

Columbia, South Carolina
January 31, 1950

The Budget Commission met in the Governor's office at 3:30 P. M. on January 31, 1950. All members of the Commission were present and the meeting was also attended by members of the Tax Commission, the State Treasurer and the Comptroller General.

The purpose of this meeting was to consider a revised estimate of revenue for the year 1949-50, which had been prepared by the State Auditor and the Tax Commission, and which indicated a probable deficit at the end of the year of \$3,617,509.16, after allowing for appropriation lapses.

There was considerable discussion of the matter in view of the mandatory provision that the Budget Commission should reduce current appropriations in such a situation, to avoid a General Fund deficit.

It was finally agreed by the Budget Commission, that, since the General Assembly was in session, the matter should be presented to it, with the request that Legislative action be taken to correct the condition, or that the Budget Commission be advised of the wishes of the General Assembly as to a reduction of appropriations by the Budget Commission.

The following communication was therefore prepared, to be presented to both Houses of the General Assembly on Thursday, February 2.

Senate Journal No. 15 - Attached

The Commission then adjourned.

No. 15

JOURNAL
OF THE
SENATE
OF THE
State of South Carolina

Regular Session Beginning Tuesday, January 10, 1950

Thursday, February 2, 1950

The Senate assembled at 11:00 a. m., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present the proceedings were opened with prayer by the Chaplain.

With unanimous consent the reading of yesterday's Journal was dispensed with.

The PRESIDENT called for Motions, Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

Mr. President and Gentlemen of the Senate:

I am transmitting herewith an appointment for confirmation. This appointment is made "with the advice and consent of the Senate", and is therefore sent to you for your consideration.

Respectfully submitted,

J. STROM THURMOND, *Governor.*

February 2, 1950.

COLLETON COUNTY

Magistrate

(Term Ending February 2, 1952)

Mr. G. R. Thompson, Magistrate, Walterboro, R. F. D.; *vice*, Mr. Dan Hawkins (deceased).

Received as information.

704

COMMUNICATION FROM THE BUDGET COMMISSION
STATE OF SOUTH CAROLINA

Columbia

Mr. President and Gentlemen of the Senate:

At the 1949 Session of the General Assembly, when appropriations for the present year were finally passed and approved, revenue estimates of the State Auditor and of the State Tax Commission indicated that the revenue yield for this year would be sufficient to cover total appropriations.

The Budget Commission has been closely observing collections by the Tax Commission and other collecting agencies since the beginning of the current year. For the first five months of the year revenues actually collected were only slightly below the estimate on which appropriations were based, and there was still the possibility of a balanced budget. Collections through January, however, and a further survey of the revenue prospects for the remainder of the year now indicate, without doubt, that the estimates were higher than the actual yield for the year will be.

In view of these circumstances, the State Auditor and the Tax Commission have prepared a revised estimate of the revenue for the year. The revised estimate indicates that the total General Fund Revenue available to meet appropriations for the current year will be \$68,901,557.67.

Based on this revised estimate, collections for the year will be short of appropriations by the sum of \$5,117,509.16, plus the amount of any deficiency appropriations for the year at this session of the General Assembly. It is estimated that approximately \$1,500,000.00 of present appropriations will lapse at the end of the current fiscal year. This will leave a net operating deficit of about \$3,617,000.00.

If the General Assembly were not in session, the Budget Commission would have no alternative but to order a reduction of current appropriations by a sufficient percentage to cover the revenue shortage. Since the Legislature is in session, however, it is appropriate that this important matter be brought to the attention of your Honorable Body, with the request that some action be taken to correct the situation.

Three courses of action are open to the General Assembly:

(1) Additional revenue can be provided. If measures to produce additional revenue are enacted early enough at this session, the shortage can be met in this manner.

(2) The General Assembly can authorize the use of the General Fund Surplus of \$3,922,000.00 on hand at the beginning of the present fiscal year to supplement current operating revenues. This may be done by a Concurrent Resolution.

(3) The General Assembly can express its desire that the Budget Commission order a uniform reduction in appropriations to bring them within the revenue yield of the current year. This may be done by a Concurrent Resolution requesting the Budget Commission to take such action.

