. STATISTICS CARDS, 1920--. 8 file drawers.

Record of persons admitted, covering all phases and showing brief information about patient, financial arrangements, diagnosis, operations, results, record of finances, showing amount charged and paid on various expenses. Arr. alph. by name of patient. No index. Hdw. on printed form. 10 x 7 x 15. 7 file drawers, 1920-36, storage room; 1 file drawer, 1937--, superintendent's office.

263. (NURSES RECORD), 1920--. 12 file drawers.

Daily record of patient's treatment, including any and all phases of treat-

For abbreviations and explanatory notes see pages 15-16

Farm Demonstration Agent

ments, such as examination, temperature, and operation. Arr. alph. by name of patient. 1 plg. to a patient. No index. Hdw. on printed form. 8 file drawers, 1920-34, storage room; 4 file drawers, 1935--, superintendent's office.

264. (FILM FILE), 1931--. 1 file drawer. 1920-30, destroyed in fire.

Positive and negative films from radiographs (x-ray photographs). Arr. chron. Indexed by name of patient. 14 x 17 x 30. X-ray room.

265. CASH BOOK, 1920--. 12 vols.

Record of all receipts and disbursements of the hospital, showing date, description, amount of all receipts and disbursements. Arr. chron. No index. Hdw. on ruled form. 200 pp. 14 x 9 x 1. 11 vols., 1920-36, storage room; 1 vol., 1937--, superintendent's office.

XXXII. FARM DEMONSTRATION AGENT

The county farm demonstration agent is more closely connected with the United States Department of Agriculture than with county government. Beginning in 1914, the federal government has appropriated money for agricultural education and demonstration outside of colleges, on condition that it be supplemented by local and state funds (U. S. Stat. Vol. 38, part 1, pp. 372-74). This work is handled by the land grant colleges. There is a county farm agent for each county of the state. They are appointed by and are under the supervision of the director of the Clemson Extension Service, who is also a representative of the United States Department of Agriculture ("Annual Report of Board of Trustees of the Clemson Agricultural College 1936", pp. 8-9, 19-20, in Reports of State Officers Boards and Committees 1937). The agent is paid from federal and state funds, though the counties sometimes make appropriations for special purposes, as for rent or for a clerk.

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 their offices, and they have handled production contracts and benefit checks. The records found in the office consist of correspondence, copies of reports to extension director, triplicates of various forms of the United States Department of Agriculture, showing statistical information about each farm, and the original work sheets admeasurements. Though administrative records are not necessary, a few are kept.

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

For abbreviations and explanatory notes see pages 15-16

XXXIII. HOME DEMONSTRATION AGENT

The counterpart of the farm demonstration agent is the home demonstration agent. There is one for each county, paid partly by the state and partly by federal funds under an act of 1914 (U. S. Stat. Vol. 38, part 1, pp. 372-74). The agent is appointed by and is under the supervision of Winthrop College, although the federal funds are obtained from the United States Department of Agriculture through Clemson College. The duties are concerned largely with organizational and informative work. The records consist mostly of correspondence and copies of reports to the director. There are also some records relating to clubs.

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

XXXIV. COOPERATIVE SOIL CONSERVATION ASSOCIATION BOARD

In 1935 as a part of the agricultural extension work, soil conservation associations were begun in South Carolina (Acts 1935, pp. 913-15).

In Abbeville this board was created in 1937, to consist of five members selected from the county cooperative soil conservation association for a term of one year. It is the duty of the board to promote control of soil erosion, and to foster such farm practices as will tend to improve farm lands. The board elects a treasurer who keeps its books and accounts, and is bonded. As the program of terracing is directed by the board, it purchases heavy duty machinery and makes contracts with the members of the association for its use. When the work is completed and the cost of equipment is self-liquidated, the board will deliver all machinery and funds to the county supervisor for general county work. (Stat. XL, 50-51.)

The records of this board have not been located.

