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CHAPTER 15

Examination of Witnesses by Commission [Repealed]

**SECTIONS 19‑15‑10 to 19‑15‑110.** Repealed by 1985 Act No. 100, Section 2, eff July 1, 1985.

Editor’s Note

For similar provisions, see SCRCP Rule 26.

1985 Act No. 100, Sections 1 and 3, provide as follows:

“SECTION 1. Pursuant to Article V, Section 4A of the Constitution of this State, the Supreme Court of South Carolina has promulgated Rules of Civil Procedure governing practice and procedure in civil actions in the courts of this State, which rules were not disapproved by the General Assembly; and it is the intent of the General Assembly to repeal provisions of the 1976 Code of Laws of South Carolina, to be replaced by the Rules of Civil Procedure.”

“SECTION 3. In event of conflict between any provision of the South Carolina Rules of Civil Procedure and any other statutory provisions as to practice and procedure not repealed in this act, the provision of the rules shall control. However, neither the promulgation of the rules nor this act may be construed to affect the substantive legal rights of any party to any civil litigation in the courts of this State but shall affect only matters of practice and procedure.”

Former Sections 19‑15‑10 to 19‑15‑110 were derived from 1962 Code Sections 26‑601 to 26‑611; 1952 Code Sections 26‑601 to 26‑611; 1942 Code Sections 693 to 702; 1932 Code Sections 693 to 702; Civ. P. ‘22 Sections 708, 710 to 718; Civ. C. ‘12 Sections 3972 to 3981; Civ. C. ‘02 Sections 2868 to 2877; G. S. 2202 to 2209; R. S. 2333 to 2341; 1952 (47) 2042; 1870 (14) 399; 1839 (11) 107; 1829 (6) 382; 1816 (6) 44; 1794 (5) 249; 1787 (5) 45.

Former Section 19‑15‑10 was entitled “Commissions may be granted to examine witnesses on application of party to suit”.

Former Section 19‑15‑20 was entitled “Service of notice of application”.

Former Section 19‑15‑30 was entitled “Compelling attendance of certain local resident witnesses before commission”.

Former Section 19‑15‑40 was entitled “Testimony of officers at State hospital or similar institution may be taken by commission in civil causes”.

Former Section 19‑15‑50 was entitled “Issuance of subpoena for witnesses named in commission”.

Former Section 19‑15‑60 was entitled “Service of subpoena”.

Former Section 19‑15‑70 was entitled “Fees of witnesses appearing before commission”.

Former Section 19‑15‑80 was entitled “Compelling attendance before commissioners”.

Former Section 19‑15‑90 was entitled “Issuance of subpoena on commission from United States or another state”.

Former Section 19‑15‑100 was entitled “Service of subpoena on commission from United States or another state; compensation; compelling attendance”.

Former Section 19‑15‑110 was entitled “Examination of persons who are aged, infirm, sick or bodily hurt”.