It is believed that the General Assembly should be advised that the reduction of appropriations by the Budget Commission must, under the terms of Section 89 of the current Appropriations Act, be uniform and apply to every appropriation item. It will, therefore, apply to salaries for which appropriations are made, as well as to all other appropriation items. If this latter course is pursued, it is felt that considerable hardship will be experienced by all employees of the State, including its teachers, as well as every State institution and department. To cover the anticipated shortage of funds, a reduction of 7% of the original appropriations, or 12% of appropriation balances as of February 1, 1950 will be necessary.

Our State now occupies an enviable position in financial circles. This position can be maintained only by operating on a balanced budget. Therefore, the Budget Commission desires to emphasize to your Honorable Body the extreme urgency of action upon this matter with the least possible delay, and awaits your advices.

Respectfully submitted,

THE BUDGET COMMISSION,
J. STROM THURMOND,
Governor,
EDGAR A. BROWN,
Chairman, Senate Finance Com.
CHARLES A. PLOWDEN,
Chairman, Ways and Means Com.

Schedule of Revised Revenue
Estimate attached.

REVISED
GENERAL FUND REVENUE ESTIMATE
FISCAL YEAR 1949-50
January 31, 1950

<i>Source</i>	<i>Amount</i>
Admissions Tax	\$ 400,000.00
Alcoholic Liquors Tax	10,250,000.00

<i>Source</i>	<i>Amount</i>
Aviation Gasoline Tax	80,000.00
Bank Tax	275,000.00
Beer and Wine Tax	5,000,000.00
Business License Tax	5,750,000.00
Coin-Operated Device Tax	225,000.00
Contractors' Tax	100,000.00
Corporation License Fees	2,000,000.00
Department Supported Appropriations	28,035.00
Documentary Tax	625,000.00
Electric Power Tax	1,800,000.00
Gasoline Tax—Counties	3,800,000.00
Income Tax	25,000,000.00
Inheritance Tax	350,000.00
Miscellaneous Departmental Fees	125,000.00
Motor Transport Fees	550,000.00
Privilege Fertilizer Tax	250,000.00
Public Recreation Tax	30,000.00
Retail Stores Tax	150,000.00
Soft Drink Tax	4,500,000.00
Workmen's Compensation Tax	350,000.00
Department of Agriculture	900,000.00
Board of Bank Control	25,000.00
State Electrician	155,000.00
Board of Fisheries	55,000.00
Board of Health	15,000.00
Forestry Commission	160,000.00
Game Department	500,000.00
Insurance Department	2,300,000.00
Secretary of State	65,000.00
The Citadel	350,000.00
Clemson College	550,000.00
State Colored College	135,000.00
Medical College	120,000.00
University of South Carolina	700,000.00
Winthrop College	150,000.00
School for the Deaf and the Blind	5,000.00
John de la Howe School	3,000.00
Area Trade Schools	160,000.00
Ashwood Vocational Schools	10,000.00
Opportunity School	40,000.00

<i>Source</i>	<i>Amount</i>
State Hospital	100,000.00
Industrial School for Boys	4,000.00
Industrial School for Girls	1,000.00
John G. Richards Industrial School	15,000.00
S. C. Penitentiary	350,000.00
S. C. Sanatorium	40,000.00
State Training School	10,000.00
Public Service Assessment	145,522.67
S. C. Public Service Authority	200,000.00

Total General Fund Revenue \$ 68,901,557.67

Appropriation 1949-50 \$ 74,019,066.83

Revenue (Estimated) 68,901,557.67

Indicated Deficit 5,117,509.16

Less: Appropriation Lapses 1,500,000.00

Net Operating Deficit 3,617,509.16

Received as information.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 437.—Mr. KEARSE: A Bill to authorize the City Council of the City of Bamberg to levy and collect annually an additional tax of two mills, the proceeds of which shall be used to build a city jail.

Read the first time and ordered placed on the Calendar without reference.

