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CHAPTER 17

Examination of Witnesses by Depositions [Repealed]

**SECTIONS 19‑17‑10 to 19‑17‑90.** Repealed by 1985 Act No. 100, Section 2, eff July 1, 1985.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of the South Carolina Rules of Civil Procedure and any other statutory provisions as to practice and procedure not repealed in this act, the provision of the rules shall control.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 19‑17‑10 to 19‑17‑90 were derived from 1962 Code Sections 26‑701 to 26‑709; 1952 Code Sections 26‑701 to 26‑709; 1942 Code Sections 703 to 708; 1932 Code Sections 703 to 708; Civ. P. ‘22 Sections 719 to 724; Civ. C. ‘12 Sections 3982 to 3987; Civ. C. ‘02 Sections 2878 to 2883; G. S. 2210 to 2212; R. S. 2342 to 2347; 1902 (23) 1072; 1883 (18) 373; 1872 (15) 41.

Former Section 19‑17‑10 was entitled “Depositions may be taken by clerks of court”.

Former Section 19‑17‑20 was entitled “Compelling attendance of witnesses; attachment for failure to attend”.

Former Section 19‑17‑30 was entitled “Fees of clerk for taking depositions of witnesses”.

Former Section 19‑17‑40 was entitled “Taking of testimony by deposition de bene esse”.

Former Section 19‑17‑50 was entitled “Persons before whom deposition de bene esse may be taken”.

Former Section 19‑17‑60 was entitled “Notice of taking deposition de bene esse”.

Former Section 19‑17‑70 was entitled “Compelling appearance of witness for deposition de bene esse”.

Former Section 19‑17‑80 was entitled “Depositions shall be written; witnesses shall be sworn”.

Former Section 19‑17‑90 was entitled “Disposition of deposition”.