For abbreviations and explanatory notes see pages 15-16

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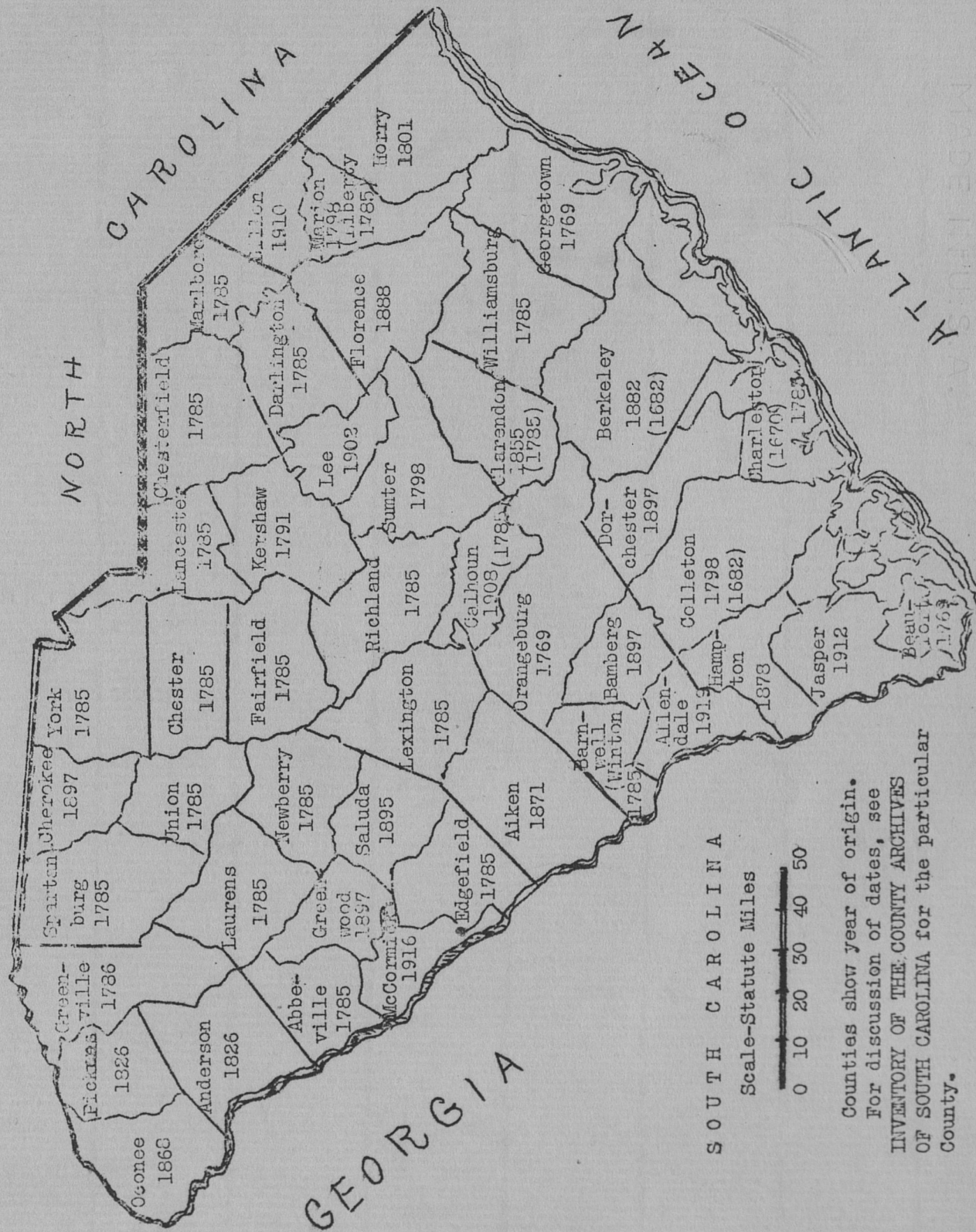
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SOUTH CAROLINA
 Scale-Statute Miles
 0 10 20 30 40 50

Counties show year of origin.
 For discussion of dates, see
 INVENTORY OF THE COUNTY ARCHIVES
 OF SOUTH CAROLINA for the particular
 County.