S. 438.—Mr. CANTWELL: A Bill to amend Act No. 502 of the Acts and Joint Resolutions of the General Assembly, 1944, entitled "An Act to provide for the appointment of a county board of education for Williamsburg County, prescribing its duties and powers; to provide for the funding and payment of bonded indebtedness in all school districts of said county; to provide funds necessary for the operating costs of the schools in said district by county wide levy; to provide for the operation of the schools in said county under a county wide budget; to provide for the transportation of pupils in said schools in said districts," as amended, so as to provide that

the county superintendent of education of Williamsburg County shall be a member of the Williamsburg County Board of Education.

Read the first time and ordered placed on the Calendar without reference.

S. 439.—SOCIAL SECURITY COMMITTEE: A Bill to amend Section 7035-87 (c) (1) (3) (1), Code of Laws of South Carolina, 1942, of the South Carolina Unemployment Compensation Law, so as to further provide for benefits and contributions paid under said law.

Read the first time and ordered placed on the Calendar without reference.

S. 440.—SOCIAL SECURITY COMMITTEE: A Bill to amend Section 7035-87 (c) (1), Code of Laws of South Carolina, 1942, of the South Carolina Unemployment Compensation Law, as amended by Act 310 of the Acts of the General Assembly of South Carolina, 1949, approved June 18, 1949, so as to further provide for benefits and contributions paid under said law.

Read the first time and ordered placed on the Calendar without reference.

S. 441.—Messrs. GASQUE, McLEOD, O. T. WALLACE, MOZINGO, WILSON and BASKIN: A Bill to amend the South Carolina Workmen's Compensation Law, Section 7035-76, Code of Laws of South Carolina, 1942, relating to the regulation of Workmen's Compensation Insurance rates and the collecting of the premium taxes thereon, so as to authorize the South Carolina Industrial Commission to establish, operate and maintain a division of safety; to provide for its organization and personnel, and to provide that the cost of said division shall be paid from the premium tax collected by the South Carolina Insurance Commissioner on Workmen's Compensation Insurance.

Read the first time and ordered placed on the Calendar without reference.

H. 1381.—Agriculture Committee: A Bill to authorize the erection, construction and equipping of an Animal Science Building at Clemson College and to appropriate money to pay the cost thereof.

Read the first time and referred to the Committee on Finance.

H. 1998.—Lexington County Delegation: A Bill to amend Section 5622, Code of Laws of South Carolina, 1942, relating to the Lexington County Board of Education and the appointment of members so as to provide that the Board shall consist of nine members and prescribe the method of appointment.

Read the first time and ordered placed on the Calendar without reference.

H. 2030.—Messrs. Sloan and Haskell: A Joint Resolution to amend Article X of the Constitution of this state relating to finance and taxation by providing that the town of Forest Acres, in Richland County, may levy an assessment upon abutting property for permanent improvements on streets and sidewalks.

Read the first time and referred to the Committee on Judiciary.

H. 2056.—Richland County Delegation: A Bill to provide for a special election in Richland County on March 14, 1950, upon the question of consolidating present school districts of said county into six new school districts and of approving school tax levies therein, also the method of providing trustees therefor.

Read the first time and ordered placed on the Calendar without reference.

H. 2065.—Messrs. Spivey, Snow, Hollings, and Horger: A Concurrent Resolution to fix a time for a session of the Joint Assembly to elect two members to the Board of Visitors of The Citadel.

Be it resolved by the House of Representatives, the Senate concurring:

That the Senate and House of Representatives meet in Joint Assembly in the halls of the House of Representatives at 12 o'clock noon on Wednesday, February 8, 1950, for the purpose of electing a member of the Board of Visitors of The Citadel to succeed the Honorable W. W. Wannamaker at the expiration of his term, and for the purpose of electing a member of the Board of Visitors of The Citadel to succeed the Honorable John P. Thomas.

On immediate consideration, the Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Mr. PRUITT, from the Committee on Education, submitted a favorable report on appointment by the Governor for confirmation by the Senate:

Members, State Board of Education

Mr. R. D. Schroder, Member (reappointed), 123 Ashley Ave., Charleston, S. C. (First Congressional District).

Mr. E. R. Crow, Member (reappointed), Sumter, S. C. (Second Congressional District).

Mr. C. M. Lockwood, Member (reappointed), Lancaster, S. C. (Fifth Congressional District).

Ordered for consideration tomorrow.

ORDERED ENROLLED FOR RATIFICATION

The following having received three readings in both Houses, it was ordered that the titles thereof be changed to that of Acts and the same enrolled for ratification:

H. 2023.—Dillon County Delegation: A Bill to change the fiscal year of Dillon County.

H. 2006.—Bamberg County Delegation: A Bill to authorize the issuance and sale by the Trustees of Ehrhardt School District No. 22 of Bamberg County, the State of South Carolina, of not exceeding Twenty-two Thousand (\$22,000.00) Dollars of coupon bonds of said school district, the proceeds thereof to be used to erect and equip a gymnasium and lunchroom and for other school facilities for said District, and to provide a tax levy for the payment thereof.

HOUSE BILL RETURNED

The following House Bill was read the third time, passed and ordered returned to the House with amendments:

H. 2010.—Horry County Delegation: A Bill authorizing the purchase of radio equipment for the sheriff's department of Horry County and providing funds therefor.

SECOND READING BILLS

The following Bills having been read the second time were passed and ordered to a third reading with notice of general amendments:

S. 433.—Mr. Smith: A Bill to amend Section 4 of an act entitled "An Act to provide for the levy of taxes for Lexington County from July 1, 1949, through June 30, 1950, and to provide and direct the expenditure thereof"; being Act 577 of the Acts and Joint Resolutions of 1949 so as to provide for the transfer of Airport funds of Lexington County to the miscellaneous contingent fund.

H. 2032.—Jasper County Delegation: A Bill to amend Section 1 of Act No. 49 of the Acts and Joint Resolutions of the General Assembly, 1945, entitled "An Act to repeal Section 5606-1, Code of Laws of South Carolina, 1942, relating to the County Board of Education of Jasper County; to declare at an end the terms of the two appointive members thereof, to otherwise provide for the designation of the members of said board, and to declare vacant the offices of all school trustees in Jasper County, and to provide for the appointment of their successors", so as to increase the membership of the County Board of Education of Jasper County from three members to five members, and to designate the terms of said members.

H. 2040.—Abbeville County Delegation: A Bill to authorize the County Board of Commissioners of Abbeville County to issue general obligation bonds of said county in a sum not exceeding Three Hundred Thousand (\$300,000.00) Dollars, whose proceeds shall be expended to defray the cost of constructing and improving county roads in said county, to prescribe the conditions under which said bonds may be issued, and to provide for their payment.

H. 2042.—Oconee County Delegation: A Bill to validate the consolidation of certain school districts in Oconee County so as to form Long Creek School District No. 57 and empower the Board of Trustees of such consolidated district to issue Twelve Thousand Eight Hundred (\$12,800.00) Dollars of general obligation bonds of the district the proceeds of which shall be used to purchase a site and erect a school building in the district and to provide a tax for the retirement of the principal and interest of such bonds.

H. 2043.—Oconee County Delegation: A Bill to authorize and empower the Board of Trustees of Long Creek School District No. 57 in Oconee County to borrow money for school purposes and to provide a tax for the retirement of any such loan.

H. 2045.—Berkeley County Delegation: A Joint Resolution authorizing the County Supervisor of Berkeley County to enter into an agreement with parties for the beautification of grounds around the county courthouse.

H. 2047.—Richland County Delegation: A Bill to authorize and empower the trustees of St. Andrews School District Number 27, Richland County, and the County Treasurer of Richland County to borrow a sum of money not exceeding Two Thousand (\$2,000.00) Dollars and to provide a tax levy for the payment thereof.

H. 2048.—Richland County Delegation: A Bill to authorize and empower the trustees of Hopkins School District Number 6, Richland County, and the County Treasurer of Richland County to borrow a sum of money not exceeding Four Thousand (\$4,000.00) Dollars, and to provide a tax levy for the payment thereof.

H. 2049.—Richland County Delegation: A Bill to authorize the trustees of Dutch Fork School District Number 29, Richland County, to borrow a sum of money not exceeding Two Thousand (\$2,000.00) Dollars and to provide for the levy of a tax to retire said loan.

H. 2050.—Richland County Delegation: A Bill to authorize and empower the trustees of Union Chapel School District Number 13, Richland County, and the County Treasurer of Richland County to borrow a sum of money not exceeding Fifteen Hundred (\$1,500.00) Dollars, and to provide a tax levy for the payment thereof.

H. 2051.—Richland County Delegation: A Bill to authorize and empower the trustees of Lykesland School District No. 5, Richland County, and the County Treasurer of Richland County to borrow a sum of money not exceeding Four Thousand (\$4,000.00) Dollars, and to provide a tax levy for the payment thereof.

H. 2052.—Richland County Delegation: A Bill to authorize and empower the trustees of Eastover School District Number 10, Richland County, and the County Treasurer of Richland County to borrow a sum of money not exceeding Five Thousand (\$5,000.00) Dollars, and to provide a tax for the payment thereof.

H. 2053.—Richland County Delegation: A Bill to authorize and empower the trustees of Lower Richland High School District No. 5-13, Richland County, and the County Treasurer of Richland County to borrow a sum of money not exceeding Fifteen Thousand (\$15,000.00) Dollars, and to provide a tax levy for the payment thereof.

H. 2054.—Richland County Delegation: A Bill to authorize the trustees of Bellwood School District Number 8-A and Garners Ferry School District Number 11, Richland County, to borrow a sum of money not exceeding Four Thousand (\$4,000.00) Dollars and to provide for the levy of a tax to retire said loan.

H. 2055.—Richland County Delegation: A Bill to authorize the trustees of Camp Ground School District Number 25, Richland County, to borrow a sum of money not exceeding One Thousand (\$1,000.00) Dollars and to provide for the levy of a tax to retire said loan.

H. 1142.—Union Delegation: A Joint Resolution to repeal Joint Resolution No. 1164 of the Acts and Joint Resolutions of the General Assembly of South Carolina, 1948, approved by the Governor on April 2, 1948, and entitled "A Joint Resolution to authorize and direct the State Highway Department to defer and postpone construction in Union County of a proposed road which would connect Highway No. 92 with North Pinckney Street; to postpone obtaining right-of-way, making surveys, or letting the contract for said road."

H. 1143.—Union Delegation: A Joint Resolution to repeal Joint Resolution No. 1165 of the Acts and Joint Resolutions of the General Assembly of South Carolina, 1948, approved by the Governor on April 14, 1948, and entitled "A Joint Resolution to amend a Joint Resolution entitled 'A Joint Resolution to authorize and direct the State Highway Department to defer and postpone construction in Union County of a proposed road which would connect Highway No. 92 with North Pinckney Street; to postpone obtaining right-of-way, making surveys or letting the contract for said road', enacted by

the General Assembly of South Carolina of 1948, and approved April 2, 1948, so as to provide for the use of the funds heretofore allocated by the State Highway Department for the construction of the road described therein."

PASSED BY AYE AND NAY VOTE

S. 413.—Mr. Moore: A Joint Resolution proposing an amendment to Section 21 of Article V of the Constitution of this State, relating to the jurisdiction of magistrates, so as to extend the jurisdiction of magistrates at the City of Spartanburg, and to prescribe certain qualifications for them.

The Joint Resolution was read in full as follows:

"Be it resolved by the General Assembly of the State of South Carolina:

"Section 1. There is hereby proposed an amendment to Section 21 of Article V of the Constitution of this state, as follows: Add at the end of this section, as amended by ratified Act No. 233, approved the 4th day of May, 1935, the following:

"Provided, that any magistrate designated as a magistrate in the City of Spartanburg, and having jurisdiction therein, in addition to the jurisdiction now conferred upon magistrates in Spartanburg County, shall have jurisdiction in cases at law, and in equity, special proceedings and remedies, where the value of property in controversy, or the amount claimed, does not exceed one thousand dollars, and, in criminal cases, such jurisdiction as the General Assembly may prescribe, not, however, to extend to cases where the punishment may exceed five hundred dollars or imprisonment for eighteen months, or both, provided that the General Assembly may extend such jurisdiction to include cases involving violations of law relating to alcoholic liquors and beverages, non-support of wife and children, bastardy, drawing and uttering fraudulent check, driving motor vehicle under the influence of alcoholic liquors and disposing of property, under lien, even though, the punishment provided for any such offense exceeds the limitations above expressed. No one shall be eligible to serve as a magistrate with such enlarged jurisdiction unless he be at the time duly licensed to practice law and previous to appointment has practiced for at least five years in this state', so that when so amended the said section of the constitution shall read as follows:

"Section 21. Magistrates shall have jurisdiction in such civil cases as the General Assembly may prescribe: *Provided*, Such jurisdiction

shall not extend to cases where the value of property in controversy, or the amount claimed, exceeds one hundred dollars, or to cases where the title to real estate is in question, or to cases in chancery. They shall have exclusive jurisdiction in such criminal cases as the General Assembly may prescribe: *Provided, Further,* Such jurisdiction shall not extend to cases where the punishment exceeds a fine of one hundred dollars or imprisonment for thirty days. In criminal matters beyond their jurisdiction to try, they shall sit as Examining Courts, and commit, discharge, or, except in capital cases recognize, persons charged with such offenses, subject to such regulations as the General Assembly may provide. They shall also have the power to bind over to keep the peace and for good behavior for a time not to exceed twelve months.

" *Provided,* That in the County of Sumter, jurisdiction of magistrates in civil cases shall extend to where the value of property in controversy or the amount claimed is not more than Two Hundred (\$200.00) Dollars except in the Third Magisterial District, where the amount shall not exceed One Thousand (\$1,000.00) Dollars.

" *Provided, Further,* That in addition to the jurisdiction conferred by this Constitution upon magistrates in Anderson County, any magistrate or magistrates residing in the City of Anderson who are licensed to practice law in this State and who have been actively engaged in the practice of law in this State for a period of five (5) years shall have the same jurisdiction as the Court of Common Pleas and the judges thereof and concurrent therewith in all cases in law and equity, special proceedings and remedial remedies, where the value of the property in controversy or the amount claimed does not exceed the sum of One Thousand (\$1,000.00) Dollars, to issue and hear writs of habeas corpus to determine the custody of minor children: *Provided, However,* They shall not have jurisdiction in any case where the title to real estate is involved; and such magistrates shall have jurisdiction in such criminal cases as the General Assembly may prescribe, but such jurisdiction shall not extend to cases where the punishment exceeds a fine of Five Hundred (\$500.00) Dollars and/or imprisonment for eighteen (18) months (either or both) with or without hard labor, except however, such jurisdiction in criminal cases may be extended by the General Assembly to include any and all violations of the laws relating to intoxicating and/or alcoholic liquors, cases charging non-support of wife and/or child or children, bastardy, drawing and uttering fraudulent check, driving motor vehicle under the influence of intoxicating liquor, and disposing of

property under lien, and in such cases said magistrates shall have the power to impose such sentences as are provided by law for such offenses.

" *Provided,* that any magistrate designated as a magistrate in the City of Spartanburg, and having jurisdiction therein, in addition to the jurisdiction now conferred upon magistrates in Spartanburg County, shall have jurisdiction in cases at law, and in equity, special proceedings and remedies, where the value of property in controversy, or the amount claimed, does not exceed one thousand dollars, and, in criminal cases, such jurisdiction as the General Assembly may prescribe, not, however, to extend to cases where the punishment may exceed five hundred dollars or imprisonment for eighteen months, or both, provided that the General Assembly may extend such jurisdiction to include cases involving violations of law relating to alcoholic liquors and beverages, non-support of wife and children, bastardy, drawing and uttering fraudulent check, driving motor vehicle under the influence of alcoholic liquors and disposing of property, under lien, even though, the punishment provided for any such offense exceeds the limitations above expressed. No one shall be eligible to serve as a magistrate with such enlarged jurisdiction unless he be at the time duly licensed to practice law and previous to appointment has practiced for at least five years in this state.'

"Section 2. The proposed amendment shall be submitted to the qualified electors of this state, at the next general election for representatives and shall be submitted in the following manner: Ballots shall be provided at the various voting precincts with the following words printed or written thereon: 'Amendment to Section 21, Article V of the Constitution of this State, relating to the jurisdiction of magistrates at the City of Spartanburg, and by providing certain qualifications for the magistrate upon whom enlarged jurisdiction is conferred as specifically provided in the Joint Resolution proposing this amendment, adopted at the 1950 session of the General Assembly.

In favor of increasing the jurisdiction and prescribing qualifications for magistrate at City of Spartanburg

Opposed to increasing the jurisdiction and prescribing qualifications for magistrate at City of Spartanburg

"Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of increasing the jurisdiction and prescribing qualifications for magistrate at City of Spartanburg'; those voting against the amendment

shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to increasing the jurisdiction and prescribing qualifications for magistrate at City of Spartanburg.'

"Section 3. This Resolution shall become effective upon its passage by the General Assembly as prescribed by the Constitution."

Pursuant to the provisions of the Constitution, the ayes and nays were taken, resulting as follows:

Ayes

Abrams	Kennedy	Richardson
Baskin	Long	Rivers
Brown	Lybrand	Rowland
Callison	Lyles	Smith
Cantwell	Mars	Walker
Dennis	McFaddin	Wallace, O. T.
Gasque	McKown	Wallace, Paul A.
Grant	McLeod	White
Gressette	Moore	Williams, Ray R.
Harvey	Morrison	Williams, W. Bruce
Jefferies	Pruitt	Wilson
Kearse		

Total—34

Nays—None

The Joint Resolution having been read the second time and having received the necessary two-thirds vote of the Senate, was passed and ordered placed on the Calendar for a third reading.

PASSED BY AYE AND NAY VOTE

S. 396.—Mr. Wilson: A Joint Resolution proposing to amend Section 5 of Article X of the Constitution which among other things limits the bonded debt of any county, township, school district, municipal corporation or other political subdivision to eight per centum of the assessed value of all taxable property therein, so as to authorize school district No. 11 of Laurens County to incur bonded indebtedness not exceeding thirty per centum of the taxable property therein.

The Joint Resolution was read in full as follows:

"Be it resolved by the General Assembly of the State of South Carolina:

"Section 1. There is hereby proposed the following amendment to section 5, article X, of the constitution of this state as amended: Add at the end thereof the following:

"Provided, further that the limitations as to bonded indebtedness imposed by this section shall not apply to School District No. 11 of Laurens County and that said School District No. 11 of said county, may incur bonded indebtedness to an amount not exceeding thirty per centum of all taxable property therein, without regard to the amount of bonded indebtedness now outstanding or hereafter created, of any municipal corporation or political subdivision located wholly or partly within said district."

"Section 2. The proposed amendment shall be submitted to the qualified electors of this state, at the next general election hereafter for representatives and shall be submitted in the following manner: At the various voting precincts ballots shall be provided with the following words printed or written thereon: 'Amendment to section 5 of article X of the constitution of this state so as to authorize School District No. 11 of Laurens County to incur bonded indebtedness in an amount not exceeding thirty per centum of the assessed value of the taxable property of said district and to remove the eight per centum limitation now imposed under the provisions of said section.

In favor of Amendment

Opposed to Amendment

"Those voting in favor of the amendment shall deposit a ballot with check or cross mark in the square after the words: 'In favor of Amendment'; those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words, 'Opposed to Amendment.'

"Section 3. This Resolution shall take effect if agreed to as prescribed by the Constitution in case of proposals to amend the same, and passed as otherwise provided for by law."

Pursuant to the provisions of the Constitution, the ayes and nays were taken, resulting as follows:

Ayes

Abrams	Harvey	McKown
Baskin	Jefferies	McLeod
Brown	Kearse	Moore
Callison	Kennedy	Morrison
Cantwell	Long	Pruitt
Dennis	Lybrand	Richardson
Gasque	Lyles	Rivers
Grant	Mars	Rowland
Gressette	McFaddin	Smith

Thomas	Wallace, Paul A.	Williams, W. Bruce
Walker	White	Wilson
Wallace, O. T.	Williams, Ray R.	
Total—35		
Nays—None		

The Joint Resolution having been read the second time and having received the necessary two-thirds vote of the Senate, was passed and ordered placed on the Calendar for a third reading.

MESSAGE FROM THE HOUSE

Columbia, S. C., February 1, 1950.

Mr. President and Gentlemen of the Senate:

The House respectfully informs your Honorable Body that it requests the return of:

H. 1987.—Spartanburg County Delegation: A Bill to amend an Act entitled "An Act to create and establish a Juvenile-Domestic Relations Court in counties having cities with a population between sixty thousand (60,000) and seventy thousand (70,000), according to the official United States census of 1940; to provide for the election of a judge, term of office, appointment of employees and their duties, and the procedure of practice before said court." Being Act No. 509 of the Acts and Joint Resolutions of 1944, as amended, so as to provide a Juvenile-Domestic Relations Court in counties having cities with a population between thirty-two thousand (32,000) and thirty-two thousand five hundred (32,500) according to the official United States census of 1940, and to repeal Act No. 77 of the Acts and Joint Resolutions of 1944, relating to the Children's Court, Spartanburg County.

Very respectfully,

THOMAS H. POPE, *Speaker.*

On motion of Mr. MOORE the first reading of the Bill was reconsidered and the Bill was returned to the House as requested.

LEAVE OF ABSENCE

Leave of absence was granted Mr. HILL, for Thursday, February 2, 1950.

AMENDED, DEBATE INTERRUPTED

H. 1506.—Richland Delegation: A Bill to authorize and permit the State Highway Department to construct a thoroughfare, street

or road connecting North Harden Street in the City of Columbia with Colonial Drive at or near Smith's Corner in Colonial Heights; and to authorize the Board of Regents of the South Carolina State Hospital to grant a right-of-way over and across the lands of this State and the South Carolina State Hospital in perpetuity for said purposes; and to repeal Act No. 671 of the Acts of the General Assembly of South Carolina of 1939.

The question being the third reading of the Bill

Mr. McFADDIN proposed the following amendment which was adopted:

Section 1, line 1, strike out the word "and" and insert in lieu thereof the words "in consultation with"; line 3, strike out the words "and directed".

Section 3, line 3, strike out the words "to this end and for that purpose"; line 6, strike out the words "in perpetuity".

Amend the title by striking out the words "in perpetuity" on line 6 of said title.

Messrs. McLEOD and LYLES argued in favor of the third reading of the Bill and Messrs. JEFFERIES and BROWN argued *contra*.

Mr. McKOWN proposed the following amendment:

Amend by striking out the proviso on lines 9 and 10, page 2 and inserting the following:

"All construction cost shall be charged to Highway Funds allocated to Richland County or the City of Columbia and no other funds shall be used."

Mr. BROWN moved to continue the Bill.

The ayes and nays were demanded and taken, resulting as follows:

Ayes		
Abrams	Harvey	Rivers
Brown	Jefferies	Rowland
Bryant	Kearse	Thomas
Cantwell	McFaddin	Williams, W. Bruce
Gasque	Richardson	Wilson
Gressette		

Total—16

Nays

Baskin	Lyles	Smith
Callison	Mars	<i>Wallace, O. T.</i>
Grant	McKown	<i>Wallace, Paul A.</i>
Kennedy	McLeod	White
Long	Morrison	<i>Williams, Ray R.</i>
Lybrand		

Total—16

Mr. MOORE voted "present".

There being a tie the PRESIDENT voted "nay".

So the Senate refused to continue the Bill.

ADJOURNMENT

At 12:30 p. m., on motion of Mr. BROWN, the Senate adjourned.
to meet tomorrow at 11 o'clock.

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